



Home Office

Official Statistics

Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2024

Published 6 March 2025

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This publication is available at
<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-end-of-year-summary-2024/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2024>

This statistical bulletin provides a summary and breakdown of the number of potential victims of modern slavery referred into the National Referral Mechanism (NRM) or via the Duty to Notify (DtN) process in 2024. Please refer to the [data tables \(https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-end-of-year-summary-2024#documents\)](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-end-of-year-summary-2024#documents) published alongside this bulletin for additional data. Raw data related to referrals from 2014 onwards is available from the [UK Data Service \(https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910\)](https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910). Future release dates for these statistics are published in the Government statistics [release calendar \(https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance\)](https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance).

This publication includes an [annex \(https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-end-of-year-summary-2024/annex-an-analysis-of-nrm-referrals-and-dtn-reports-for-potential-victims-of-modern-slavery-2023-to-2024\)](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-end-of-year-summary-2024/annex-an-analysis-of-nrm-referrals-and-dtn-reports-for-potential-victims-of-modern-slavery-2023-to-2024) which analyses the differences in NRM referrals and DtN reports for potential victims of modern slavery between 2023 and 2024.

Frequency of release: Annual

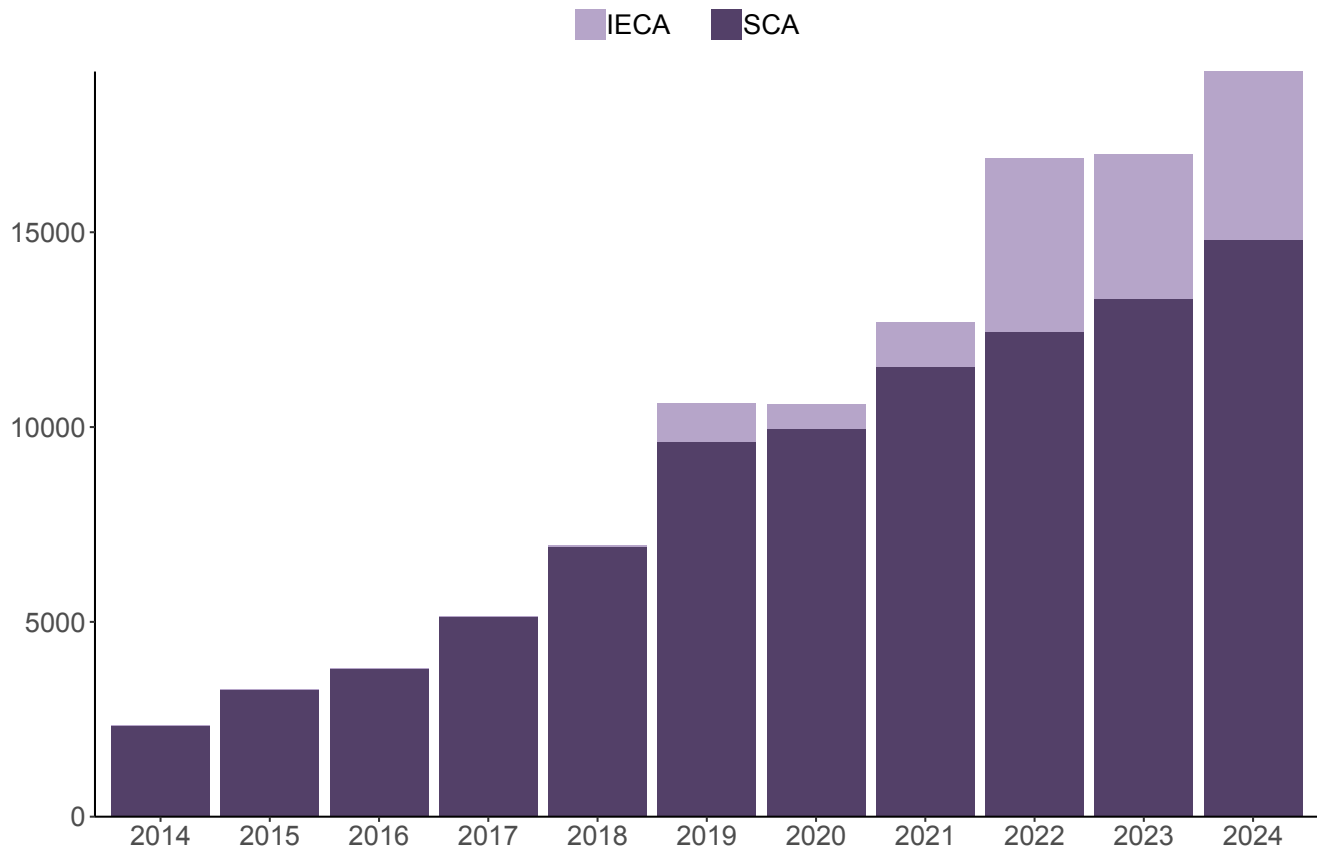
Home Office Responsible Statistician: Stuart Prince

1. Key results

- 19,125 potential victims of modern slavery were referred to the Home Office in 2024, representing a 13% increase compared to the preceding year (16,990)
- the number of referrals made in this year is the highest in a year since the NRM began, overtaking the record from the previous year
- 14,790 (77%) were sent to the Single Competent Authority (SCA) for consideration and 4,335 (23%) were sent to the Immigration Enforcement Competent Authority (IECA)
- the most common nationalities referred this year were UK (23%; 4,441), Albanian (13%; 2,492) and Vietnamese (11%; 2,153)
- 20,090 reasonable grounds and 17,304 conclusive grounds decisions were made this year; of these, 53% of reasonable grounds and 56% of conclusive grounds decisions were positive
- the number of conclusive grounds decisions made was the highest in a year since the NRM began, representing a 78% increase compared to the preceding year

- there were 17,168 cases which have been issued a positive reasonable grounds decision and are awaiting a conclusive grounds decision, as of the end of 2024
- the Home Office received 5,598 reports of adult potential victims via the DtN process
- the number of DtN reports received this year is the highest in a year since the NRM began, overtaking the record from the previous year

Figure 1: Number of annual NRM referrals by competent authority



Source: SCA, IECA

Notes:

1. Excludes data pre-2014 due to data reliability. The IECA took on referrals from November 2021 onwards.

2. Introduction

Modern slavery is a term that includes any form of human trafficking, slavery, servitude or forced labour, as set out in the Modern Slavery Act 2015. Potential

victims of modern slavery in the UK who come to the attention of authorised first responder organisations are referred to the NRM.

Authorised first responder organisations include local authorities, specified non-governmental organisations (NGOs), police forces and specified government agencies. Adults (aged 18 or above) must consent to being referred to the NRM, whilst children aged 17 and under need not consent to being referred. Adults who were exploited as children can also be referred. As specified in section 52 of the Modern Slavery Act 2015, public authorities in England and Wales have a statutory duty to notify the Home Office when they come across potential victims of modern slavery. This duty is discharged by either referring a child or consenting adult potential victim into the NRM, or by notifying the Home Office via the DtN process if an adult victim does not consent to enter the NRM.

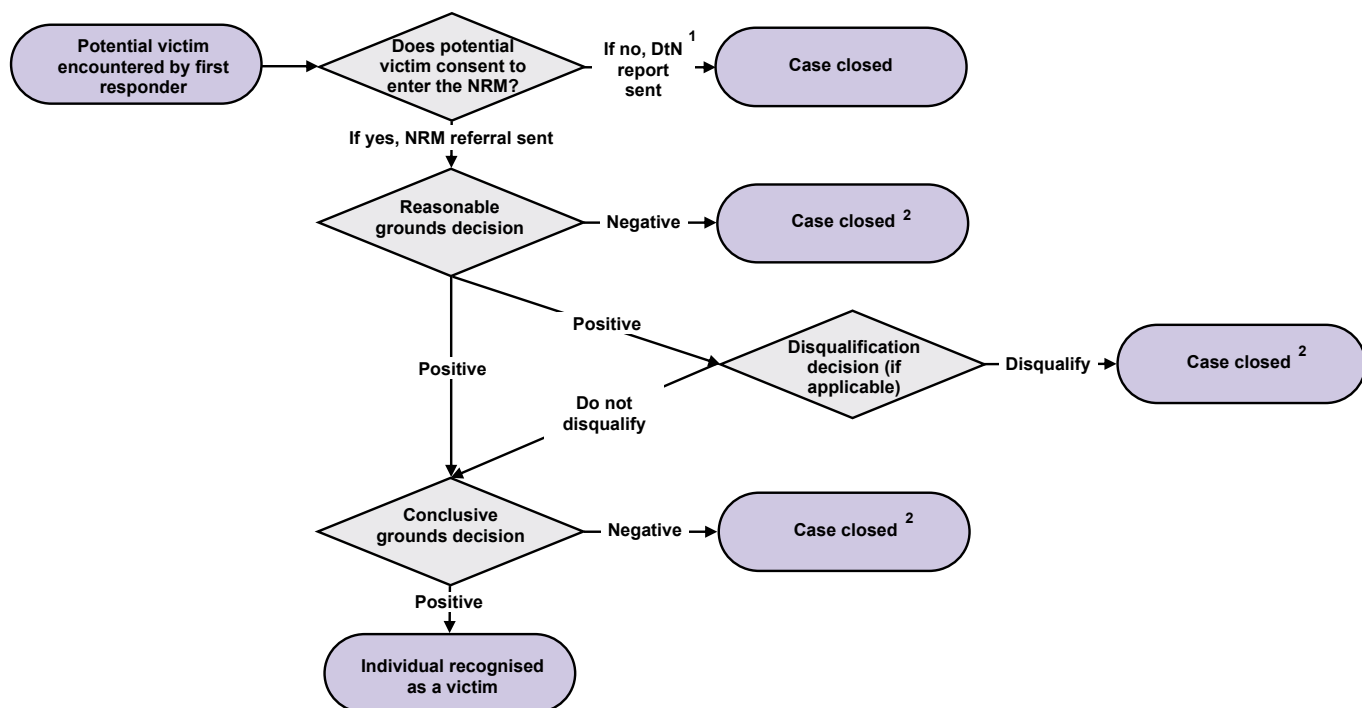
Individuals referred to the NRM receive decisions from the Home Office on 2 grounds: reasonable grounds, and conclusive grounds (figure 2).

Before 30 January 2023, the reasonable grounds test was whether the decision maker suspects but cannot prove that the individual is a victim of modern slavery. From 30 January 2023, that test was amended so that the decision maker must agree there are reasonable grounds to believe, based on objective factors, that a person is a victim of modern slavery. From 10 July 2023, the test was further amended, such that the test remains an objective one, whereby the decision maker must agree with the statement that there are “reasonable grounds to believe that a person is a victim of modern slavery”. This takes the victim’s account into consideration and any other relevant information, and considers whether, in the circumstances of the case, it is reasonable to expect supporting information to be available.

Disqualification requests can be made for individuals if they are deemed to have met criteria for disqualification from the NRM. These criteria may be based on either grounds of public order, bad faith, or if the individual has already received a support period in the NRM. Individuals may only be disqualified after they have received a positive reasonable grounds decision. Public order disqualification decisions were paused from 31 July 2023 to 8 January 2024 while this policy was updated. For more information, see the [published guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf) for modern slavery.

Following a positive reasonable grounds decision, a conclusive grounds decision will be made. A positive conclusive grounds decision indicates that, on the balance of probabilities, there is sufficient information to consider the individual is a victim of modern slavery.

Figure 2: Victim identification flowchart (simplified)



Source: Home Office

Notes:

1. The DtN is only open to adults in England and Wales (as opposed to the NRM which covers the UK). Consent is not needed for children to enter the NRM.
2. Decisions may be reconsidered, which may mean some cases are reopened after being closed.
3. Some cases may not follow this flowchart. For instance, some may be suspended, and others may be devolved pilot cases which can receive combined reasonable and conclusive grounds decisions.

Currently, adults with a positive reasonable grounds decision supported by the Modern Slavery Victim Care Contract (MSVCC) in England and Wales are entitled to accommodation where necessary, financial support and access to a support worker. Victims in MSVCC support with a positive conclusive grounds decision are entitled to a further 45 days of support at least, whilst those with a negative decision receive 9 days of 'move on' support as the individual exits the service.

See [further information regarding the NRM process](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales)

(<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>).

Trained specialists in the Home Office decide who is recognised as a victim of modern slavery. The SCA was launched in April 2019 and the IECA was created in November 2021. Both competent authorities recognise victims of modern slavery for cases referred to the NRM across the UK. See [further information regarding both competent authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-ew-non-statutory-guidance-sni_v2.5-final.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-ew-non-statutory-guidance-sni_v2.5-final.pdf).

In June 2021, the Home Office launched a pilot programme, across 10 successful sites, to test alternative models of decision-making for child victims of modern slavery and human trafficking. To enable further testing, 10 additional pilot sites were launched in early 2023. The Home Office are working closely with local authorities and stakeholders to monitor the pilot and continue to assess next steps. Decisions made by pilot areas, which are then issued by the SCA, are included in the data used for the bulletin. Statistics on the [devolved decision-making pilot for children](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery) (<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery>) were published in November 2023. See [further information regarding the pilots](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery) (<https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery>).

3. National Referral Mechanism (referrals)

3.1 Overall

In 2024, the NRM received 19,125 referrals of potential victims of modern slavery, which represents a 13% increase in referrals compared to the previous year (16,990). The number of referrals made in this year is the highest in a year since the NRM began, overtaking the record from the previous year. The change in referrals between 2023 and 2024 are explored in more detail in the annex.

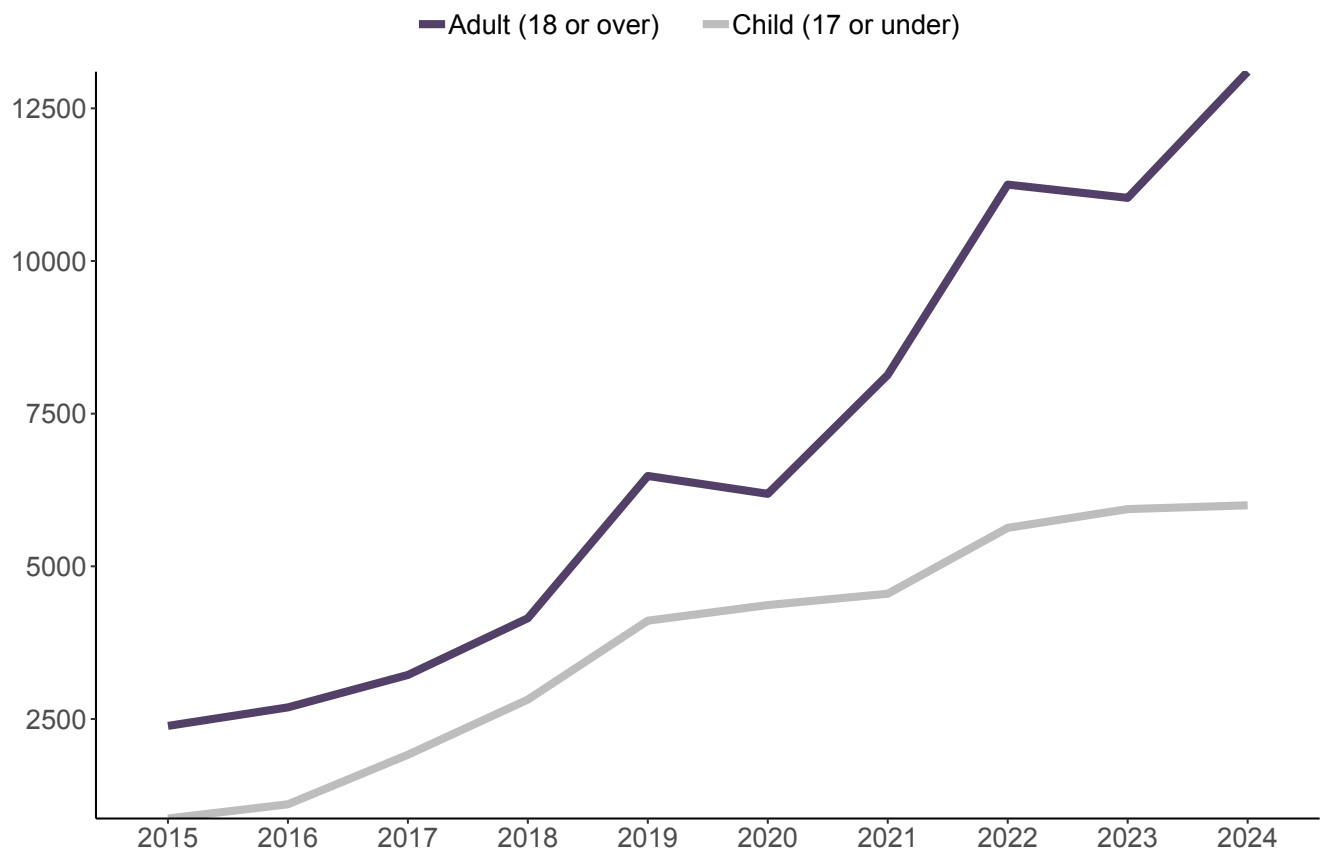
There have been a number of changes which have collectively raised the profile of modern slavery since 2014. These are likely to have increased awareness of modern slavery and the NRM and, alongside potential increases in exploitation, may have driven the increase in overall referrals. However, it is not possible to point to a main driver due to the hidden nature of modern slavery.

3.2 Age group

The Home Office records demographic data about individuals referred into the NRM, as well as information about the exploitation they have potentially suffered. This includes the age at referral, as well as the age group their exploitation is reported as having occurred at. Statistics on age at exploitation can be found in the data tables.

Of all referrals this year, 68% (13,100) were adults at age of referral (compared to 65% in the previous year), whilst 31% (5,999) were children (compared to 35% in the previous year) (figure 3). The age at referral was unknown in 26 cases.

Figure 3: Number of NRM referrals by age group of referral



Source: SCA, IECA

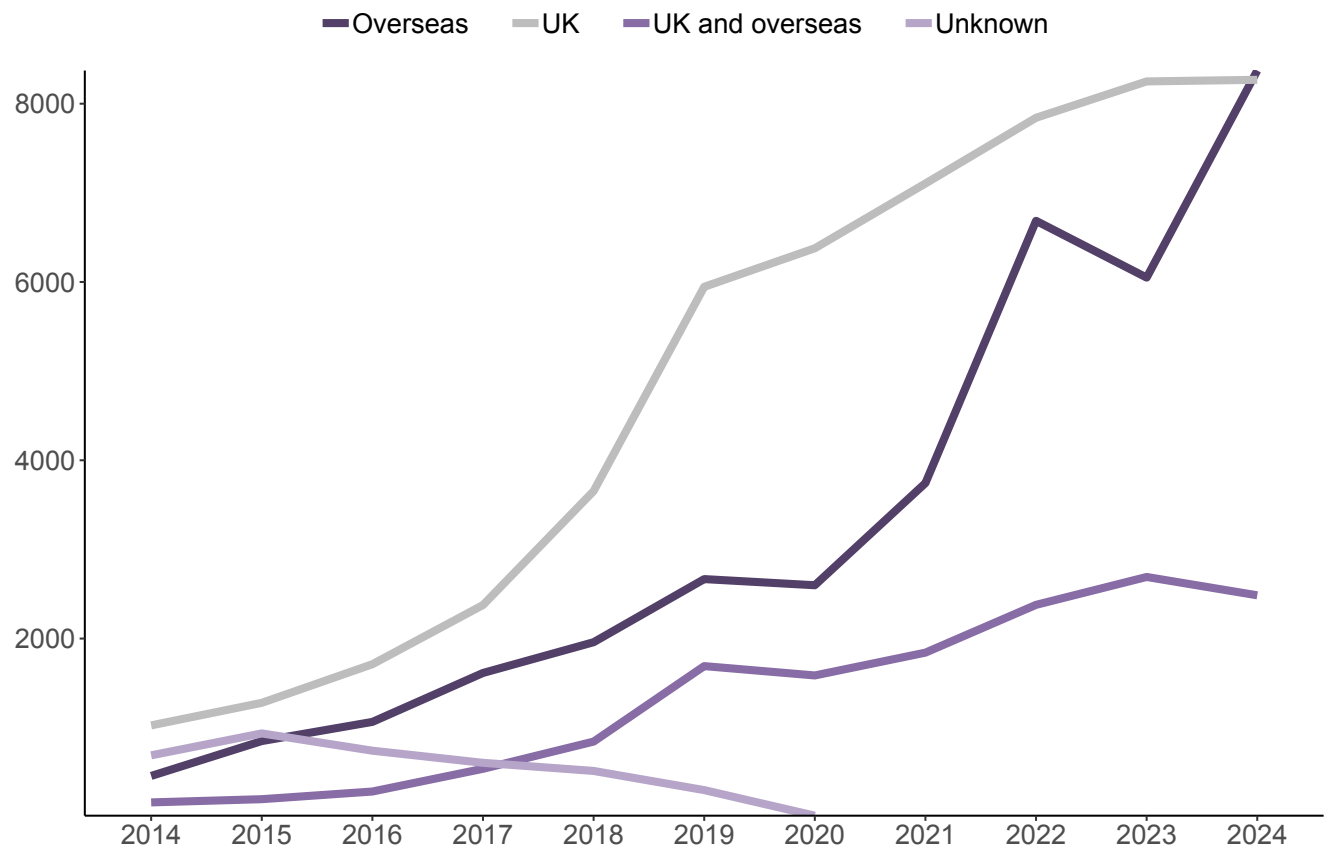
Notes:

- 1. Excludes data pre-2014 due to data reliability.
- 2. Excludes referrals where the age at referral is unknown.

3.3 Location of exploitation

Potential victims may report that their exploitation has occurred either in the UK, overseas, or a combination of both. Overall, 43% (8,268) of potential victims claimed that they were exploited exclusively in the UK, compared to 49% in the previous year, and 44% (8,372) claimed that they were exploited exclusively overseas, compared to 36% in the previous year (data table 3; figure 4). This was also the first year that referrals claiming overseas exploitation have overtaken the number claiming exploitation in the UK.

Figure 4: Number of NRM referrals by location of exploitation



Source: SCA, IECA

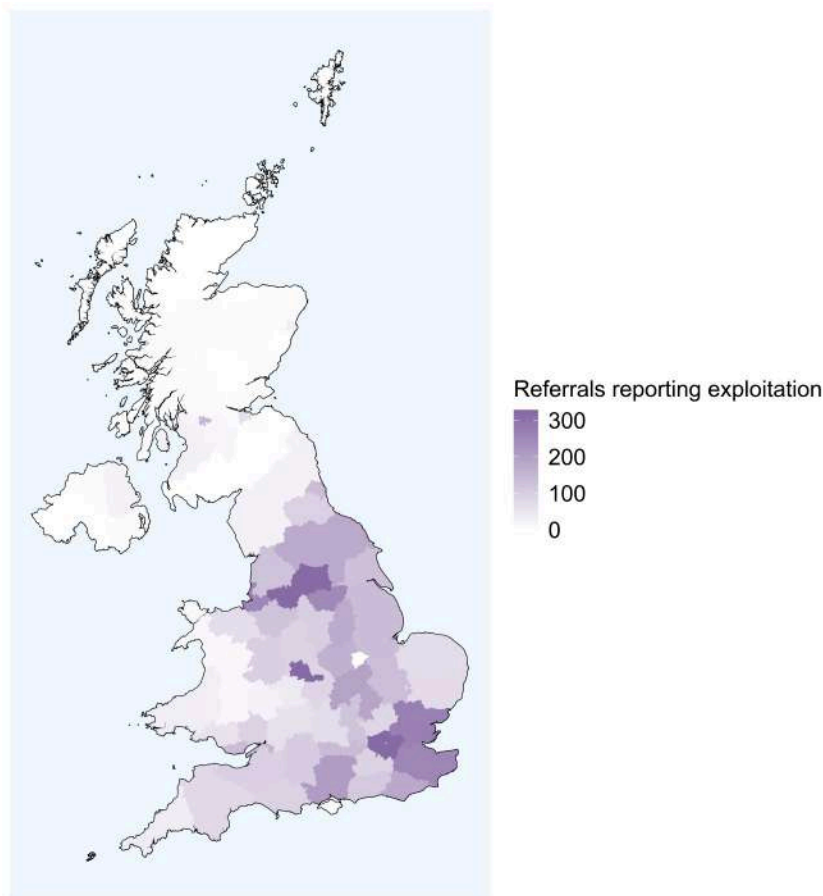
Notes:

1. Excludes data pre-2014 due to data reliability.

Where exploitation occurred in the UK, referrals may also name towns and cities where this is reported to have occurred. These are grouped into counties at the Home Office. Here, ‘counties’ refer to lieutenancy areas, which are the boundaries used because of the scale at which the data is collected, as well as for the purpose of mapping. Further information can be found in the [‘Quality information’](#) section.

In 2024, the UK county where exploitation was most commonly said to have occurred in was Greater London (2,661). This was followed by West Midlands (842) and Greater Manchester (549). Referrals may report multiple places of exploitation, so it is not advised to combine statistics for multiple counties.

Figure 5: Number of NRM referrals reporting exploitation in UK counties



Source: SCA, IECA

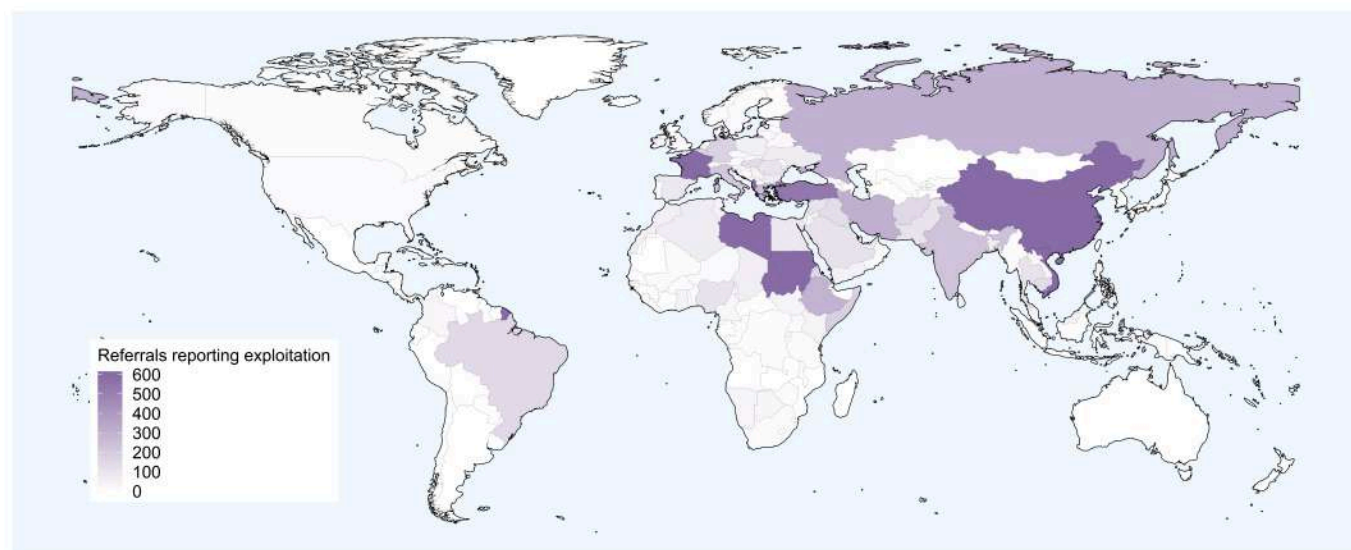
Notes:

1. Includes referrals which have reported exploitation in the UK, or a combination of the UK and overseas.
2. It is not advised to combine statistics for multiple counties as each referral may report multiple places of exploitation.
3. May not capture all places of exploitation if they are not recorded on referral forms.

Where exploitation has occurred overseas, referrals may also name countries and regions where this is reported to have occurred. In 2024, the overseas country where exploitation was most commonly said to have occurred in was Libya (3,212). This was followed by Albania (1,294) and Vietnam (1,049). Referrals may

report multiple places of exploitation, so it is not advised to combine statistics for multiple countries.

Figure 6: Number of NRM referrals reporting exploitation in overseas countries



Source: SCA, IECA

Notes:

1. Country borders do not necessarily reflect the UK Government's official position.
2. Includes referrals which have reported exploitation overseas, or a combination of the UK and overseas.
3. It is not advised to combine statistics for multiple countries as referrals may report multiple places of exploitation.
4. May not capture all places of exploitation if they are not recorded on referral forms.

3.4 Gender

Overall, of the 19,125 potential victims referred in this year, 74% (14,157) were male and 26% (4,937) were female. Referrals for both male and female potential victims have reached their highest annual number since the NRM began. The proportion of male referrals received in each year had been gradually increasing since the NRM began, although it has fallen slightly since 2023.

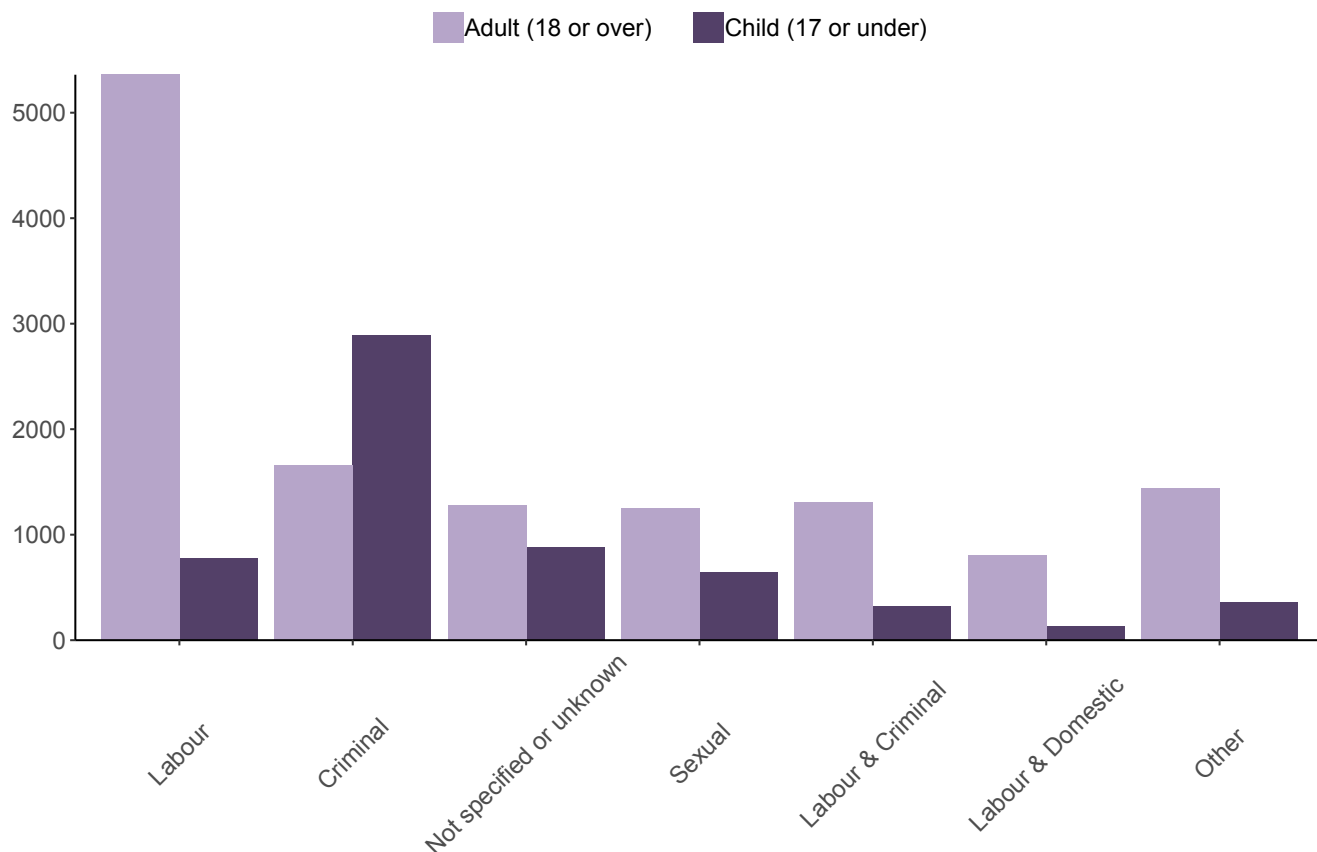
For adults (at age of referral), 72% (9,459) were male and 28% (3,626) were female; whilst for children, 78% (4,677) were male and 22% (1,306) were female (data table 4).

3.5 Exploitation type

There are a variety of ways potential victims can be exploited as set out in the modern slavery [statutory guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf). From October 2019, the recording categories were changed, to include more types and combinations of exploitation. Statistics prior to this should therefore not be compared, and more information can be found in the '[revisions](#)' section.

Overall, potential victims were most commonly referred for labour exploitation only, which accounted for 32% (6,153) of all referrals. For adults (at age of referral), labour exploitation was most commonly reported (41%; 5,360), whereas children were most often referred for criminal exploitation (48%; 2,891) (data table 4). The number of potential victims who reported labour exploitation only is the highest in a year since the NRM began, representing an 8% increase from the previous record in 2019 (5,696). See [further information on types of exploitation](https://www.gov.uk/government/publications/a-typology-of-modern-slavery-offences-in-the-uk) (<https://www.gov.uk/government/publications/a-typology-of-modern-slavery-offences-in-the-uk>).

Figure 7: Number of NRM referrals, by exploitation type and age at referral



Source: SCA, IECA

Notes:

1. First responders can enter data for unclassified exploitation in a free-text field; for statistical reporting, this field is grouped as 'Not specified or unknown'.
2. Less commonly reported exploitation types are grouped as 'Other' and a full breakdown is provided in data table 4.

Exploitation types typically have gendered patterns. For example, in 2024, males most often reported labour exploitation (39%; 5,462), whereas females most often reported sexual exploitation (31%; 1,546).

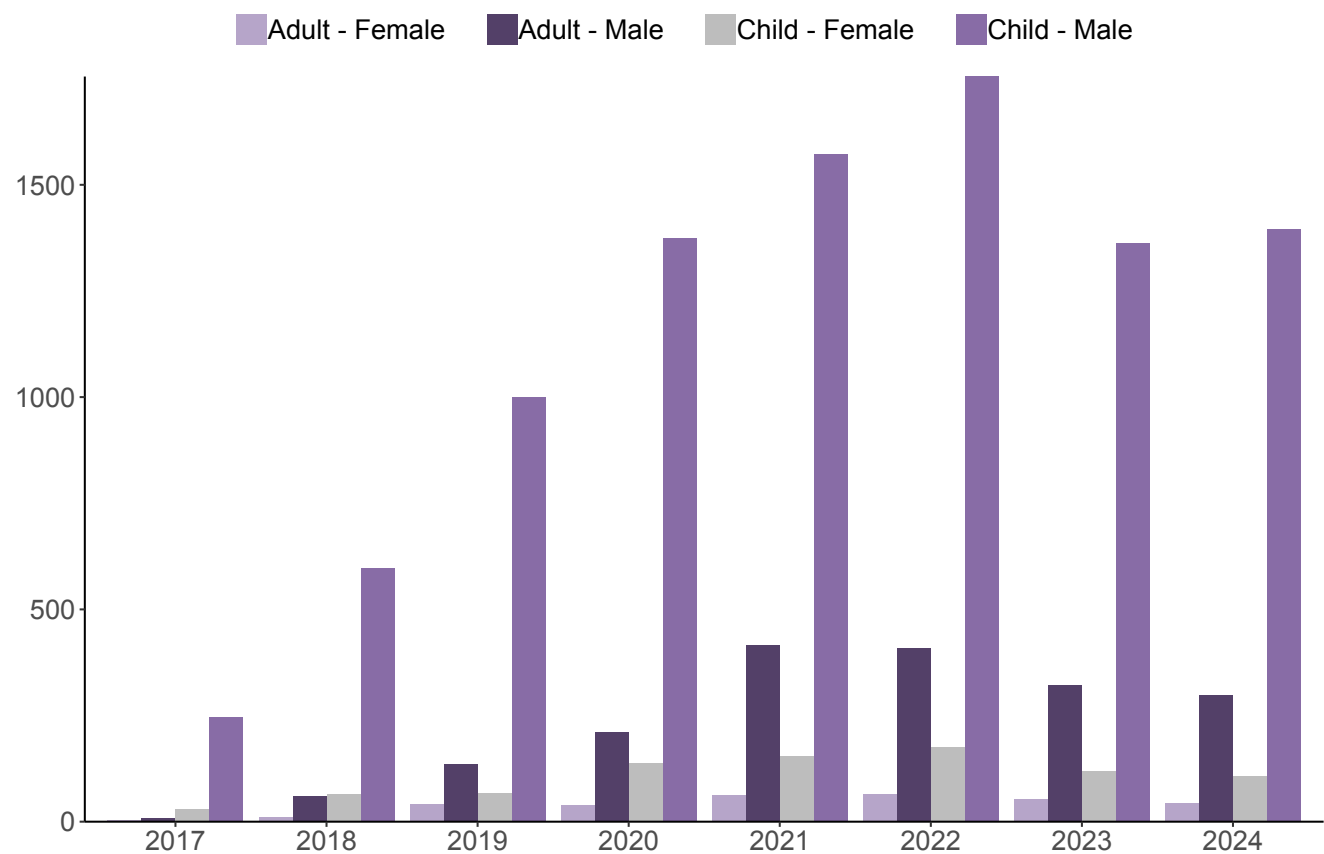
Referrals may be flagged as county lines cases by decision makers, which is most commonly a subset of criminal exploitation. County lines is a term used to describe drug gangs in large cities expanding their reach to small towns. Often, the gangs exploit vulnerable individuals to transport substances, and mobile phone 'lines' are used to communicate drug orders. See [further information on county lines](https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines) (<https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines>).

In 2024, 1,845 county lines referrals were flagged, accounting for 10% of all referrals received (data table 19). The majority (76%; 1,396) of these referrals

were for male children (at age of referral).

Referrals flagged as county lines partly drove the increase in referrals for children within the criminal exploitation category from 2020 to 2022. In 2022, there were an average of over 580 referrals flagged each quarter. In 2023, the number of referrals flagged fell to an average of around 430 each quarter, and also fell as a proportion of all referrals (from 14% in 2022 to 10% in 2023).

Figure 8: Number of NRM referrals flagged as county lines, by age at referral and gender



Source: SCA, IECA

Notes:

1. County lines referrals were classified as a sub-type of labour exploitation prior to October 2019. Since January 2020, a ‘flag’ within the NRM digital casework system identifies county lines referrals.

3.6 Nationality

There were 362 nationalities represented by referrals this year, which includes dual nationals as separate categories. The most common nationality referred was

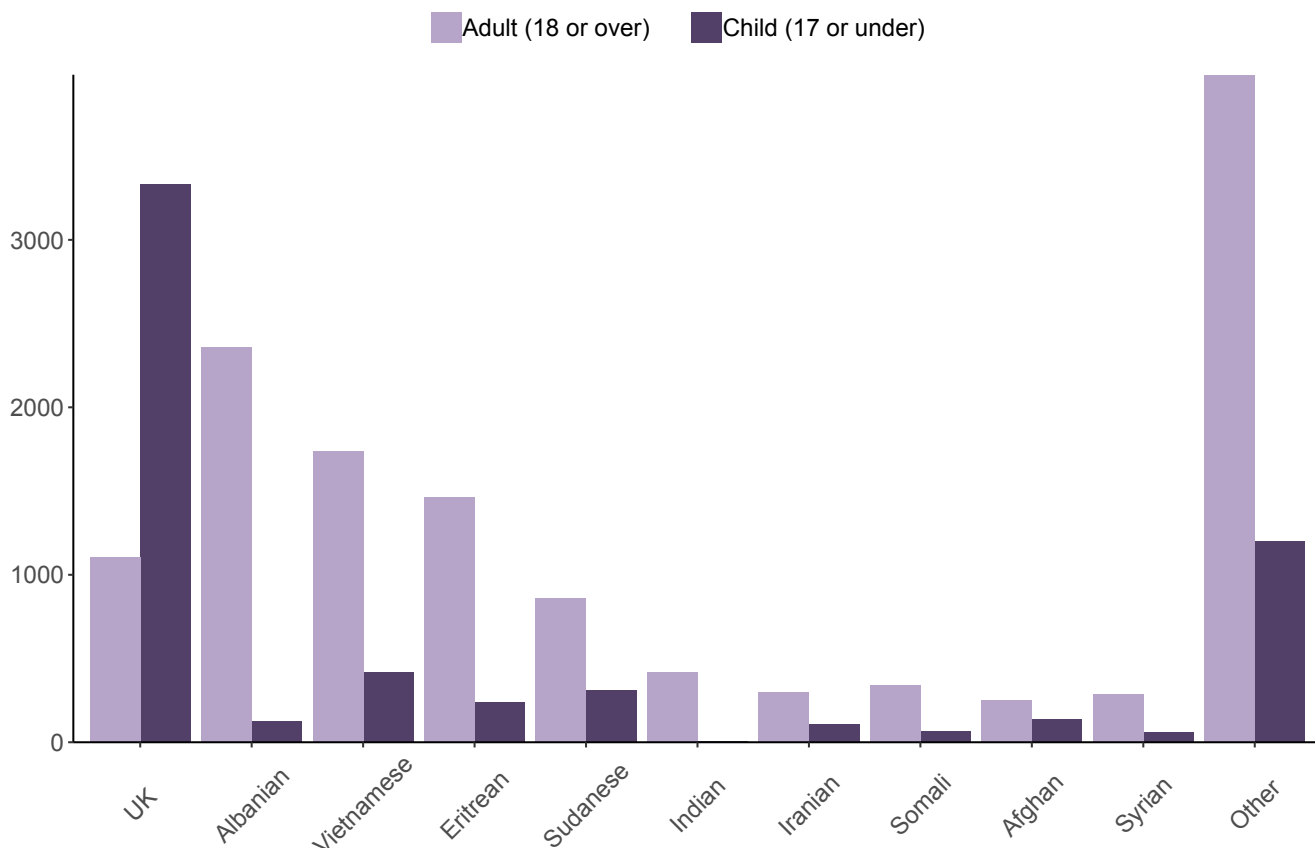
UK, which accounted for 23% (4,441) of all potential victims (compared to 25% in the previous year). The second most commonly referred nationality was Albanian (13%; 2,492) and the third was Vietnamese (11%; 2,153). The number of referrals for Vietnamese nationals is the highest in a year for this nationality since the NRM began, representing a 117% increase when compared to the previous record in 2023 (data table 7).

The majority (75%; 3,335) of UK nationals were children (at age of referral); whilst for Albanian nationals, most (95%; 2,358) were adults. For Vietnamese nationals, 81% (1,735) were adults and 19% (416) were children (figure 9). Potential victims may have no recorded age at referral, so are grouped as 'not specified or unknown' in the data tables.

The UK often supports efforts to tackle modern slavery upstream in key source countries. Between 2016 and 2023, the Home Office has spent over £40 million through the Modern Slavery Fund to combat modern slavery overseas and reduce the threat of human trafficking to the UK, including from Albania and Vietnam.

Please note, a change to data recording from October 2019 means that NRM data reflects the dual nationality of potential victims in separate categories. To see total counts of a particular nationality, please refer to the data tables. A potential victim's nationality is based on information provided by the first responder upon referral; however case workers may update this as further information is gathered.

Figure 9: Number of NRM referrals for the most common nationalities of potential victims, by age at referral



Source: SCA, IECA

Notes:

1. Excludes potential victims with an unknown age at referral.
2. There are separate categories for dual-nationals.

3.7 Location of crime investigation

Upon receiving an NRM referral, the SCA determines the responsible geographic police force for investigation based on the information provided on the referral form and transfers the referral. Transfer between police forces can take place as they receive further information, which is reflected in the statistics. Previously, British Transport Police referrals were classed under England, but are now separate in the data tables.

As in previous years, most (89%; 16,970) of the NRM referrals were sent to police forces in England, with 5% (920) to Police Scotland, 3% (563) to Welsh police forces and 3% (651) to the Police Service of Northern Ireland (data table 3).

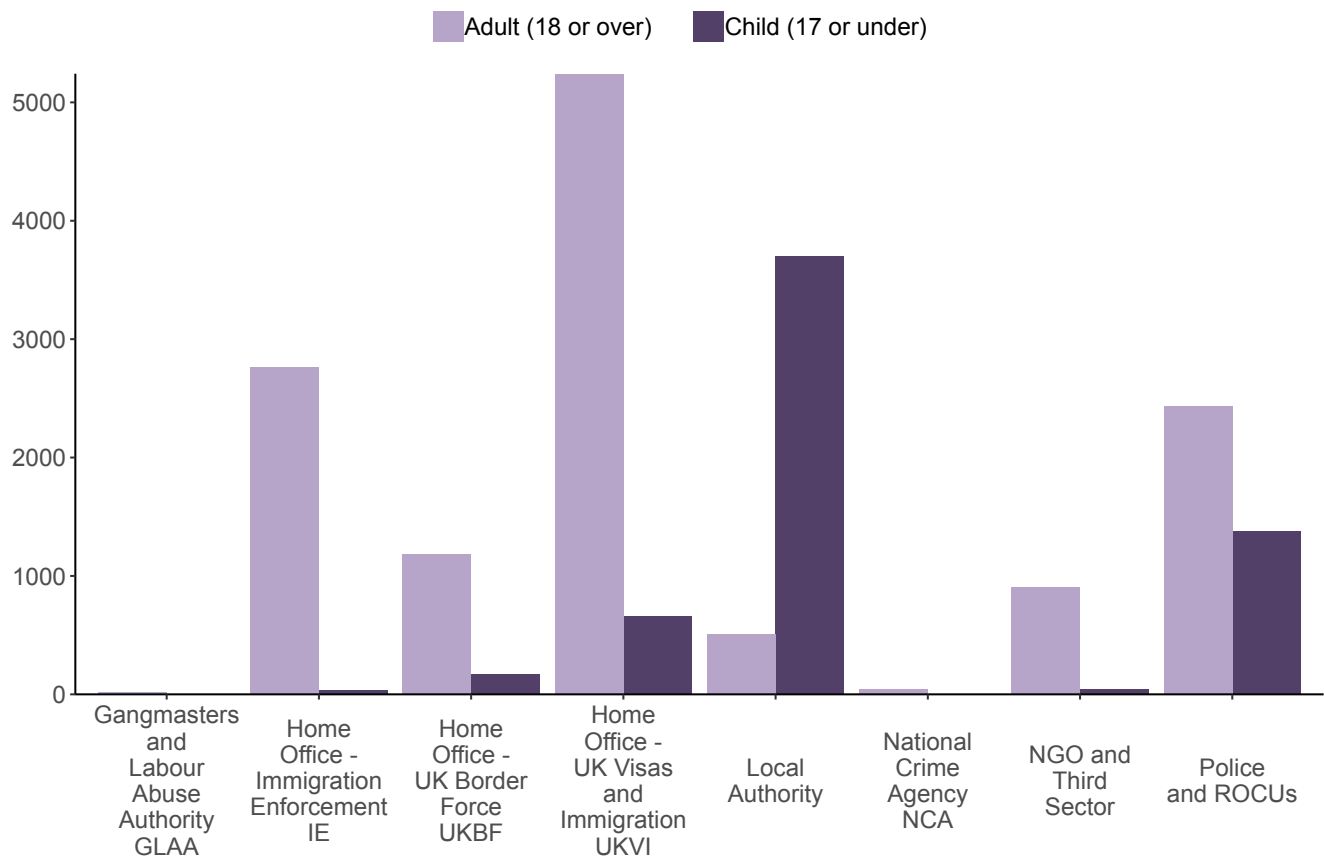
3.8 First responders

In 2024, 53% (10,137) of the referrals came from government agencies, compared to 48% in the previous year. Of these referrals, most came from UK Visas and Immigration (58%; 5,908), whilst 28% (2,809) came from Home Office Immigration Enforcement, compared to 33% in the previous year (data table 15; figure 10).

NGO and third-sector organisations accounted for 5% (950) of referrals (data table 16). Police forces and Regional Organised Crime Units (ROCU) accounted for 20% (3,822) of NRM referrals in 2024 (compared to 23% in the previous year) (data table 17). Local authorities accounted for 22% (4,206) of referrals, mostly for children (data table 18).

Law enforcement efforts often focus on modern slavery which may lead to an increase in NRM referrals. The Home Office continues to support the police to improve the national policing response to modern slavery, through work co-ordinated by the Modern Slavery and Organised Immigration Crime Unit. This has led to significant law enforcement activity focused on modern slavery, since the Modern Slavery Act 2015 came into force, which may lead to increased NRM referrals.

Figure 10: Number of NRM referrals by first responder types



Source: SCA, IECA

Notes:

1. Excludes potential victims with an unknown age at referral.

4. National Referral Mechanism (decisions)

4.1 Reasonable grounds decisions

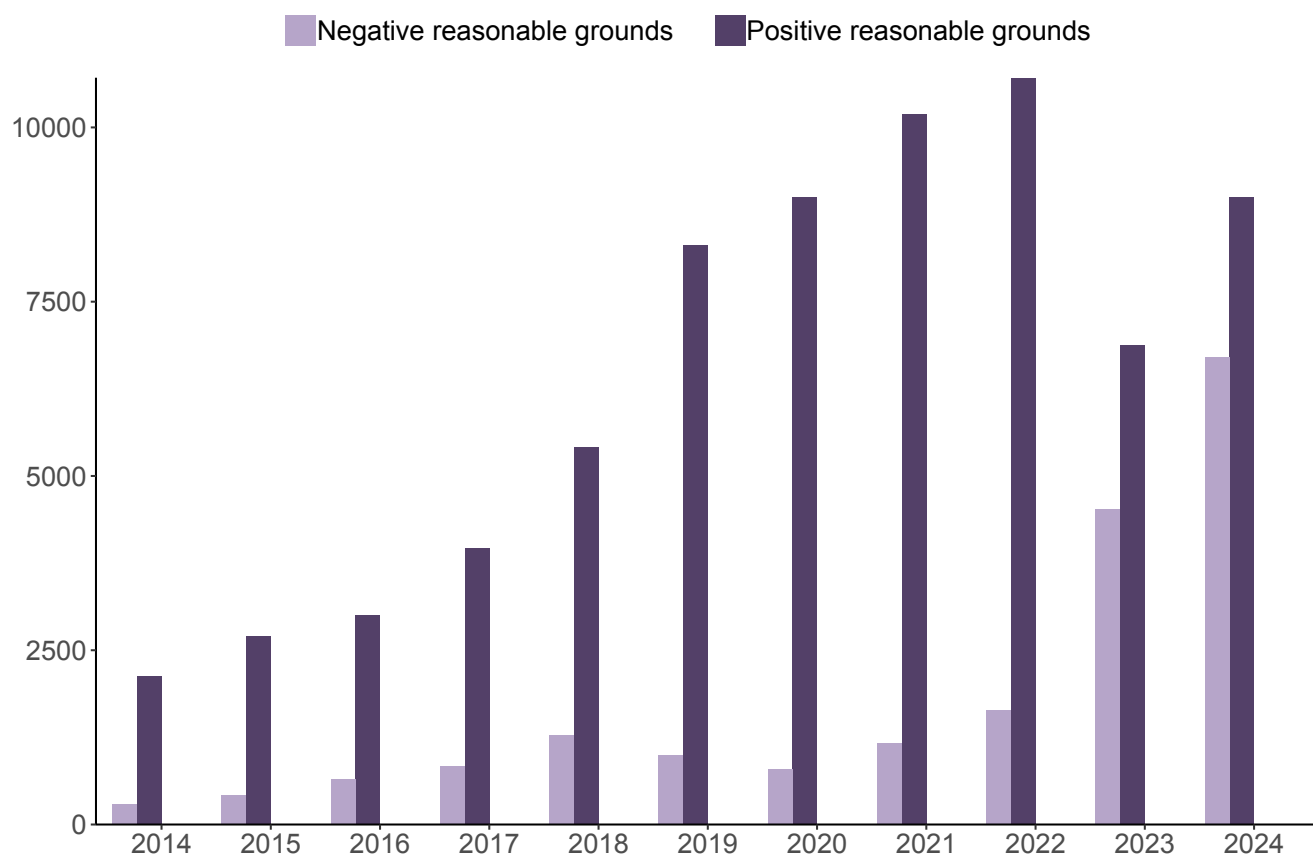
In 2024, 20,090 reasonable grounds decisions were issued, with 53% being positive. This was the lowest proportion of positive reasonable grounds decisions made in a year since the NRM began. Of these, the SCA issued 15,716 decisions and the IECA issued 4,374 decisions; 57% (9,003) of decisions made by the SCA were positive and 36% (1,586) of decisions made by the IECA were positive (data tables 21 and 22).

For the 9,501 negative reasonable grounds decisions issued this year, the most common reason for issuing negative decisions was that the referral had insufficient information to meet the standard of proof required (52%; 4,954). The second most common reason was that the referral did not meet the definition of modern slavery (41%; 3,934) and the third was that the referral was not credible (5%; 528) (data table 25).

The proportion of positive decisions had remained relatively stable in recent years, with around 9 out of every 10 referrals receiving a positive decision. However, from 30 January 2023, the threshold for a positive reasonable grounds decision was updated, which led to a reduction in the proportion of positive decisions issued. On 10 July 2023, the threshold was revised once more, and for further information see the [published guidance](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims) (<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>).

Of the 20,090 reasonable grounds decisions issued this year, the proportion of positive reasonable grounds decisions was 40% for adults (at age of referral) and 79% for children (data table 20).

Figure 11: Number of NRM positive and negative reasonable grounds decisions



Source: SCA, IECA

Notes:

1. Based on the quarter in which the competent authority issued their decision.

The average (median) time taken from referral to reasonable grounds decisions made in 2024 across the competent authorities was 9 days, compared to 23 days in the previous year (data table 25). For reasonable grounds decisions made by the SCA, the average time taken this year was 13 days, and the IECA took an average of 5 days (data tables 27 and 28, respectively).

Average wait times for reasonable grounds decisions had been increasing following the change in guidance for such decisions since 30 January 2023 but have fallen again since the period from October to December 2023. While average wait times have fallen in 2024, they are still above pre-guidance change levels (data table 26).

It is important to note that decision-making times presented here are for cases that received a reasonable grounds decision in this period and do not reflect the waiting time of all cases within the system. Decision-making times are taken as the difference between the date of the referral receipt and decision date, and do

not exclude any periods of time during which referrals may be suspended, withdrawn or previously closed. Hence, actual average wait times will be shorter.

In addition, cases where the decision-making is devolved to local authorities as part of a pilot for children are included as SCA cases for these statistics. Decisions made as part of this pilot operate at different timescales, with guidance outlining that reasonable grounds decisions should be made no later than 45 days from the date the pilot area receives the referral. More information can be found in the [published guidance \(https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery\)](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery).

4.2 Disqualifications

From 30 January 2023, disqualification requests could be made by the Home Office for individuals if they are deemed to have met criteria for disqualification from the NRM (either on the basis of bad faith, public order or given the person would benefit from multiple recovery periods). Upon the individual receiving notice of a disqualification request, there is a period of 10 working days for evidence to be sent to competent authorities to consider while making their decision on whether to disqualify. The expectation is that a disqualification decision will be made as close as possible to a positive reasonable grounds decision.

In 2024, 276 disqualification requests were made. Of these, 95% (262) were on grounds of public order and 5% (14) were on grounds of bad faith (data table 29).

In 2024, there were 255 confirmed disqualifications. Of these, 95% (242) were on grounds of public order and 5% (13) were on grounds of bad faith (data table 32). Public order disqualification decisions were paused from 31 July 2023 to 8 January 2024 while this policy was updated.

4.3 Conclusive grounds decisions

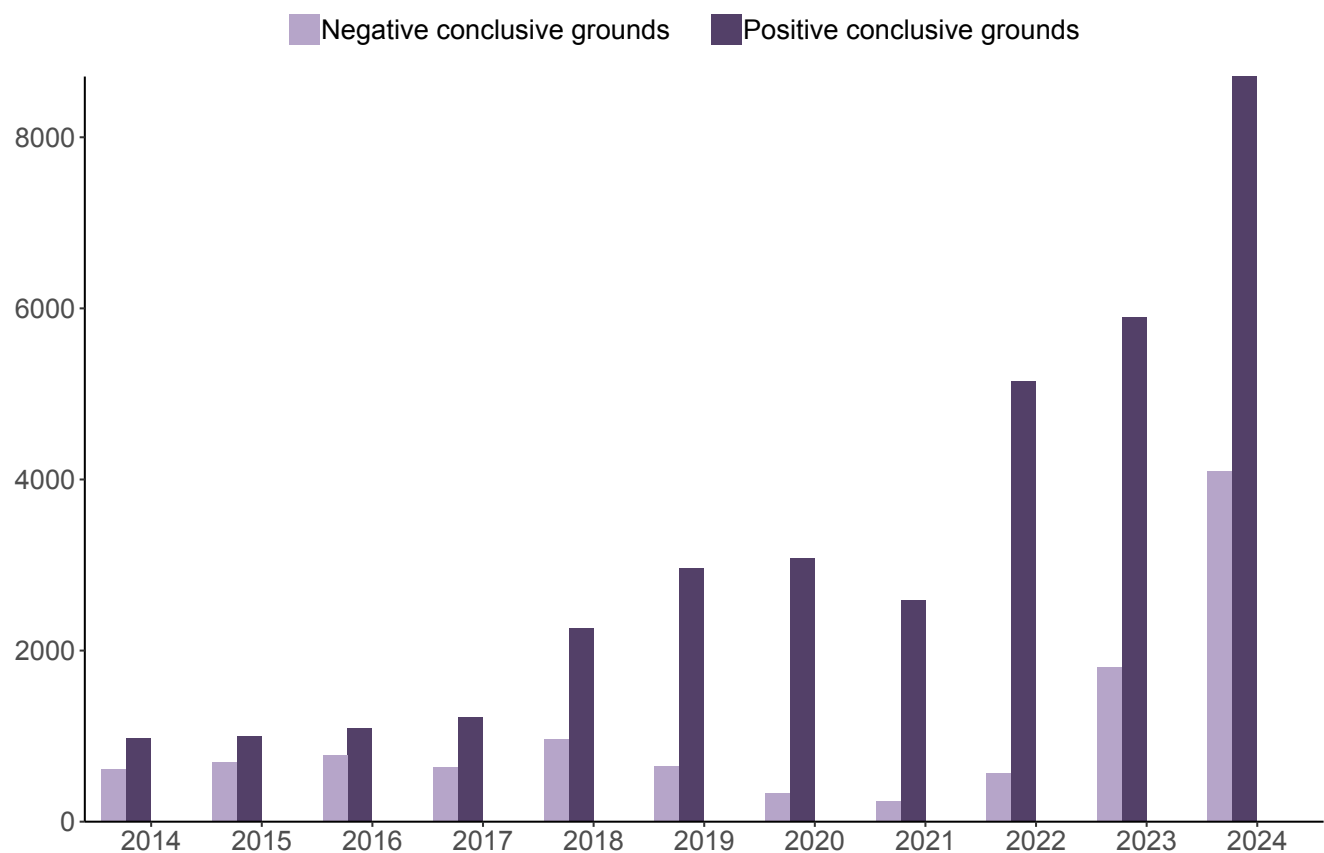
In 2024, there were 17,304 conclusive grounds decisions issued, compared to 9,728 in the previous year. The number of conclusive grounds decisions issued this year is the highest since the NRM began, representing a 78% increase compared to the preceding year, following the increasing trend since the early months of 2021 due to the recruitment of additional decision makers by the competent authorities.

For those issued this year, the proportion of positive conclusive grounds decisions was 56%. More specifically, the proportion of positive conclusive grounds decisions was 41% for adults (at age of referral) and 78% for children (data table 35).

For the 7,566 negative conclusive grounds decisions issued this year, the most common reason for issuing negative decisions was that the referral had insufficient information to meet the standard of proof required (76%; 5,729). The second most common reason was that the referral did not meet the definition of modern slavery (12%; 945) and the third was that the referral was not credible (11%; 816) (data table 38).

Of the 17,304 decisions issued this year, 12,174 were issued by the SCA and 5,130 by the IECA (data tables 35 and 36); 72% (8,710) of conclusive grounds decisions issued by the SCA were positive and 20% (1,028) of conclusive grounds decisions issued by the IECA were positive.

Figure 12: Number of NRM positive and negative conclusive grounds decisions



Source: SCA, IECA

Notes:

1. Based on the quarter in which the competent authority issued their decision.

Given the quarterly variance in the average time to decision, the average (median) age of those awaiting conclusive grounds decisions is a more accurate reflection of wait times. Overall, the average age of cases awaiting a conclusive grounds

decision at the end of December 2024 was 630 days. For SCA cases, the average age was 650 days and for IECA cases the average age was 482 days (data table 42).

The average (median) time taken from referral to conclusive grounds decisions made this year across the competent authorities was 637 days, compared to 526 days in the previous year (data table 37). For conclusive grounds decisions made by the SCA this year, the average time taken was 658 days, and the IECA took an average of 572 days (data tables 40 and 41, respectively).

The average time taken for the IECA to make decisions has been much higher since May 2024. The IECA did not take on older cases prior to its establishment in 2021, but in May 2024 took on the remainder of the cases awaiting conclusive grounds decision which would have been within IECA cohorts, totalling 1,914 cases. These cases were referred to the NRM prior to the establishment of the IECA in November 2021, but are part of cohorts that the IECA typically make decisions on. IECA agreed a further transfer of legacy cases in October 2024, totalling 1,844 cases.

It is important to note that decision-making times presented here are for cases that received a conclusive grounds decision in this period and do not reflect the waiting time of all cases within the system. Decision-making times are taken as the difference between the date of the referral receipt and decision date, and do not exclude any periods of time during which referrals may be suspended, withdrawn or previously closed. Hence, actual average wait times will be shorter.

As of the end of 2024, there were 17,168 cases which have been issued a positive reasonable grounds decision and are awaiting a conclusive grounds decision. Of these, 15,658 are SCA cases and 1,510 are IECA cases. The number of cases awaiting conclusive grounds decisions has decreased in every quarter since October 2022 (data table 45).

4.4 Reconsiderations

Decisions may be reconsidered after being issued by the competent authorities. This could be if additional evidence becomes available, taken with all available evidence already considered, that would be material to the outcome of a case, or there are specific concerns that a decision has not been made in line with published guidance. For more information, see the [published guidance \(https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims\)](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims).

In 2024, there were 1,092 reconsideration requests made to the competent authorities. Of these, 740 were for reasonable grounds decisions, 338 were for

conclusive grounds decisions and 14 were for disqualification decisions (data table 46).

In 2024, 70% of reasonable grounds decisions which were reconsidered received a positive outcome. For conclusive grounds decisions, 68% were positive, and 7% of disqualification decisions were overturned (data table 49). These outcomes may be from reconsideration requests made in previous years.

Both reconsideration requests and outcomes refer to the most recent instance where the competent authority has agreed to reconsider at each decision stage for an individual. Hence, an individual will only be shown to have a maximum of one reasonable grounds request and outcome, and one conclusive grounds or disqualification request and outcome.

Reconsideration requests may also be for positive or hybrid decisions, which are included in these statistics. A hybrid decision is where the potential victim has reported multiple incidents of exploitation, where at least one incident is accepted and one or more are not accepted. In a small number of cases, reconsideration data contains inaccurately recorded fields, so apply caution when using. For more information, see the '[Quality information](#)' section.

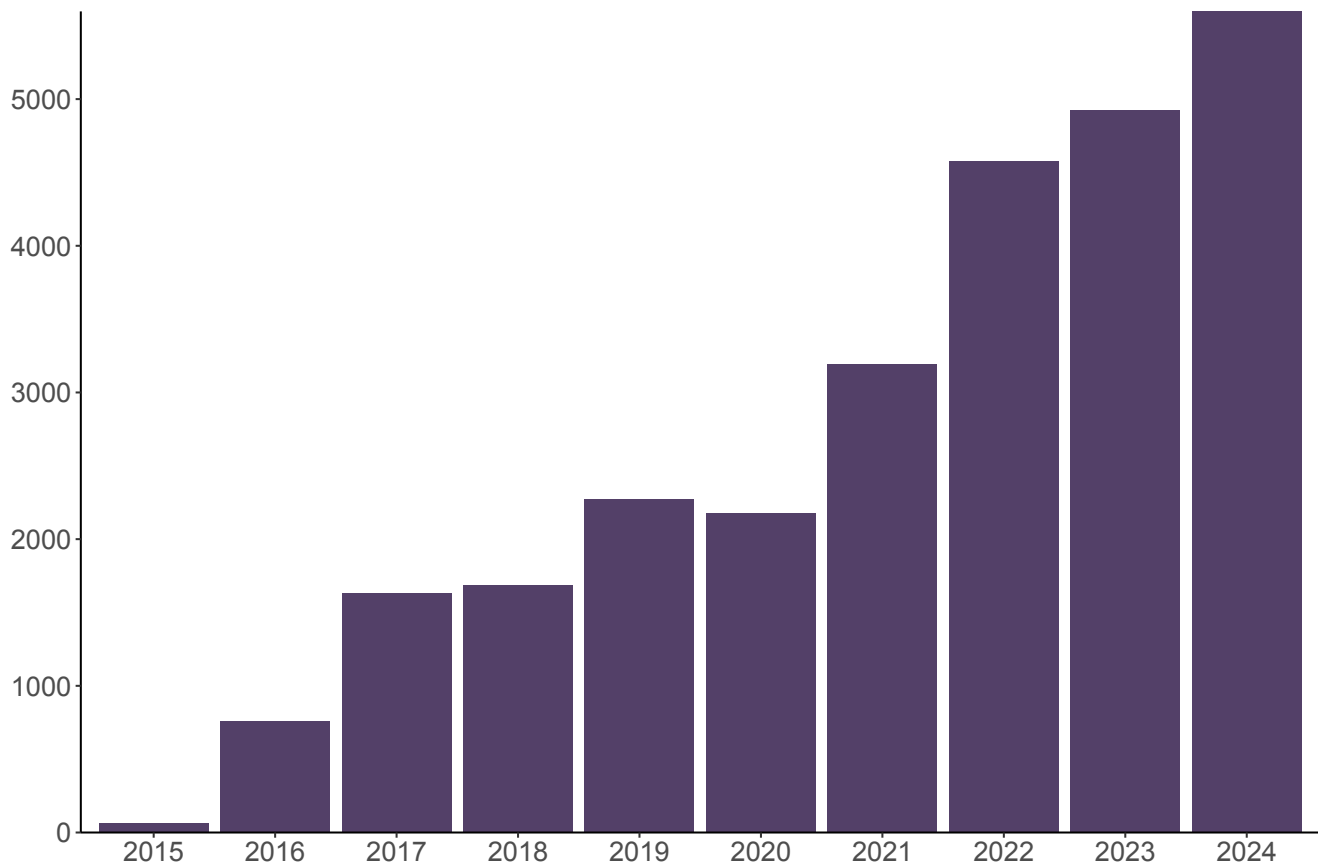
5. Duty to Notify

Since 1 November 2015, [specific public authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988810/May_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.2.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988810/May_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.2.pdf) in England and Wales must notify the Home Office via the DtN process of suspected adult victims of modern slavery that do not consent to enter the NRM. During this process, first responders may not collect the potential victim's personal details.

In 2024, the Home Office received 5,598 reports of adult potential victims via the DtN process (data table 52; figure 13), compared to 4,929 in the previous year. The number received this year is the highest in a year since the NRM began, overtaking the record from the previous year. Of these:

- the most notified nationalities were Eritrean (16%; 892), Vietnamese (14%; 776) and Albanian (8%; 436) (data table 53)
- the most notified exploitation types were labour (2,445; 44%), not recorded or unknown (1,032; 18%) and sexual (780; 14%) (data table 54)
- in terms of first responders, most DtN reports were submitted by Home Office - UK Visas and Immigration UKVI (2,995; 54%), Home Office - UK Border Force UKBF (675; 12%) and Home Office - Immigration Enforcement IE (429; 8%) (data table 55)

Figure 13: Number of DtN referrals



Source: SCA

Notes:

1. Potential victims may be reported via DtN and subsequently also referred to the NRM at a later point in time, so these figures should not be combined due to potential double counting.

6. Quality information

These statistics are produced in accordance with quality requirements of the Code of Practice for Statistics. It uses [guidance](https://analysisfunction.civilservice.gov.uk/policy-store/quality-statistics-in-government/) published on the Government Analysis Function, which considers 5 aspects of quality:

- relevance
- accuracy and reliability
- timeliness and punctuality

- accessibility and clarity
- coherence and comparability

This section also discusses data sources, production and quality assurance of statistics.

Relevance

NRM and DtN statistics are used to build a picture of the potential scale of potential victims of modern slavery in the UK. As the data relates to potential victims identified by first responders and referred into the NRM and DtN, it does not capture all victims of modern slavery in the UK. There is likely to be a large number of unidentified potential victims given the hidden nature of modern slavery.

The statistics contribute to an understanding of the profile of potential victims referred to the Home Office. They are used by the Government, NGOs and other organisations to monitor the impact of policy and operational decisions and challenge government on modern slavery policy.

The content of this publication is reviewed as to whether it meets the needs of users, and data is added accordingly. Further information can be found in the [‘revisions’](#) section.

Accuracy and reliability

Data is based on an extract from the database taken on 04 January 2024. NRM referral statistics and DtN report statistics are based on information provided on forms by first responders. First responders receive guidance on identifying and referring potential victims of modern slavery. In line with guidance provided, the competent authorities can seek additional information from stakeholders, where required, to ensure consistency of consideration and recording of outcomes.

The reported statistics might be different from previous bulletins. The data is extracted from a live case management system and the recorded data might be updated as new information comes to light.

For location of exploitation data, UK counties are grouped using the towns and cities reported by referrals. Here, ‘counties’ refer to lieutenancy areas, which are the boundaries used because of the scale at which the data is collected. The data boundaries used for overseas country of exploitation do not necessarily reflect the UK Government’s official position. Not all places of exploitation may be included if these are not provided on referral forms. If a referral has reported the same place multiple times, it is only counted once in the statistics. Because referrals may report multiple places, it is not advised to add the numbers for multiple UK counties and multiple overseas countries.

County lines cases are manually ‘flagged’ and added to cases by decision makers. The referral form does not explicitly require the first responder to highlight whether county lines is a feature of a potential victim’s exploitation. If the first responder does not provide the information to enable decision makers to identify county lines potential victims, they are not flagged on the system. Therefore, the data may not identify all county lines potential victims referred to the NRM. In addition, more information may come to light that a potential victim has been exploited through county lines which may be flagged at a later stage in the decision-making process. If these cases are subsequently identified, data will be updated to reflect this.

The data for reconsiderations has some fields which have been recorded inconsistently. The latest decision date has been found to be missing or inaccurate in a small number of cases. While cases with an inaccurate latest decision are included, those with missing dates have been excluded, in addition to reconsiderations from duplicate referrals, to ensure the data does not double count reconsiderations. As such, reconsideration data should be used with caution and may be subject to revision.

Overall referral breakdowns are reliable for data prior 2014, but more granular data was not quality assured at the time the data was collected. Most data is therefore presented from 2014 onwards.

All percentages in the bulletin are rounded to the nearest whole percentage point.

Timeliness and punctuality

NRM and DtN statistics are typically published less than 2 months after each quarter finishes. The exceptions are the October to December and annual statistics, which are both published 3 months after the year finishes due to the work required to quality assure and publish multiple publications. The [statistics collection](https://www.gov.uk/government/collections/national-referral-mechanism-statistics) (<https://www.gov.uk/government/collections/national-referral-mechanism-statistics>) contains previous release dates and the Government statistics [release calendar](https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance) (https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance) publishes upcoming dates.

Accessibility and clarity

From the annual publication for 2022, the bulletin has been published to reflect accessibility criteria outlined in [guidance](https://analysisfunction.civilservice.gov.uk/area_of_work/accessibility/) (https://analysisfunction.civilservice.gov.uk/area_of_work/accessibility/) published by the Government Analysis Function. This includes editing bulletin text, formatting of data tables and converting graphs to more accessible formats. More information on accessibility changes can be found in the [‘revisions’](#) section.

Coherence and comparability

The NRM was set-up in 2009, though detailed breakdowns of statistics prior to 2014 are not made available for the reasons outlined in the 'accuracy and reliability' section. Broadly consistent data recording practises (with exception of nationality and exploitation type referrals statistics outlined in the 'revisions' section) allow for meaningful comparisons over time. The DtN began in 2015 and has similarly consistent data recording practises, enabling comparisons from the start of the dataset.

NRM and DtN datasets are the most extensive datasets on potential victims of modern slavery in the UK. Both datasets contain data collected through a range of first responders. NRM referrals are sent from across the UK, while DtN reports are sent from England and Wales. However, there could be overlaps between the 2 datasets. For example, a first responder could encounter a potential victim that is notified to the Home Office through a DtN and, subsequently, another first responder could encounter the same victim who then decides they want to be referred into the NRM. As the DtN is anonymised it is not possible to understand the overlap between the 2 datasets.

Other sources of data may not necessarily reflect trends shown in NRM and DtN statistics due to differing recording practises, scope and definitions of modern slavery.

Data source

NRM and DtN statistics are taken from an administrative Home Office case management system. It stores information from NRM referrals and DtN reports which are submitted from online forms sent by a variety of first responders.

Referral forms may be filled with varying amounts of information, which depends on what the first responder captures and how much the potential victim provides. If necessary, additional information can be sought by decision makers from the SCA and IECA, who make manual edits to data on the case management system.

Decision makers also add details, such as decision outcomes and decision dates, as well as make amendments to existing information such as the responsible police force, location of exploitation and biographic information. Cases are also flagged if they meet certain criteria, such as those involving county lines.

Decision makers may also merge cases together if they are identified as being for the same individual. They may also reopen cases which were closed, such as if a decision is being reconsidered.

As information can be manually updated on the live case management system, a small number of fields may be inaccurately recorded. These are corrected when

identified.

Statistical production

This statistical bulletin has been produced to the highest professional standards and is free from political interference. It has been produced by statisticians working in the Home Office Analysis and Insight Directorate under the Home Office's [Statement of compliance with the Code of Practice for Official Statistics](https://www.gov.uk/government/publications/statement-of-compliance-with-code-of-practice-for-official-statistics) (<https://www.gov.uk/government/publications/statement-of-compliance-with-code-of-practice-for-official-statistics>), which covers Home Office policy on revisions and other matters.

Data is extracted by Home Office Analysis and Insight from the case management system and is cleaned using reproducible and tested code. The code reformats data for statistical production, such as by grouping the data into categories (for example, first responder type and age groups) and standardises spelling. Further columns are also added, such as time to decision. Following this, the statistics are collated and outputted as a bulletin with accompanying graphs.

The Chief Statistician, as Head of Profession, reports to the National Statistician regarding all professional statistical matters and oversees all Home Office National Statistics products regarding the Code, being responsible for their timing, content and methodology.

Quality assurance

Data cleaning and grouping has been agreed and checked by the SCA. This is done using reproducible code, which is split into sections to first provide a cleaned dataset, and then produce the bulletin and graphs. The latter 2 are manually cross-checked with the dataset. Reproducible code also allows analytical colleagues to test and validate the production.

Data tables are manually produced using the cleaned dataset and are cross-checked with the bulletin and dataset. Data tables are then checked by the SCA for accuracy.

7. Revisions

Overall

The National Crime Agency (NCA) previously published NRM statistics prior to transferring NRM decision-making responsibilities to the SCA in April 2019 as part of the NRM Reform Programme. Publications prior to July 2019 can be accessed via the [NCA website](https://nationalcrimeagency.gov.uk/who-we-are/publications?search=&category%5B%5D=3&limit=15&tag=&tag=) (<https://nationalcrimeagency.gov.uk/who-we-are/publications?search=&category%5B%5D=3&limit=15&tag=&tag=>). With this transfer of responsibility,

this data is now designated as Official Statistics and produced in line with the [Code of Practice for Statistics \(https://code.statisticsauthority.gov.uk/\)](https://code.statisticsauthority.gov.uk/).

Exploitation type statistics

Prior to October 2019, potential victims were recorded as having a single primary exploitation type, grouped into distinct categories:

- labour
- sexual
- domestic servitude
- organ harvesting
- unknown exploitation

Following changes to recording after October 2019, these categories changed to give a better picture of the exploitation experienced by potential victims. These changes split criminal exploitation from labour exploitation, and factor in cases where individuals have experienced multiple exploitation types.

Furthermore, 'Unknown exploitation' is no longer a category; instead, first responders can provide information for unclassified exploitation in a free-text box field. This field is grouped as 'Not specified or unknown'. Apply caution when comparing statistics for exploitation type from October 2019 with previous quarters.

Nationality statistics

A potential victim's nationality is based on information provided by the first responder upon referral; however, case workers may update this as further information is gathered.

Before October 2019, potential victims were recorded as having a single nationality. Following this, dual nationalities were recorded as separate categories, which has resulted in a greater number of categories which provide a more accurate representation. This quarter, there were 362 nationalities represented by referrals. Caution should therefore be applied when comparing statistics for nationality from October 2019 with previous quarters.

Police force identification

Police force data provided in data tables is based on the location of the police force that received the NRM referral. Each referral is screened against the criteria below to identify the responsible geographic police force. Once identified, the

referral is transferred for action to the relevant Force Intelligence Bureau or stipulated point of receipt within the force.

Sometimes, further information is received and processed regarding a referral, which means it will be sent to a different police force. The updated statistics will reflect this. Criteria applied to identify the relevant police force are:

- the force has acted as first responder, or the referral indicates that the force is already involved in the recording/investigation of the potential modern slavery human trafficking offences
- the potential victim has been exploited within the force area
- the potential victim has been exploited abroad, or at an unknown location and the victim's address at time of referral is within the force area
- the potential victim has been exploited abroad or at an unknown location and they have presented to another first responder within the force area

Bulletin

January to March 2022: data was first split out in the bulletin for referrals received and decisions made by the SCA and IECA, given it was the first full quarter since the IECA was set-up. Figure 1 was also changed to reflect this.

October to December 2022: the key findings were rationalised to show the most important points illustrated by the data.

Annual 2022: an annex was first added to this bulletin to highlight key drivers of referrals in the year and provide more detailed statistics.

April to June 2023: the 'reasonable grounds decisions' section was updated to include data on average time to issue reasonable grounds decisions, to match the 'conclusive grounds decisions' section. A new section on 'disqualifications' was also added, since it was the first full quarter where disqualifications for the NRM were considered.

July to September 2023: a new section on 'reconsiderations' was added with data on the number of reconsidered decisions. The 'nationality' section was also updated to outline the number of nationalities represented in the NRM.

October to December 2023: more context and background was added to better explain the data. A flowchart was added as figure 1, to show the NRM and DtN processes. Additionally, the 'further information' section was split out into 3 new sections: 'quality information', 'revisions' and 'related publications'. These added more detailed information on quality, provided a better overview of changes to this publication and signposted to related published work.

January to March 2024: within the 'location of exploitation' section, data on UK county of exploitation and overseas country of exploitation has been added. These provide a more granular breakdown of exploitation reported in the UK and overseas.

April to June 2024: within the 'conclusive grounds decisions' section, data on the conclusive grounds decision backlog has been added. This provides information on cases that have been issued a positive reasonable grounds decision and are awaiting a conclusive grounds decision.

July to September 2024: within the 'Reasonable grounds decisions' section, data on the reasons behind a negative reasonable grounds decision has been added. Additionally, within the 'Conclusive grounds decisions', data on the reasons behind a negative conclusive grounds decisions has been added. These provide information on the reason why a negative decision has been issued by the decision maker.

Data tables

July to September 2021: tables were reformatted. Table 7 (referrals by UK country and age group) in previous updates was removed as this information is available in table 3. Tables 16 to 26 in previous updates (referrals received by police forces by nationality, exploitation type, first responder and age at exploitation) were removed. This information is now available in tables 4 to 9.

January to March 2022: tables were split out. Tables 15 and 16 (reasonable/conclusive grounds decisions by age group at exploitation) in previous releases was split into tables for SCA and IECA decisions. Reasonable grounds decision breakdowns are therefore provided as tables 20 to 22, whilst conclusive grounds breakdowns are provided as tables 35 to 37.

April to June 2022: tables were split out. Table 21 (average number of days taken to make conclusive grounds decisions) in past releases was split for SCA and IECA times. Timeliness breakdowns are therefore provided as tables 39 to 41.

October to December 2022: tables were split out and reformatted for accessibility. Table 1 (referrals by age group and location of exploitation) in past releases was split into tables 1 and 2 to more clearly show referrals split by competent authority. Several changes to formatting were made for accessibility, including adding consistent worksheet titles, adding a notes worksheet and reducing the use of merged cells.

April to June 2023: tables were added. Additional tables were added to show average time to reasonable grounds decision (table 26), as well as split by the SCA and IECA (tables 27 and 28 respectively). Moreover, tables 29 to 31 were

added for disqualification requests, and tables 32 to 34 were added for confirmed disqualifications.

July to September 2023: tables were added. Additional tables were provided to show reconsideration requests (tables 46 to 48) and outcomes (tables 49 to 51).

January to March 2024: tables were added. Additional tables were provided to show age at referral (tables 3 to 4), referrals by UK county (table 12) and referrals by overseas country (table 13). Age at exploitation information has been replaced with age at referral, though is still included in tables 5 to 6. Moreover, tables 23 to 24 have been added to monitor the Sustainable Development Goals that relate to modern slavery.

April to June 2024: table was added. An additional table was provided to show the backlog for cases awaiting conclusive grounds decisions having been issued positive reasonable grounds decisions (table 45).

July to September 2024: tables were added. Additional tables were provided to show the average number of days cases are awaiting conclusive grounds decisions (table 42), as well as split by the SCA and IECA (tables 43 and 44 respectively). Moreover, the reasons behind a negative reasonable grounds decision (table 25) and the reasons behind a negative conclusive grounds decision (table 38).

8. Related publications

Latest and previous NRM and DtN statistical releases can be found in the [National Referral Mechanism statistics \(https://www.gov.uk/government/collections/national-referral-mechanism-statistics\)](https://www.gov.uk/government/collections/national-referral-mechanism-statistics) collection.

Raw NRM data used for statistical releases is published on [UK Data Service \(https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910\)](https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910).

For statistics on the number of small boat arrivals with NRM referrals, see the [Irregular migration to the UK statistics \(https://www.gov.uk/government/collections/irregular-migration-to-the-uk-statistics\)](https://www.gov.uk/government/collections/irregular-migration-to-the-uk-statistics) collection.

[Research on modern slavery referrals for people detained for return after arriving in the UK on small boats \(https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats\)](https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats) was published in March 2023.

Ad-hoc [analysis on modern slavery referrals from asylum, small boats and detention cohorts \(https://www.gov.uk/government/statistics/modern-slavery-national-](https://www.gov.uk/government/statistics/modern-slavery-national-analysis-on-modern-slavery-referrals-from-asylum-small-boats-and-detention-cohorts)

[referral-mechanism-and-duty-to-notify-statistics-uk-january-to-march-2023/annex-analysis-of-modern-slavery-nrm-referrals-from-asylum-small-boats-and-detention-cohorts](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-january-to-march-2023/annex-analysis-of-modern-slavery-nrm-referrals-from-asylum-small-boats-and-detention-cohorts)) was published in May 2023.

Statistics and [analysis of the devolved decision-making pilot for child victims of modern slavery](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery) (<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery>) was published in November 2023.

Statistics on children referred to the [Independent child trafficking guardianship](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-april-to-june-2024/annex-independent-child-trafficking-guardianship-statistics-year-ending-march-2024) (<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-april-to-june-2024/annex-independent-child-trafficking-guardianship-statistics-year-ending-march-2024>) service were published in August 2024.

Offences and charges data for modern slavery is published in the [police recorded crime statistics collection](https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables) (<https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>).

Prosecutions statistics for modern slavery-flagged crimes in England and Wales are published by the Crown Prosecution Service in their [data summaries](https://www.cps.gov.uk/publication/cps-quarterly-data-summaries) (<https://www.cps.gov.uk/publication/cps-quarterly-data-summaries>).

Sentencing data for modern slavery offences in England and Wales is published by the Ministry of Justice in their [Criminal Justice System statistics](https://www.gov.uk/government/collections/criminal-justice-statistics) (<https://www.gov.uk/government/collections/criminal-justice-statistics>).

The Office for National Statistics publish a summary of data sources for [modern slavery in the UK](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/modernslaveryintheuk/previousReleases) (<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/modernslaveryintheuk/previousReleases>), as well as those specifically for [child victims](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/childvictimsofmodernslaveryintheuk/previousReleases) (<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/childvictimsofmodernslaveryintheuk/previousReleases>).

Feedback and enquiries

We are always looking to improve the accessibility of our documents. If you find any problems, or have any feedback, relating to accessibility, or general questions regarding this publication, please email us NRMStatistics@homeoffice.gov.uk

For press enquires: pressoffice@homeoffice.gov.uk; 0300 123 3535



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Home Office

Corporate report

2021 UK annual report on modern slavery (accessible version)

Published 25 November 2021

This was published under the 2019 to 2022 Johnson Conservative government

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This publication is available at
<https://www.gov.uk/government/publications/2021-uk-annual-report-on-modern-slavery/2021-uk-annual-report-on-modern-slavery-accessible-version>

Home Secretary foreword

Slavery has not gone away.

It is horrendous to contemplate the fact that this despicable crime endures. Eradicating modern slavery is a moral imperative and a continued priority for the UK Government.

We work closely with law enforcement, the criminal justice system, business, civil society, local government, and the health and welfare sectors. We invest heavily in research. We have taken a lead with international partners to help end this evil trade that crosses borders. During our G7 Presidency, members agreed to joint action on forced labour in global supply chains and reaffirmed their commitment to upholding human rights and international labour standards.

Businesses as well as public bodies must take responsibility for eliminating modern slavery in their supply chains – and we have stepped up our work with businesses and the public sector to root it out. More than 21,000 organisations have uploaded statements to the Government's registry of modern slavery statements on GOV. UK since its launch on 11 March earlier this year. This is a significant step forward in transparency of supply chains.

For the first time, every ministerial government department will publish its own modern slavery statement, demonstrating our commitment to transparency.

The Home Office has invested more funds this year in the Police Modern Slavery response, bringing the total investment to £15 million since 2016. This funding has driven an increase in the number of modern slavery investigations and operations.

The Independent Child Trafficking Guardian Service now covers in total two-thirds of all local authorities across England and Wales, which is a key milestone in the National Referral Mechanism Transformation Programme.

The legislative framework for our New Plan for Immigration is the Nationality and Borders Bill. Both have been introduced this year. They include new measures to ensure modern slavery victims are identified and supported as quickly as possible.

The UK has led the way on modern slavery. The first modern slavery strategy was published in 2014, followed by the landmark 2015 Modern Slavery Act, which has been emulated in several countries. Since the introduction of this ground-breaking legislation, much progress has been made, but the nature of modern slavery has changed significantly, as has our understanding.

The number of potential victims referred to the NRM has risen from 2,340 in 2014 to more than 10,000 in 2020. The profile of victims and the worst threats have also

changed, with labour and criminal exploitation now the most prevalent forms of modern slavery identified in the UK.

The proportion of child and male victims has also increased.

We are already transforming our approach to modern slavery. I committed in the New Plan for Immigration to conduct a review of the 2014 Strategy, with a view to producing a new strategy in 2022, that builds on the progress we have made, is responsive to new realities, and which can take us even further in the fight to end slavery.

Rt Hon Priti Patel MP
Home Secretary

Executive summary

0.1. The annual report covers key developments across the UK in modern slavery in the period October 2020-end of September 2021.

0.2. Chapter 1 summarises the strategic response to modern slavery in the UK and current modern slavery trends. A review of the 2014 Modern Slavery Strategy for England and Wales is underway to develop a revised strategy, whilst a new strategy was published in Northern Ireland in May 2021.

0.3. 2020 was the first time that a year-on-year increase in the number of potential victims referred to the NRM for modern slavery was not seen, thought to be a result of the COVID-19 pandemic and associated restrictions. In total, 10,613 potential victims were referred to the NRM. 48% of those were adults, a decrease on 2020, and 47% were children, an increase on last year. As in 2019, the most common nationality of potential victims in 2020 was UK nationals, accounting for 34% (3,560) of all referrals. The most common forms of exploitation reported were labour exploitation for adults and criminal exploitation for minors.

0.4. Chapter 2 summarises the UK's response to modern slavery under five key areas of work:

- Law enforcement and operational response
- Prevention
- Transparency in Supply Chains
- Victim Support and Identification
- International engagement and upstream prevention

Highlights over the last year include:

Law enforcement

0.5. There has been a continued uplift in operational activity and recorded crime across the UK. The number of live police operations has increased since the Modern Slavery Act became law from 188 in December 2016 to at least 3335 in August 2021. There were 8,730 modern slavery offences recorded by the police, a 5% increase from 8,354 in the year to March 2020 in England and Wales.

0.6. The Home Office has continued to fund the Modern Slavery and Organised Immigration Crime Programme to build police capability which has made some notable progress in the last year, including training 324 Victim Liaison Officers to safeguard victims in the criminal justice system, whilst improving the chances of achieving successful prosecutions. The National Crime Agency has continued to lead nationwide multi-agency activity via Project Aidant.

0.7. In terms of prosecutions, there has been a 20% increase in referrals to the Crown Prosecution Service (CPS) in England and Wales, which have resulted in charge, (from 427 to 476 pre-charge decisions). Whilst the number of completed cases declined during the year, as well as the total number of completed prosecutions due to Crown Courts being closed during the pandemic, the conviction rate of these cases increased from 71.9% in 2019 to 73.8% in 2020.

0.8. In June 2021, the Government committed to establish a Single Enforcement Body for employment rights to better protect vulnerable workers and create a level playing field for the majority of employers complying with the law.

Prevention

0.9. The Home Office continued to work with the Modern Slavery Policy and Evidence Centre to invest in research to strengthen the evidence base on what works to prevent modern slavery. Through small grants funding to Police and Crime Commissioners, the Home Office has funded a number of prevention activities such as social media campaigns and awareness raising activities, as well as continuing to work with the National Crime Agency (NCA) to prevent offenders from exploiting Adult Services Websites. The Gangmasters and Labour Abuse Authority (GLAA) has also continued to work to prevent exploitation through standardising training, raising awareness, and increasing reporting.

0.10. The Home Office announced its intention to create a Modern Slavery Prevention Fund. The fund will support targeted prevention interventions to help build the evidence base around preventing modern slavery.

Transparency in supply chains

0.11. The Government has taken forward a number of significant measures to strengthen Section 54 of the 2015 Modern Slavery Act, including by committing to introduce financial penalties for organisations which fail to meet their statutory duties to publish modern slavery annual statements. These measures require legislative change and will be introduced when Parliamentary time allows.

0.12. In March 2021 the Government launched the landmark modern slavery statement registry, which is a significant milestone in the Government's commitment to improve transparency in supply chains. Uptake has been extremely strong with over 21,000 organisations covered by the statements submitted so far.

0.13. The Government has continued to work with business to encourage best practice, including through the Business Against Slavery Forum, which the Home Secretary chaired in June 2021.

0.14. In regard to the public sector, ministerial government departments will soon publish their first modern slavery statements, setting out how they are addressing modern slavery risks in their supply chains. This is a significant step forward and demonstrates our ongoing commitment to greater transparency. The Government also launched an [e-learning course \(https://www.govcommercialcollege.co.uk/\)](https://www.govcommercialcollege.co.uk/) for public sector commercial staff on practical steps they can take to identify and mitigate modern slavery risks.

Victim support and identification

0.15. Governments across the UK continued to provide specialist support and advocacy services for victims of modern slavery throughout this year.

0.16. In March 2021 the New Plan for Immigration (NPI) proposed a series of measures to ensure potential victims of modern slavery are identified as quickly as possible, whilst tackling potential misuse of the system. Following a public consultation, these measures were introduced to Parliament in July 2021 as part of the Nationality and Borders Bill. The NPI included a number of non-legislative measures including a pilot for mental health provision, and trialling ways to encourage victim engagement in the criminal justice system.

0.17. The Home Office has continued to work to strengthen the tools and resources available to First Responder Organisations, including through the development of an e-learning module focused on safeguarding child victims.

0.18. Work has continued to strengthen decision making within the National Referral Mechanism (NRM). 200 new staff have been recruited to the Single Competent Authority (SCA) to reduce decision making times. An evaluation has

also been conducted of the role of independent Multi-Agency Assurance panels, which have the role of quality assuring the SCA decision making.

0.19. With regards to children, Independent Child Trafficking Guardians (ICTGs) have been rolled out to cover two-thirds of local authorities in England and Wales, to provide an independent source of advice and support to victims. Data on the numbers of children referred to ICTGs is provided in the report. A pilot has also been launched to explore whether determining if a child is a victim of modern slavery within existing local safeguarding structures is a more appropriate model for making decisions for children.

0.20. Child criminal exploitation referrals to the NRM have increased in 2020. The Government is investing significantly to tackle drugs misuse, supply and county lines, with an £40m for the financial year 2021/22.

0.21. In terms of supporting Adult Victims, the new Modern Slavery Victim Care Contract (MSVCC) went live on 4 January 2021, delivered by the Salvation Army. The contract aims to deliver a service which is needs-based and better aligned to the requirements of victims in England and Wales. The contract has introduced a number of new services including journey plans, and the recovery needs assessment process, as well as an independent inspection regime provided by the Care Quality Commission.

International engagement

0.22. The UK government has continued to demonstrate leadership on modern slavery at an international level, including through the Modern Slavery Fund and other government modern slavery programming.

0.23. The Independent Commission on Aid Impact published a review of the Government's work to tackle modern slavery in the aid programme. The Government welcomed the review and accepted all the recommendations, in whole or in part.

0.24. The UK has used its influence at the multilateral level during its Presidency of the G7, to secure commitments to addressing forced labour in global supply chains and to reaffirm commitments to upholding human rights and international labour standards. In January, the Foreign Secretary announced a package of cross-government measures to ensure that UK private and public bodies are not complicit nor profiting from the human rights violations in Xinjiang.

Chapter 1 – Modern slavery in the UK

Introduction

1.1. Modern slavery is a complex, harmful, and largely hidden crime. In England and Wales, modern slavery is used as an umbrella term that covers several different forms of exploitation which can include human trafficking, labour exploitation, criminal exploitation, sexual exploitation, and domestic servitude.

1.2. This annual report covers activities in the period October 2020 to the end of September 2021. It covers activity in England and Wales and in Scotland and Northern Ireland. The report is structured around workstreams which reflect the breadth of the work across the UK: working with law enforcement to pursue this crime, measures to prevent modern slavery occurring, addressing modern slavery in supply chains, victim identification and support, and international engagement.

UK strategic response

1.3. Across the UK, action is being taken to address modern slavery. In England and Wales, the 2014 Modern Slavery Strategy and 2015 Modern Slavery Act have framed work in this area. However, as the nature of the threat has changed, the Government has committed to review the 2014 Modern Slavery Strategy in order to develop a revised strategic approach by Spring 2022. We will be engaging with a range of stakeholders to hear their views to shape the development of the strategy. This will include seeking the views of those with lived experience of modern slavery.

1.4. The Scottish Government and Northern Ireland Executive have separate strategies to tackle modern slavery but all the Governments across the UK work closely to ensure a coherent response.

Scotland

1.5. The Scottish Government Human Trafficking and Exploitation Strategy was published in 2017 and reviewed in 2020. The Scottish Government will shortly publish its fourth annual progress report on Strategy implementation.

Northern Ireland

1.6. In May 2021 the Department of Justice published its Modern Slavery and Human Trafficking Strategy for 2021-22. It builds on previous strategies by continuing to outline shared strategic outcomes, objectives and activities which are focused on:

- enhancing the operational response to PURSUE and disrupt offenders and bring them to justice.
- putting the PROTECTION and needs of adult and child victims at the centre of our response; and
- engaging partners across key services, business, non-Governmental organisations and the wider public in PREVENTING modern slavery.

1.7. It is anticipated that a three-year strategy will be developed from 2022-23 onwards. The strategy is a multi-agency collaboration, owned and delivered by members of Northern Ireland's Organised Crime Task Force and the agencies working to address modern slavery and human trafficking.

Modern slavery trends

1.8 This section provides a brief overview of key trends and statistics on modern slavery in the last year.

1.9. In 2020 the [Office of National Statistics published a report](https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/modernslaveryintheuk/march2020) (<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/modernslaveryintheuk/march2020>) setting out the challenges of producing an accurate measure of prevalence of modern slavery in the UK, given the hidden nature of the crime, the lack of definitive data sources and identifying an accurate methodology to quantify the data. Instead, this chapter provides an overview of statistics of potential victims referred to the National Referral Mechanism (NRM) which gives an indication of the nature of this crime over the past year.

1.10. In 2020, 10,613 potential victims of modern slavery were referred to the NRM; a similar number to 2019 (10,616)^[footnote 1]. This was the first time a year-on-year increase was not seen in NRM referral numbers, which is primarily thought to be a result of the COVID-19 pandemic and associated restrictions. Referrals fell sharply in the first two quarters of 2020 in line with the beginning of COVID-19 restrictions but increased towards the end of the year as national restrictions eased. Referral rates are likely to have been influenced by several factors, including lockdown measures within the UK meaning potential victims were less likely to interact with first responders, as well as reduced travel to the UK.

1.11. Adult referrals accounted for 48% (5,087) of all referrals in 2020, a decrease compared to 2019 when they accounted for 55% (5,852). On the other hand, referrals for child potential victims increased from 4,547 to 4,946, accounting for 47% of all referrals in 2020 compared to 43% in 2019. Male potential victims (7,826) also increased as a proportion of NRM referrals, from 68% in 2019 to 74% in 2020.^[footnote 1]

1.12. Despite some variation in quarterly figures throughout the year, overall, location of exploitation figures in 2020 remained broadly similar to 2019; the majority (63%; 6,716) of potential victims claimed exploitation in the UK and 26% (2,722) overseas only. During 2020, whilst all types of referral fell in quarter 2, referrals for overseas exploitation dropped substantially, before increasing sharply in quarters 3 and 4 as travel restrictions eased in the UK. Quarterly referrals for UK based exploitation remained comparably stable during the year.[\[footnote 1\]](#)

1.13. A change in recording of exploitation types means it is not possible to draw direct comparisons between 2020 and previous years. However, in 2020 criminal exploitation was the most common type of exploitation reported for child potential victims, accounting for 51% of child referrals (2,544), whilst labour exploitation was most common for adult potential victims (32% of adult referrals; 1,622). Despite the plateau in overall referrals in 2020, reported county lines exploitation increased by 31% from 2019, accounting for 15% of all referrals. The majority (81%) of county lines referrals were for male children (1,247).[\[footnote 1\]](#)

1.14. As in 2019, the most common nationality of potential victims in 2020 was UK nationals, accounting for 34% (3,560) of all referrals. The second most referred nationality was Albanian (15%; 1,638), followed by Vietnamese nationals (6%; 653). UK nationals were most often referred for criminal exploitation, whilst both Albanian and Vietnamese nationals were most referred for labour and criminal exploitation. Sexual exploitation was also commonly reported for Albanian nationals.[\[footnote 1\]](#)

Decision making

1.15. The Single Competent Authority (SCA) made 10,608 reasonable grounds and 3,454 conclusive grounds decisions in 2020, which is broadly similar to the number of decisions made in 2019, though there was a slight decrease (4%) in the number of conclusive grounds decisions. The proportion of positive reasonable grounds decisions was 92% (slightly higher than 90% in 2019) and 89% for conclusive grounds decisions (82% in 2019). The average (median) time taken from a referral to a conclusive ground's decision, for decisions made in 2020, was 339 days (slightly lower than 345 days for decisions made in 2019).[\[footnote 1\]](#)

Duty to Notify

1.16. In 2020, 2,178 adult potential victims were reported to the Home Office via the Duty to Notify (DtN) process, a similar figure to the 2,164 received in 2019. It is important to note that a change in the recording process associated with the move to a new case work system means caution should be taken when comparing 2020 DtN figures with previous years. However, the most referred nationalities in 2020 were Albanian (16%; 331), Romanian (15%; 314) and UK (12%; 266) nationals

whilst in 2019, Chinese nationals were most commonly referred, followed by Albanian and Romanian nationals. The most referred exploitation types were labour (35%; 737), sexual (21%; 443) and criminal exploitation (15%; 317), and most DtN reports were submitted by either government agencies (53%; 1,133) or police (40%; 852); both sets of figures are similar to 2019.^{[\[footnote 1\]](#)}

Scotland

1.17 Section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015 places a duty on specified public bodies to notify the Chief Constable of Police Scotland of a person who appears to be the victim of human trafficking or of slavery, servitude or forced or compulsory labour. As set out in the previous annual report, following a consultation on Duty to Notify in Scotland the majority of responses expressed support for Scottish Government proposals. Once in force, it will allow for the collation and processing of wider information about trafficking activity in Scotland not currently collected through the NRM or the criminal justice system. The implementation of section 38 has been delayed due to the response to COVID-19 and the impact this continues to have on public services.

Northern Ireland

1.18 Section 13 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 allows the Department of Justice to place a requirement on specified public authorities to make a notification if they come into contact with a suspected victim of modern slavery or human trafficking. There have been some delays in implementation. Preliminary work has started to scope, as part of the development of a longer-term Modern Slavery strategy, the potential for Duty to Notify provisions to be provided for in Northern Ireland. Scoping work is beginning shortly.

Independent Anti-Slavery Commissioner (IASC)

Dame Sara Thornton, the Independent Anti-Slavery Commissioner, has a UK-wide remit to encourage good practice in the prevention, detection, investigation and prosecution of slavery and human trafficking offences and the identification of victims. The Commissioner's [Strategic Plan 2019-2021](http://www.antislaverycommissioner.co.uk/media/1329/independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf) (<http://www.antislaverycommissioner.co.uk/media/1329/independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf>) identifies four priority areas.

Priority 1: Improving victim care and support

Over the past year, the Commissioner continued to focus on victim care engaging regularly with NGOs and supporting survivors of modern slavery. She has worked with the University of Sheffield and Public Health England to develop a public

health approach to modern slavery and recruited a paid intern, who is a survivor of slavery, to lead a project focusing on mental health. The Commissioner provided a comprehensive written response to the Home Secretary in relation to both the New Plan for Immigration and the Nationality and Borders Bill.

Priority 2: Supporting law enforcement and prosecution

Work has focused on the implementation of the recommendations of the review of the Modern Slavery Act 2015 statutory defence, the role of the Regional Organised Crime Units (ROCU) and the development of financial investigation in cases of modern slavery. The Commissioner published the report [Financial Investigation and Modern Slavery](http://www.antislaverycommissioner.co.uk/media/1586/financial-investigation-of-modern-slavery-march-2021.pdf) (<http://www.antislaverycommissioner.co.uk/media/1586/financial-investigation-of-modern-slavery-march-2021.pdf>) in March 2021. The Commissioner also contributed to the sentencing guidelines on modern slavery and continues to encourage training across the criminal justice system.

Priority 3: Focusing on prevention

Prevention has been a priority area for the Commissioner with a follow up report on forced labour risks and responses in the UK food business, significant industry engagement and extensive work in the financial services sector. She published a joint report [Preventing Modern Slavery and Human Trafficking – an agenda for action across the financial services](https://themissservices.co.uk/msht-full-report) (<https://themissservices.co.uk/msht-full-report>) and has followed this up with CEO engagement and collaboration with the Liechtenstein Initiative ‘Finance against Slavery and Trafficking’. She convened NGOs in the UK and US to write to the G7 leaders calling for action on forced labour.

Priority 4: Getting value from research and innovation

The Commissioner has sought to encourage research that will improve the evidence base on modern slavery and used her convening power as Commissioner to help bridge the gap between research, policy, and practice. She has worked closely with the Modern Slavery and Human Rights Policy and Evidence Centre, the University of Nottingham Rights Lab, the University of Liverpool, and St Mary’s University.

A full account of the Commissioner’s focus, activity and outcomes over the past year is recorded at [Independent Anti-Slavery Commissioner Annual Report 2020-2021](https://www.antislaverycommissioner.co.uk/media/1642/independent-anti-slavery-commissioner-annual-report-2020-2021.pdf) (<https://www.antislaverycommissioner.co.uk/media/1642/independent-anti-slavery-commissioner-annual-report-2020-2021.pdf>).

Chapter 2 – UK’s Response to Modern Slavery

1) Law enforcement and operational response

2.1.1. UK operational activity to tackle modern slavery, human trafficking, and labour exploitation, is driven by law enforcement agencies, criminal justice partners and arm's length bodies across England and Wales, Scotland, and Northern Ireland. Key partners include the Police, Crown Prosecution Service (CPS) and equivalent agencies in Northern Ireland and Scotland, the National Crime Agency (NCA), Border Force, Immigration Enforcement, Gangmasters and Labour Abuse Authority (GLAA), Employment Agency Standards Inspectorate, Her Majesty's Revenue and Customs – National Minimum Wage/Living Wage Team and the Director of Labour Market Enforcement (DLME).

2.1.2. The activity entails a range of operational and strategic tasks to gather intelligence, assess the threat, pursue, and disrupt offenders and identify and safeguard victims. This includes driving work through targeted intensifications, delivering training to frontline officers, as well as working with businesses and communities, to raise awareness about modern slavery and how to address it.

2.1.3. This year, a key challenge for law enforcement has been responding to the impact of litigation and evolving case law, which has meant agencies have had to adapt their operational policy to ensure our response fits with our legal obligations. The judgments from the European Court for Human Rights in the case of VCL and AN v UK and from the Court of Appeal in Brencani v R have highlighted the importance of victim identification. [The report from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services \(HMICFRS\)](https://www.gov.uk/government/publications/police-response-to-victims-of-modern-slavery/the-hidden-victims-report-on-hestias-super-complaint-on-the-police-response-to-victims-of-modern-slavery--2) (<https://www.gov.uk/government/publications/police-response-to-victims-of-modern-slavery/the-hidden-victims-report-on-hestias-super-complaint-on-the-police-response-to-victims-of-modern-slavery--2>) (published in May 2021) following the super-complaint by Hestia also looked at the role of the police in identifying and supporting victims of modern slavery. The report recognised the progress that has been made since HMICFRS inspection in 2017 and made recommendations for improvements.

2.1.4. The UK Government will continue to work closely with law enforcement agencies to improve our response to modern slavery to ensure that it reflects the evolving nature and seriousness of the crime so that victims are safeguarded, and offenders are brought to justice.

Policing response

2.1.5. Over the last year, the law enforcement response to modern slavery has included greater collaboration across linked crime types, such as county lines and organised immigration crime to ensure there is a joined-up approach to identify victims and offenders.

Live police investigations and recorded crime

2.1.6. There has been a continued uplift in operational activity over the last year to tackle modern slavery, involving a range of law enforcement agencies. The number of live police operations has increased since the Modern Slavery Act became law, from 188 police operations in December 2016 to at least 3,335 in August 2021. [\[footnote 2\]](#)

Modern Slavery and Organised Immigration Crime Programme (MSOIC)

2.1.8. The Home Office continued to provide funding for the MSOIC Programme (formerly the Modern Slavery Police Transformation Programme) over 2020/21. An additional £1.4m was given to the programme in 2021/22, bringing the total investment to £15m to support specialist capability within the police to tackle modern slavery and organised immigration crime, and to strengthen the criminal justice response.

2.1.9. The Programme is responsible for leading the policing response to modern slavery and organised immigration crime by building the capabilities to enable forces to improve their response and drive up prosecutions. It is run by a dedicated unit in Devon and Cornwall Police under the leadership of Chief Constable Shaun Sawyer, National Police Chief Council lead for Modern Slavery and Organised Immigration Crime.

2.1.10. Over the past year, the Programme has continued to build upon previous work, with its efforts focused on protecting victims and prosecuting offenders. This work has resulted in an improvement in the level of activity from forces during an unprecedented year impacted by the COVID-19 pandemic. Full details of the Unit's work can be found in its [annual report for 2020/21](https://policingslavery.co.uk/media/2930/msoicu-annual-report-2021.pdf) (<https://policingslavery.co.uk/media/2930/msoicu-annual-report-2021.pdf>). Some of the key achievements of the Programme include:

- an increase in the level of police referrals to the NRM, 32% in 2020 compared to 26% in 2019
- an increase of 27% in police investigations
- an increase of 20% in police referrals to the CPS in the year to December 2020
- training 324 police officers and staff as Victim Liaison Officers who aim to ensure positive continued engagement and maximise safeguarding opportunities for victims, whilst improving the chances of achieving successful prosecutions
- over 6800 interactions led by regional co-ordinators, to support forces, and partner agencies, including investigations, training, joint investigation teams (international cooperation tool) and working closely with the PCCs on preventative work to improve support for victims

2.1.11. The Programme has also developed and supported work to improve standards, safeguard children and promote the use of enforcement agencies

powers to encourage increased collaboration. Key developments this year included:

- The development of a report focused on “Improving Modern Slavery Outcomes” which identified the operating models used by the best performing police forces
- Modern Slavery Regional Coordinators produced a National Enforcement Powers Guide¹⁰, to support the continued collaboration between law enforcement partners and non-governmental organisations
- Operation Innerste, which aimed to improve the multi-agency safeguarding response to unaccompanied asylum-seeking children

National Crime Agency (NCA)

2.1.12. The NCA delivers operational activity against high harm organised crime groups and continues to lead nationwide, multi-agency activity against the modern slavery and human trafficking (MSHT) threat via Project AIDANT. A wide range of law enforcement agencies contributed to 2020/21 AIDANT activity, including Immigration Enforcement, Border Force, HMRC, GLAA and UK wide police forces and ROCUs. Despite setbacks due to COVID-19, a number of AIDANT activities took place. These included activities focused on child trafficking, which aimed to enhance the NCA’s understanding of exploitation of both UK and non-UK nationals under the age of 18. Further activities focused on sexual exploitation, illicit finances, and labour exploitation in the context of COVID-19. In total, all AIDANT activity across 20/21 identified 428 potential victims of modern slavery and human trafficking and resulted in a total of 94 suspects arrested.^[footnote 3]

2.1.13. The national Modern Slavery Specialist Tactical Advice Team provides expert knowledge, capability, and operational support to both the NCA and UK wide police forces. During 2020/21, the Tactical Advice team received a total of 525 requests for tactical advice and supported 64 operations.^[footnote 3] The Team also provided a number of training sessions to raise awareness on investigative strategies and how to report potential victims via appropriate services. The team collaborated with the National County Lines Coordination Centre (NCLCC) and MSOIC to design and deliver a webinar that provided training on the Section 45 defence of the Modern Slavery Act 2015.

2.1.14. This year the NCA made improvements to the Agency and Partner Management Information System, the national tool for capturing information and performance data. This has enabled data capture and analysis to be automated, improving operational activity, and enabling ‘poly-criminality’ to be recorded, where offenders are involved in more than one type of serious and organised crime offending. These changes have also allowed the NCA to better analyse and understand the impact of disruptions.

2.1.15. The NCA-hosted JSTAC (Joint Slavery and Trafficking Assessment Centre) continued to develop law enforcement’s understanding of modern slavery and

human trafficking through the NSA (National Strategic Assessment), which made key assessments on the threat of modern slavery to the garment industry and the impact of the UK leaving the EU on modern slavery. This understanding was used by the NCA to drive delivery against the MSHT Strategic Action Plan, which draws together law enforcement activity.

Wales

2.1.16 Welsh Police forces continue to collaborate and fund the role of Human Trafficking Multi Agency Risk Assessment Conferences (MARAC) across Wales to identify and support victims of exploitation who fall outside of the NRM process, or to ensure that working under Her Majesty's Prison and Probation Service (HMPPS). NRM referrals are submitted in instances where non-First Responder Organisations suspect exploitation, for example by Probation Officers working under Her Majesty's Prison and Probation Service (HMPPS).

2.1.17 The Welsh Forces, together with the Regional Organised Crime Unit (ROCU), have focused activity on sexual exploitation facilitated by means of Adult Service Websites (ASWs). The TARIAN ROCU, which covers most of Wales (apart from North Wales), has funded licences for the ROCU and its constituent forces to use a web scraping tool in the analysis of ASWs that has identified and enabled mapping of sophisticated organised crime groups. A number of proactive investigations have been launched since the purchase of this tool. Also, working in tandem with the Welsh Government Landlord registration scheme under 'Rent Smart Wales', the ROCU has produced a pamphlet for distribution to its 47,000 registered landlords to raise awareness of the criminal use of property linked to sexual exploitation.

Scotland

2.1.18 Over the past year, COVID-19 restrictions reduced border movements and the visibility of potential victims of human trafficking. Police Scotland took forward a range of actions to mitigate the threat, risk, and harm of human trafficking, including Operation PERCEPTIVE which directly targeted labour exploitation in the agriculture, forestry, and fishing sectors; more information is available at 2.1.51. In the year to March 2021, Police Scotland recorded 175 crimes of human trafficking or exploitation, compared to 236 in 2020. [\[footnote 4\]](#)

2.1.19. Human trafficking calls received by Police Scotland increased by 62% between 2019 and 2020. It is likely that this is due to improved recording and greater recognition that situations were linked to human trafficking.

2.1.20. In recognition of the highly complex nature of human trafficking crime, Police Scotland created a National Human Trafficking Unit (NHTU), and at its inception in 2020, increased the number of officers in the unit to include a multi-disciplinary Investigation Team.

The Unit investigate complex trafficking and exploitation cases and support a network of human trafficking champions and investigators based regionally throughout Scotland.

2.1.21. Police Scotland this year confirmed the secondment of a Justice and Care Victim Navigator to their National Human Trafficking Unit. The Navigator will pilot innovative engagement and support to some of the most vulnerable and traumatised victims, many of whom do not yet consider themselves to be in exploitation.

2.1.22. Since 2014, Vietnamese nationals have been the most frequently encountered nationality in the NRM in Scotland. To help address and understand the reasons for this, two Vietnamese Police Officers were seconded to Police Scotland for a 6-month period between October 2020 and March 2021 following detailed considerations and discussions between Police Scotland, the Foreign, Commonwealth and Development Office (FCDO), the Home Office, National Crime Agency (NCA) and the Vietnamese Ministry of Public Security over an 18-month period. Despite a number of challenges, including COVID-19 restrictions which limited opportunities for the officers to travel and engage with other law enforcement professionals, the insight into Vietnamese culture, travel and migration patterns provided an invaluable and unique learning experience for Police Scotland.

Northern Ireland

2.1.23 The PSNI has had a dedicated Modern Slavery and Human Trafficking Unit (MSHTU) in place since 2015 and in this reporting period has enhanced capacity in the Unit by significantly increasing detective resources to take account of the number and type of cases being reported and investigated. The PSNI's entire approach to MSHT is victim-centred with the need to identify, locate, and recover any potential victims and offer police help and support in line with current legislation. PSNI also aim to frustrate, disrupt, or dismantle the organised crime groups (OCGs) involved and detain or detect people involved in the trafficking of people.

2.1.24. During 2020/21, MSHTU conducted 133 screening assessments (a process to safeguard victims through early recognition and subsequent intervention). They also conducted 5 Warrant Searches and 66 safeguarding visits/non-warrant operations. [\[footnote 5\]](#)

2.1.25. In October 2020, the Criminal Justice Inspectorate for Northern Ireland published its report on how the criminal justice system deals with modern slavery and human trafficking in Northern Ireland. It made a number of strategic and operational recommendations which it is anticipated will be addressed by a more comprehensive, longer term strategy.

Increasing prosecutions

Prosecutions, convictions and sentencing in England and Wales

2.1.26. In the last year, there has been an increase of 20% in police case referrals to the Crown Prosecution Service (CPS) including cases referred for early investigative advice, which have resulted in charge. In total, 347 defendants investigated for modern slavery offences were referred by the police during 2020, increasing from 322 the previous year. A legal decision was provided, of which 259 defendants were charged by the CPS in 2020, increasing from 239 in 2019. This represents 74.6% of all legal decisions which resulted in a charge. This data is presented in Tables 1 and 2 in the Annex. [\[footnote 6\]](#)

2.1.27. In response to the COVID-19 pandemic, the CPS and the National Police Chiefs Council introduced an interim charging protocol in April 2020, aimed at prioritising and focusing demand, so that only the most serious cases were put into the courts system immediately. Table 3 in the Annex shows that during 2020, the number of completed “flagged modern slavery prosecutions” declined from 349 to 267; this decline is attributed to the Crown Courts being closed or holding very significantly reduced trials, leading to a backlog of more than 54,000 cases (across all crime types) in England and Wales by January 2021. Of those cases that were concluded during this period, the conviction rate increased from 71.9% in 2019 to 73.8% in 2020. [\[footnote 6\]](#)

2.1.28. Bringing increasing numbers of evidence-led prosecutions against criminals who exploit, has been successful in county lines cases, where children and vulnerable victims have not provided testimony, but the prosecution has instead relied on material downloaded from digital devices and cell site analysis, as well as other forms of covert surveillance to evidence the offences. These cases have resulted in significant sentences and prosecutors have successfully obtained Slavery and Trafficking Prevention Orders.

2.1.29. The CPS has delivered national training on the statutory section 45 defence under the Modern Slavery Act 2015 as well as other non-punishment principles. Training has also been delivered to over 200 prosecutors dealing with high volume drug crime in Youth Courts as well as training legal trainers in every CPS Area to deliver this locally.

2.1.30. Joint Investigation Teams (JIT) are an effective way of investigating and prosecuting cases where traffickers operate across jurisdictions to recruit, transport and exploit their victims in different countries. By the end of 2020, the CPS was participating in 17 live JITs on modern slavery, involving five EU member states.

2.1.31. The number of individuals prosecuted and convicted in England and Wales between 2015 and 2020, where modern slavery or related legislation was classified as the principal offence is routinely published by the Ministry of Justice.

2.1.32. In 2020, 89 defendants were proceeded against under the Modern Slavery Act 2015 on a 'principal offence' basis. The number of prosecutions peaked in 2017 at 132 and decreasing to 68 in 2019. Convictions peaked in 2019 at 40 and fell to a low of 10 in 2020.^[footnote 7] It is important to note that the latest year's trend will have been impacted by the pandemic as courts catch up with the backlog of outstanding cases resulting in a reduced number of prosecutions and convictions in the in the latest year. Arrests and prosecutions commenced in a specific year may not result in convictions until subsequent years due to the time it takes to investigate, gather evidence, and prosecute at court.

2.1.33. In 2020, on an 'all offence' basis,^[footnote 8] (i.e. taking into account the total number of offences a defendant is prosecuted for – both principle and non-principle offences) the number of modern slavery offences proceeded against peaked at 331, while the number of offences convicted fell to 49. This means that modern slavery was often a non-principal offence (accompanied by a more severe offence) or a second count of the offence (more than one modern slavery offence per defendant). The most common offences to appear alongside a modern slavery prosecution in the last three years were: supply and possession with intent to supply a Class A drug, money laundering and exploitation of prostitution.

2.1.34. Since the Modern Slavery Act came into effect in 2015, of the 88 offenders sentenced where modern slavery was the principal offence, 74 (84%) received an immediate custodial sentence. Of all offenders sentenced to immediate custody for this offence in 2020, the average custodial sentence length was 36.2 months.^[footnote 6]

2.1.35. In August 2021, the Sentencing Council published new dedicated [sentencing guidelines](https://www.sentencingcouncil.org.uk/crown-court?s&collection=modern-slavery) (<https://www.sentencingcouncil.org.uk/crown-court?s&collection=modern-slavery>) for sentencing offenders convicted of modern slavery offences in England and Wales. The new guidelines, which come into effect on 1 October 2021, aim to promote consistency of approach in this area of sentencing and help the courts pass appropriate sentences when dealing with modern slavery offences.

Scotland

2.1.36. In Scotland, the Crown Office and Procurator Fiscal Service (COPFS) has maintained its structure of a national lead prosecutor for human trafficking supported by local lead prosecutors in each of the Sheriffdoms throughout Scotland. The national lead prosecutor is a senior member of Crown Counsel with extensive experience of prosecuting serious crimes in the High Court of Justiciary. All decisions in terms of the Lord Advocate's Instructions on Prosecution of Victims of Human Trafficking and Exploitation are made by the national lead prosecutor to ensure consistency and expertise in decision-making. Tables 4 and 5 in Annex A show the outlined number of individuals prosecuted and convicted of human

trafficking offences in Scotland, broken down by the date the police report was received by COPFS.

2.1.37. In line with the commitments signed by the Lord Advocate and heads of other prosecuting authorities in 2016, COPFS has maintained its good relationships with the CPS and PPSNI. All three agencies met using video-conferencing technology in September 2020. Arrangements are being made for a meeting in 2021.

2.1.38. Since the implementation of the Human Trafficking and Exploitation (Scotland) Act 2015, eight Trafficking and Exploitation Prevention Orders (TEPO) have been imposed on conviction as part of sentences for those convicted of human trafficking crimes. These orders place limitations on an offender for at least 5 years to prevent further offending and protect potential victims. A number of Trafficking and Exploitation Risk Orders (TERO) are also currently being considered for ongoing enquiries.

2.1.39. Scottish authorities continue to pursue the perpetrators of human trafficking and exploitation across national and international boundaries and have been involved in several Joint Investigation Teams (JIT) with other European Law Enforcement agencies and Europol. In one such investigation, 27 Romanian Nationals were arrested and charged with human trafficking and exploitation crimes in relation to sexual exploitation for prostitution. Over 30 victims were identified and safeguarded. Another operation resulted in the arrest of 3 Romanian Gangmasters and the rescue of 10 labour exploitation victims in North East Scotland.

Northern Ireland

2.1.40. During 2020/21, the MSHTU made 8 arrests for modern slavery/human trafficking and/or related offences, charged 3 persons with modern slavery/human trafficking and/or related offences, and reported 1 person to the Public Prosecution Service (PPS) for modern slavery/ human trafficking and/or related offences. In this financial year there were 8 convictions for human trafficking related offences and 2 persons were convicted of linked drug offences. [\[footnote 9\]](#)

Asset recovery

2.1.41. Asset seizure is an important element of the UK's response to modern slavery, as the crime of modern slavery is often motivated by financial profit.

2.1.42. Annex A in the [Asset Recovery Statistical Bulletin](https://www.gov.uk/government/statistics/asset-recovery-statistical-bulletin-financial-years-ending-2016-to-2021/asset-recovery-statistical-bulletin-financial-years-ending-2016-to-2021#annexes) (<https://www.gov.uk/government/statistics/asset-recovery-statistical-bulletin-financial-years-ending-2016-to-2021/asset-recovery-statistical-bulletin-financial-years-ending-2016-to-2021#annexes>) sets out data extracted from the Joint Asset Recovery Database (JARD), showing the value of the cash seizure and criminal confiscation orders relating to cases involving modern slavery in England and Wales in each of the last six calendar years.

Labour exploitation

2.1.43. Over the last year, the Government has continued to take steps to strengthen its response to tackle serious labour exploitation.

Single Enforcement Body

2.1.44. Following a consultation, the Government committed in its response published in June 2021 to establish a single enforcement body for employment rights to better protect vulnerable workers and create a level playing field for the majority of employers complying with the law.

2.1.45. The Single Enforcement Body will provide a clearer route for workers to raise a complaint and get support, whilst also enabling the use of pooled intelligence to better target more coordinated and proactive enforcement action. We will use the experience of joint working and community engagement in Leicester to inform the development of the single enforcement body.

Leicester

2.1.46. As a result of the widespread allegations around labour exploitation in Leicester during the height of the pandemic, a multi-agency taskforce (Op TACIT) led by the GLAA was set up to co-ordinate law enforcement work to secure robust intelligence to enable appropriate enforcement activity. This year, the taskforce has continued to respond to allegations of labour exploitation and has visited over 300 premises to date.

GLAA Actions

2.1.47 Over the last year, the GLAA has for the first-time used Slavery and Trafficking Risk Orders (STRO) to manage the behaviour of individuals under investigation for modern slavery offences. In August 2021, a GLAA-led case working in partnership with Leicestershire Police resulted in a prosecution. An individual was sentenced to 6 years imprisonment and was issued with a 10-year STRO for modern slavery offences relating to supply chains, the individual is restricted by prohibitions including arranging or assisting in the employment, travel, or transport of another. In the last 12 months the GLAA identified 7728 potential victims, referred 92 potential victims of modern slavery into the NRM and commenced 253 investigations. [\[footnote 10\]](#)

Wales

2.1.48. The Welsh Government this year transferred the modern slavery portfolio into the Social Partnership & Fair Work Directorate as an expanded and further resourced modern slavery and workers' rights function. This move has been designed to strengthen the connections between tackling modern slavery and countering other forms of labour exploitation and societal inequalities, recognising correlations and interdependencies.

2.1.49. Work is ongoing to identify how Modern Slavery Regional Partnership Forums can be more strategically aligned with Regional Safeguarding Forums to

maximise sharing of information and early identification of risks.

Scotland

2.1.50. Police Scotland launched a media campaign entitled 'Break the Chain' in March 2021. The campaign included TV advertising, national and local print media, social media, and an internal awareness raining campaign using #endlabourexploitation. The TV advert was supported by a webinar aimed at the business community hosted by SBRC and a web page ([End Labour Exploitation \(https://endlabourexploitation.co.uk/\)](https://endlabourexploitation.co.uk/)). The campaign has so far resulted in two major enquiries into labour exploitation including Operation BARRAMUNDI which saw four arrests for labour exploitation in farming of Romanian nationals and is the largest labour exploitation safeguarding operation for Police Scotland to date. It is hoped that increased reporting of labour exploitation will continue as the campaign messages resonate with the target audience.

2.1.51. This year, Police Scotland undertook Operation PERCEPTIVE, directly targeting the Agricultural, Forestry and Fishing sectors. Officers visited over 50 premises, covering more than 5000 staff, and gathered information on 26 gangmasters with the aim of identifying potential victims of trafficking and potential exploiters. This resulted in three follow up multi-agency visits in association with the Gangmasters Labour Abuse Authority. The visits also served to improve the intelligence picture around labour requirements, sourcing, and human trafficking indicators. Nationwide Project AIDANT enforcement intensification periods carried this work forward into 2021.

2) Prevention

2.2.1. Prevention activity aims to stop people from becoming victims of modern slavery or committing modern slavery crimes in the first place.

Investing in research and evidence

2.2.2. This year, the Home Office has continued to work with the Modern Slavery Policy and Evidence Centre (MS PEC), an independent research consortium, funded by a government grant through UK Research and Innovation. The MS PEC has brought together academics, policy makers, NGOs and businesses to generate knowledge, improve collaboration and strengthen the UK's response to modern slavery. The Centre will increase our ability to understand and respond to modern slavery, based on evidence and research. The Home Office will continue working with the Centre and other partners to strengthen the evidence base underpinning our policy and operational response to modern slavery. This year the Centre has published eight research projects focusing on the impact of COVID-19 on modern slavery, awarded c.£1 million funding to five survivor support projects, and produced policy briefs on: access to legal advice and representation for survivors; the effectiveness forced labour import bans; and modern slavery and international development.^{[[footnote 11](#)]}

2.2.3. Home Office officials have also participated in workshops and discussions led by the Independent Anti-Slavery Commissioner, the University of Sheffield, and Public Health England on the opportunities afforded by a public health approach to modern slavery. A public health framework puts an emphasis on strengthening prevention activities and putting it at the heart of our fight against modern slavery.

Prevention interventions

Small Grants fund for Police Crime Commissioners

2.2.4. The Home Office provided funding to run a fifth round of the small grants for Police Crime Commissioners (PCC's), which was launched on 4 November 2020. The small grants fund was run through the Modern Slavery and Organised Immigration Crime Programme and gave all PCC's in England and Wales the opportunity to bid for up to £3000 to deliver targeted prevention activity locally in response to their local threat profile of modern slavery. This opportunity was well received with 76% of PCC's applying to the grant round.

2.2.5. The majority of projects were awareness raising activities and educational initiatives, many as part of social media campaigns and all with a typology approach. Stand-out activities included online training for pharmacists to identify and report sexual exploitation, webinars for parents, carers and staff to identify child criminal exploitation with supporting resources, interactive online training for partners utilising a theatre company and an animated film for communities to raise awareness of domestic servitude.

2.2.6. This opportunity saw PCCs working together with their Regional Coordinators, Regional Single Points of Contact within their police forces, and their partnership networks to deliver innovative projects locally to make tangible impact within their communities.

Gangmasters Labour and Abuse Authority

2.2.7. The GLAA has continued to develop its approach to businesses to prevent exploitation by standardising training, raising awareness, and increasing reporting.

2.2.8. Home Office provided funding to GLAA to support the development of the Level 1 Award in Workers' Rights and Labour Exploitation to raise awareness of employment rights that are protected by UK law. The qualification, designed in partnership with Skills Education Group, offers a flexible approach for delivery in educational, community and workplace settings. An evaluation of the intervention is being conducted by the University of Nottingham's Rights Lab and the interim report is very positive. The qualification will be rolled out nationally in September 2021.

2.2.9. The Home Office also contributed funding to support the development of the Responsible Car Wash Scheme (RCWS), testing the effectiveness of voluntary licensing in a single local authority area. In June 2021, the RCWS awarded accreditation to two car wash operators in Slough. The accreditation requires the

operator to consent to trade and trading standards, financial transparency, and corporate governance, providing safe and hygienic working conditions, protecting the environment, compliant and ethical employment practices, and prevention of worker exploitation. A podcast series designed to help hand car wash owners across the UK understand their responsibilities to workers has also been launched.

Adult Service Websites

2.2.10. The NCA has continued work to engage with Adult Service Websites (ASWs) to raise industry standards and prevent offenders from exploiting victims on these platforms. This has included monitoring ASWs activity and examining how offenders abuse the internet to exploit their victims and promote mitigations that can be implemented by industry.

2.2.11. The Home Office has funded prevention work to raise awareness of the risks and signs of sexual exploitation among users of Adult Services Websites. The results and evaluation from this campaign are currently being reviewed in order to understand any impact.

Modern Slavery Prevention Fund

2.2.12. As one of the non-legislative measures in the New Plan for Immigration, the Home Office announced its intention to create a Modern Slavery Prevention Fund. The Modern Slavery Prevention Fund will support organisations to deliver targeted prevention interventions that will help build the evidence base for where the greatest impact can be made.

Training and awareness raising

2.2.13. In 2021, the Home Office has worked with the UK Modern Slavery Training Delivery Group to assist with the coordination of modern slavery training across various sectors. Home Office officials have also supported the Bakhita Centre for Research on Slavery, Exploitation and Abuse in developing their new training framework for practitioners working with child victims of human trafficking.

Scotland

2.2.14 In early 2021, the Scottish Government commissioned a fifth annual public awareness study to build on evidence from previous years on whether awareness is improving and what aspects continue to prove challenging. The survey has evolved since 2017 with additional questions added in 2018 and 2019. The continuing benefits of a public awareness survey will be assessed and, if deemed beneficial, the Scottish Government will consider whether the questions posed in the survey require a refresh.

2.2.15 During the early phase of the pandemic, the Trafficking Awareness Raising Alliance pivoted to ensure the provision of online training offers and these were well attended by professionals throughout Scotland. Moving the sessions online allowed a wider range of participation as they became more accessible to those in

remote geographic locations across Scotland without the need for significant travel to a particular location. Learning from these sessions will support a wider assessment of training being undertaken across the Trafficking and Exploitation Strategy.

2.2.16. Awareness raising among enforcement bodies, businesses, third sector partners and the public was carried out with media releases on various platforms and took place on Anti-Slavery Day and during the 16 Days of Activism against gender-based violence.

Northern Ireland

2.2.17 Detectives from the PSNI MSHTU have delivered training to a number of public and private sector groups over this reporting period including: Northern Ireland Street Pastors; the Northern Ireland Prison Service; Financial Institutions; African Women Organization workshop; medical students at Queens University; George Best Belfast City Airport's Airport Safety Week; Belfast and Lisburn Women's Aid event in Belfast; and medical staff at Downshire Hospital. These training events and engagements strengthened links with partner agencies, NGOs, and private sector businesses which in turn increases the overall level of skills, knowledge and contacts in areas that can be very relevant in identifying and investigating MSHT offences.

3) Transparency in supply chains

2.3.1. This area of work aims to eliminate modern slavery in private and public sector supply chains to protect vulnerable people from exploitation. This activity seeks to improve the resilience of the UK and the wider global economy to modern slavery and increase awareness of and resilience against this abhorrent crime.

Strengthening section 54 of the Modern Slavery Act 2015

2.3.2. The landmark 'Transparency in Supply Chains' (TISC) provisions in section 54 of the Modern Slavery Act 2015 have driven a change in business culture, with thousands of organisations opening up about their supply chains and taking targeted action to mitigate risks.

2.3.3. In the [Government response to the Transparency in Supply Chains consultation](#)

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/919937/Government_response_to_transparency_in_supply_chains_consultation_21_09_20.pdf), published on 22 September 2020, the Government committed to taking forward a package of changes to strengthen section 54, including extending the duty to publish modern slavery statements to public bodies with a budget of £36 million or more, mandating the reporting topics that statements must cover and setting a single reporting deadline by which all modern slavery statements must be submitted to the Government modern slavery statement registry.

2.3.4. Building on this, on 12 January 2021 the Government announced plans to introduce financial penalties for organisations who fail to meet their statutory obligations to publish annual modern slavery statements. In the Government response to the consultation on Establishing a new [Single Enforcement Body for employment rights](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/991751/single-enforcement-body-consultation-govt-response.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/991751/single-enforcement-body-consultation-govt-response.pdf), published on 8 June 2021, we announced that the Single Enforcement Body will have powers to impose the financial penalties against non-compliant organisations. Along with the wider package of changes to section 54 announced in the consultation response, the introduction of financial penalties will require legislative change and will be introduced when Parliamentary time allows.

Government modern slavery statement registry

2.3.5. On 11 March 2021, the Government launched the modern slavery statement registry, which was a key recommendation of the Independent Review of the Modern Slavery Act and is a significant milestone in the Government's commitment to improve transparency in supply chains.

2.3.6. By submitting their statement to the registry, organisations can share the positive steps that they are taking to identify and address modern slavery risks in their operations and supply chains. As well as submitting a link to their statement, organisations are able to provide a summary of their statement by answering [additional optional questions](https://www.gov.uk/government/publications/process-for-submitting-a-government-modern-slavery-statement/process-for-submitting-a-government-modern-slavery-statement) (<https://www.gov.uk/government/publications/process-for-submitting-a-government-modern-slavery-statement/process-for-submitting-a-government-modern-slavery-statement>) about their response to modern slavery.

2.3.7. Anyone interested in viewing statements can use the registry to search for organisations' statements and download the summaries they have provided.

2.3.8. Since launching, the Government has focused on encouraging organisations to publish their statements to the registry, ahead of mandating use of the registry as part of the planned changes to strengthen section 54. In the longer term, the registry will provide a key tool for Government to monitor and drive compliance with section 54 of the Modern Slavery Act.

2.3.9. To lead the way for businesses and public bodies, the Government was the first organisation to add its statement to the registry and provide a summary of the steps it has taken to identify and address modern slavery risks in central government supply chains.

Working with businesses

2.3.10. The Government works closely with businesses to encourage best practice, understand the challenges businesses are facing and to learn from the private sector's experience in identifying and addressing modern slavery risks in supply chains.

2.3.11. Following launch of the modern slavery statement registry, the Home Office wrote directly to 16,000 organisations considered to be in scope of section 54 to invite them to submit their statements to the registry. Uptake has been exceptional, with over 6,250 statements covering over 21,000 organisations submitted to the registry on a voluntary basis so far, demonstrating organisations' commitment to transparency.

2.3.12. The Home Office is continuing its direct engagement with businesses to encourage uptake and to collect user feedback, which will be used to iterate and improve the service ahead of its use becoming mandatory.

2.3.13. On 16 June 2021, the Home Secretary and the Minister for Safeguarding met with the CEOs of the Business Against Slavery (BAS) Forum, a partnership between Government and 13 multinational businesses that are leading the way in their response to modern slavery. Ministers and business leaders discussed key issues facing businesses and potential opportunities for Government and business to work in partnership to accelerate progress in the fight against modern slavery. The Government will continue to engage with the Forum, the wider business community, and the Independent Anti-Slavery Commissioner as part of the ongoing development of the new modern slavery strategy.

2.3.14. To learn from the Forum's experience, in August 2021 BAS members provided feedback on Ministerial departments' draft modern slavery statements (see paragraph 2.3.16), along with civil society experts and academics, who were also invited to peer review statements.

Tackling modern slavery in public sector supply chains

2.3.15. Like businesses, the public sector has a crucial role to play in addressing risks of modern slavery in its operations and supply chains. The Government is committed to harnessing its £290bn spend on goods and services to prevent modern slavery and drive up labour standards in supply chains.

2.3.16. To meet the goals set in the Government modern slavery statement, ministerial departments will soon publish their first modern slavery statements setting out how they are addressing modern slavery risks in their supply chains. The Government has created a network of director-level anti-slavery advocates to oversee how ministerial departments are tackling modern slavery and enhance collaboration across Government.

2.3.17. The Government continues to deliver greater social value through its commercial activities and incentivising businesses to become more responsible and sustainable. Following the launch of the [Social Value Model](https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts) (<https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts>) (SVM), most new central government procurements need to take account of social value criteria in the award of contracts, including placing a minimum weighting of 10% of the total

score on social value, to ensure that social value carries a significant enough score to be a differentiating factor in bid evaluation.

2.3.18. The SVM includes modern slavery related questions and evaluation criteria, to help departments consider how best to assess a bidder's modern slavery due diligence processes when awarding contracts. The Cabinet Office has launched E-learning and trained over 1,500 staff in the public sector on the SVM.

Building modern slavery due diligence expertise across the public sector

2.3.19. In July 2021, the Home Office launched an [E-learning course for public sector commercial staff](https://www.govcommercialcollege.co.uk/course/view.php?id=123) (<https://www.govcommercialcollege.co.uk/course/view.php?id=123>) (at all grades) on the practical steps they can take throughout the commercial lifecycle to identify and mitigate modern slavery risks. This 2.5-hour course will help learners:

- recognise how modern slavery can manifest in supply chains
- spot modern slavery risks in procurement and critically interrogate the assurances suppliers provide (such as social audits)
- drive improvements in modern slavery due diligence to create better outcomes for workers

2.3.20. We have also hosted and participated in virtual events reaching over 1000 public sector officials, to raise awareness and explore the key steps public sector commercial staff should take to tackle modern slavery in supply chains. To ensure we reach a wide range of public bodies, we have collaborated with NHS England, police forces, the Local Government Association and Electronics Watch, among others.

2.3.21. The Government developed the [Modern Slavery Assessment Tool](https://supplierregistration.cabinetoffice.gov.uk/msat) (<https://supplierregistration.cabinetoffice.gov.uk/msat>) (MSAT)²⁷ to help public bodies work with their suppliers to implement effective modern slavery due diligence. As of 31 March 2021, 1,877 businesses have completed the MSAT questionnaire, compared to 1,104 in March 2020.

2.3.22. The COVID-19 pandemic has led both to a surge in demand for PPE, such as gowns, masks and eye protection, and increased awareness of modern slavery risks in the industry. The Home Office, with support from the Department of Health and Social Care (DHSC) and NHS Supply Chain, commissioned the ethical trade consultancy, Impactt, to [develop tailored guidance for buyers and suppliers of PPE](https://www.gov.uk/government/publications/buyers-and-suppliers-of-personal-protective-equipment-ppe) (<https://www.gov.uk/government/publications/buyers-and-suppliers-of-personal-protective-equipment-ppe>) on best practice approaches to prevent modern slavery in supply chains. As part of this project, Impactt delivered training workshops with 23 PPE manufacturers and resellers to support them implement the guidance.

Wales

2.3.23. In 2017, the Welsh Government produced the Code of Practice on Ethical Employment in Supply Chains. Since then, over 300 organisations have signed up and committed to tackling unlawful and unethical employment practices in their supply chains. Work has commenced on reviewing and refreshing the Code in preparation for it to be relaunched in 2022.

2.3.24. The Welsh Government published for consultation the draft Social Partnership & Public Procurement (Wales) Bill. This legislation, to be introduced to the Senedd in spring 2022, seeks to ensure that public procurement in Wales is undertaken in a socially responsible manner with consideration for fair work.

Scotland

2.3.25. The Scottish Government launched an online platform in June 2020 to provide easier access for buyers across the public sector in Scotland to national sustainable procurement tools. So far over 100 Scottish public sector bodies have registered, as well as third sector and private organisations in other parts of the UK and further afield. The tools have been designed to help Scottish public bodies comply with policy and legislation, and to help them identify and achieve economic, social, and environmental outcomes through their procurement activity. The guidance for practical application of sustainable procurement is also on the platform enabling buyers to more easily access and reference information on how to take an ethical approach in their procurement activity including the consideration of human trafficking and exploitation.

2.3.26. Shan Saba, director of Brightwork Recruitment agency has formed Scotland Against Modern Slavery (SAMS) to take forward engagement in the corporate sector under Action Area 3 of Scotland's Trafficking and Exploitation Strategy. Shan has hosted, recorded, and shared a series of Podcasts on the importance of businesses understanding the risks within their operations and supply chains, the negative consequences trafficking, and exploitation has on business and the benefits of joining a network of support. The podcasts have featured key figures including the Scottish Government's Cabinet Secretary for Justice and the Independent Anti-Slavery Commissioner. There are now over 30 organisations signed up to be part of SAMS. One member has agreed to put a banner on their lorries to draw attention and raise awareness of trafficking and exploitation in Scotland. It is hoped that members of SAMS will become ambassadors and act as conduits between their respective organisations and the group to share best practice and intelligence. SAMS had their initial meeting in March 2021 and has met monthly since. A [dedicated website to inform, educate and provide help and support](https://www.scotlandagainstmmodernslavery.co.uk/) (<https://www.scotlandagainstmmodernslavery.co.uk/>) has also been developed.

Northern Ireland

2.3.27. The Department of Justice ran two consultations (for private sector and public sector organisations respectively) on transparency in supply chains. The proposed changes will see a strengthening of the transparency in supply chains

arrangements for commercial businesses with a turnover of £36m or more and will give effect to UK-wide arrangements which the Home Office consulted on during summer 2019. The Home Office consultation did not extend to Northern Ireland as the Department instead engaged directly with affected businesses in Northern Ireland. In very broad terms, the proposed changes will mean that businesses and organisations in Northern Ireland – and anywhere in the world with a turnover of £36 million or more that also have a footfall in the UK mainland – will be impacted by the legislative changes presented by the UK Government. The changes being proposed will tighten the requirements on businesses. For those measures that require legislative change, the Home Office intention is to introduce the changes when parliamentary time allows. At that point consideration will be given to a Legislative Consent Motion to extend the provisions to Northern Ireland. These proposals are aimed at helping organisations to strengthen their procedures, to identify risks and to take measures towards eliminating slavery from their supply chain.

4) Victim support and identification

2.4.1. Victim identification and support is centred on reducing the harm caused to victims of modern slavery as a result of their exploitation. The National Referral Mechanism (NRM) is the process by which the UK identifies and supports potential victims of modern slavery.

2.4.2. The UK Government, Scottish Government, and the Northern Ireland Executive continue to provide specialist support and advocacy services for victims of modern slavery and reintegrate them into local communities. During the COVID-19 pandemic, we have taken a number of steps to adapt our support services and keep victims safe.

2.4.3. Modern slavery cases are highly complex, and individual victims can have very different recovery needs linked to their exploitation. We are committed to building on the significant reforms to the NRM, to address the challenges that the system continues to face.

2.4.4. We intend the NRM to be a world-class system that effectively identifies and delivers needs-based support for victims of modern slavery; is legally robust, sustainable, and resilient to potential misuse. This is why in summer 2020 the Home Office embarked on an ambitious transformation programme, building on the legacy of the NRM Reform programme launched in 2017. The NRM Transformation Programme focuses on ensuring that:

- victims are given certainty about their victim status as swiftly as possible
- victims are safeguarded and supported based on their individual recovery needs, with a focus on supporting the most vulnerable and making good use of

existing access to mainstream services to avoid duplicating support services

- victims are empowered to report their exploitation to law enforcement and to take an active role in the prosecution of modern slavery offences.
- victims are supported to begin rebuilding their lives with increased resilience against future exploitation.
- public confidence in the system is upheld, and
- the NRM interacts positively with and supports related services and agencies in identifying and supporting victims

Strengthening identification of adult victims

New Plan for Immigration

2.4.5. In March 2021, the Government launched the [New Plan for Immigration](https://www.gov.uk/government/publications/new-plan-for-immigration-legal-migration-and-border-control) (<https://www.gov.uk/government/publications/new-plan-for-immigration-legal-migration-and-border-control>) which sets out the Government's approach to immigration. Some of the measures in the New Plan for Immigration help the Government achieve objectives of the NRM Transformation Programme. The proposed modern slavery measures are designed to ensure victims are identified and supported as quickly as possible and to tackle potential misuse of the system. [The Nationality and Borders Bill](https://publications.parliament.uk/pa/bills/cbill/58-02/0141/210141.pdf) (<https://publications.parliament.uk/pa/bills/cbill/58-02/0141/210141.pdf>) is the vehicle which seeks to bring legislative clarity to these policies. The Bill was introduced to Parliament in July 2021, following a public consultation.

2.4.6. The modern slavery measures in the Nationality and Borders Bill cover the following key areas:

- introducing a definition of “public order” to enable the UK to withhold protections afforded by the NRM where there is a risk to public order
- placing into legislation the decision-making thresholds in line with our international obligations
- placing into statute the circumstances in which confirmed victims must be granted temporary leave to remain (subject to any public order exemption), including where they have ongoing recovery needs linked to their exploitation. Temporary leave to remain will also be available to enable victims to co-operate with a public authority in connection with an investigation or criminal proceedings to bring their exploiters to justice and for those seeking compensation who are required to be in the UK to do so
- extending the one stop notice to cover modern slavery matters and enable all grounds for protection to be raised in a safe forum, with legal support provided in advance

2.4.7. The broader New Plan for Immigration also made commitments around support for modern slavery victims including providing funding this financial

year (2021/22) to pilot specific mental health provision; piloting new approaches to stop modern slavery occurring through a Prevention Fund and trialling ways to encourage victim engagement in the criminal justice process. The New Plan for Immigration also made a commitment to bring forward further legislation around victim support when parliamentary time allows and to review the 2014 Modern Slavery Strategy (as set out in Chapter 1 of this report).

Work to strengthen First Responder System

2.4.8. Potential victims of modern slavery in the UK that come to the attention of authorised ‘first responder’ organisations are referred to the NRM Authorised ‘first responder’ organisations include local authorities, specified non-governmental organisations (NGOs), police forces and specified government agencies.

2.4.9. The Home Office has continued to work with First Responder Organisations over the past year to strength the tools and resources available to them, and to improve communications across the system. In July 2021, the Home Office launched a new E-learning module focused on child victims of modern slavery. Building on the first responder training developed by the Home Office in 2020, this second module aims to further develop practitioners’ understanding of modern slavery from a child safeguarding perspective. The [E-learning is hosted on the Police Modern Slavery and Organised Immigration Crime Unit’s \(MSOICU\) website \(https://policingslavery.co.uk/transforming-our-response/training-delivery/e-learning-child-victims-of-modern-slavery/\)](https://policingslavery.co.uk/transforming-our-response/training-delivery/e-learning-child-victims-of-modern-slavery/) and focuses on the steps practitioners should take to safeguard child victims, and the role of the NRM in these cases. The latest E-learning module has been accessed by more than 4,000 unique users in the first three months since its release and has received positive feedback from users.

2.4.10. The Welsh Government Training Group has provided multi-agency first responder training to ensure consistent communications on modern slavery in Wales.

Strengthening decision-making

2.4.11. The Single Competent Authority (SCA) is responsible for all NRM referrals and makes decisions on cases of modern slavery. Rising volumes of NRM referrals have led to lengthened decision-making times and an increased burden on NRM capacity. In response to this, the Home Office has initiated a recruitment process for over 200 new staff to join the SCA during 2021, with the intention of further recruitment to take place before year end. Whilst recruitment has taken place at a slower pace than initially anticipated during the pandemic, those already in post will make a significant impact on reducing decision-making times going forward.

Multi-Agency Assurance Panels of experts (MAAPs) – Improving victim and stakeholder confidence in NRM decisions

2.4.12. The Home Office introduced independent Multi-Agency Assurance Panels of experts (MAAPs) in 2019. The panels provide additional independent scrutiny to assure the quality of decision-making. MAAPs have been set up to review all negative conclusive grounds decisions on cases referred directly to the SCA, adding a third level of scrutiny to such cases. Over the last year, the Home Office has been undertaking an evaluation, focused on gaining an in-depth understanding of the extent to which MAAPs improved the quality of decision-making and increased stakeholder confidence in the NRM process.

Updates to the Statutory Guidance

2.4.13. The Home Office published statutory guidance under section 49 of the Modern Slavery Act 2015, and Non-Statutory Guidance for Scotland and Northern Ireland on 4 April 2020. Modern slavery remains a rapidly evolving area, therefore, since initial publication a Modern Slavery Guidance Reference Group has been established. This group of stakeholders with direct interest in the Guidance, have contributed to updates to ensure that it is reflective of current policy and practice, and remains useful for decision makers, first responders, and support providers.

Homelessness Code of Guidance for Local Authorities

2.4.14. To ensure housing authority staff have an awareness of the possibility that individuals who are homeless may be victims of trafficking or of modern slavery, the [Homelessness Code of Guidance for Local Authorities](https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/Current_Homelessness_Code_of_Guidance.pdf) (https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/Current_Homelessness_Code_of_Guidance.pdf) was updated in July 2021. The guidance outlines how to better assess vulnerability and provide assistance to applicants who are victims of trafficking or modern slavery.

Wales

2.4.15. The Wales Anti-Slavery Leadership Group has reviewed and updated their Victim Support Pathway. Work is ongoing regarding adoption and changes to processes in partnership with Local Authorities. Multi-Agency Risk Assessment Conference (MARAC) meetings continue to play an active role in identifying and safeguarding victims of modern slavery.

2.4.16. BAWSO continue to be the support provider for victims of modern slavery under the Modern Slavery Victim Care Contract (MSVCC) for Wales, subcontracted by The Salvation Army (TSA). This provision includes accommodation-based support and outreach support to adults and their children who are under NRM and have been identified as a potential victim of modern slavery and exploitation.

2.4.17. Work has commenced to develop a consistent approach to Rest and Recovery Centres in Wales. Once it became apparent that there were limited accessible premises to provide multi-agency support for potential victims of modern slavery following identification, Work has commenced to develop a consistent approach to Rest and Recovery Centres in Wales. The Welsh Forces

initiated partnership working with Local Resilience Forums and the Church in Wales, supported by the TARIAN ROCU regional coordinator, to map and identify suitable premises and develop local agreements and operating procedures between partners. The intention is that these measures will improve the response to initial encounters with potential victims while also building victim confidence to support investigations.

2.4.18. Recognising the complex needs of survivors, the Welsh Government is exploring opportunities for survivors of modern slavery to be provided with various forms of professional support, including mental health, education and skills, and employment opportunities.

Scotland

2.4.19. The statutory period of support for adult victims in Scotland came into force on 1 April 2018 with the minimum period of support doubling to 90 days. At the same time, support for victims of the offence under Section 4 of the Act (slavery, servitude and forced or compulsory labour) was also placed on a statutory footing.

2.4.20. The Scottish Government continues to provide funding to Trafficking Awareness Raising Alliance (TARA), which specifically supports female victims of trafficking for commercial sexual exploitation, and Migrant Help which supports all other adult trafficking victims across Scotland. Funding to NHS Greater Glasgow and Clyde (The Anchor) has significantly increased in 2021/22 to provide a national service of psychological trauma support to victims of human trafficking and exploitation. Information on the number of potential victims of trafficking supported by TARA and Migrant Help between 1 April 2020 and 31 March 2021 will be available when the Scottish Government publishes its fourth annual progress report on strategy implementation.

2.4.21. The Scottish Government has provided funding to enable digital connectivity for victims of human trafficking and exploitation during the COVID-19 pandemic by supporting providers to purchase smartphones/laptops/tablets and data plans to ensure victims can engage in crisis support work and psychological trauma therapy remotely while maintaining a form of face-to-face communication. This has also enabled service users to participate in wider social and physical activities and access cultural content online, thereby helping survivors to integrate with communities, aid recovery and keep in touch with family in source countries.

2.4.22. The Trafficking and Exploitation Strategy Action Area 1 implementation group, has developed a [toolkit to support first responders who may be completing an NRM referral](http://www.migrationscotland.org.uk/uploads/National%20Referral%20Mechanism%20Toolkit%20March%202021.pdf) (<http://www.migrationscotland.org.uk/uploads/National%20Referral%20Mechanism%20Toolkit%20March%202021.pdf>). This is aimed particularly at individuals within First Responder Organisations who have limited or no experience of the NRM and aims to improve the quality of referrals while providing a useful, easy to access resource.

2.4.23. The toolkit was commissioned to improve the formal identification of victims through the NRM in Scotland and ensure that both frontline staff and potential victims understand the process and possible outcomes of this pathway to identification and protection.

2.4.24. The toolkit promotes the need for a trauma informed approach to identification and support for all adult and child survivors recovered in Scotland.

2.4.25. In response to the pandemic, Police Scotland maintained close working relationships with third sector and business partners to gather intelligence, identify victims of trafficking and provide support. This included gathering information on possible displacement activities, monitoring new trends in exploitation, and responding rapidly to those trends.

Northern Ireland

2.4.26. Support for victims of human trafficking is on a statutory footing, in line with Section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. Support for victims of slavery, servitude and forced or compulsory labour where there is no element of trafficking is currently provided as matter of policy, and will be put onto a statutory footing subject to the passage of the Justice (Sexual Offences and Trafficking Victims) Bill.

2.4.27. Over the last six years, a total of almost 250 potential victims have been assisted under the Department of Justice support contract. This contract is delivered by Migrant Help and Belfast and Lisburn and Women's Aid, which support adult male and adult female victims respectively. The 2020 NRM figures show that 128 referrals were made, with most potential victims falling into the category of adult males subject to labour exploitation.

2.4.28. The Department of Justice works with operational partners in the Organised Crime Task Force^{[footnote 12](#)} and with its NGO Engagement Group to better identify victims and increase public awareness of the signs and indicators of modern slavery. Recent initiatives include training for all new custodial staff joining the Northern Ireland Prison Service and accredited specialist training for police detectives on modern slavery and human trafficking. The Health and Social Care Board is responsible for supporting children who may be victims of trafficking or modern slavery. All child victims are also entitled to support by an Independent Guardian appointed to advocate for and represent their best interests.

2.4.29. Identifying and supporting victims' forms part of the Prevent strand of the Northern Ireland Modern Slavery and Human Trafficking Strategy for 2021/22. The Department will continue to prioritise this work and incorporate it into a longer-term strategic approach towards modern slavery and human trafficking.

2.4.30. The Northern Ireland Assembly launched a new All-Party Group on Modern Slavery on 23 October 2020. The organisation CARE NI is providing the secretariat to the Group. Joanne Bunting MLA chairs the group and its focus will be to work with organisations and charities to reduce modern slavery and provide effective support for victims in Northern Ireland.

Supporting individual needs for child victims of modern slavery

2.4.31. The Home Office is continuing to roll-out Independent Child Trafficking Guardians (ICTGs), an independent source of advice and support for child victims of modern slavery. In May 2021, the Home Office expanded ICTGs to 11 new areas, with the Service extending to cover in total two-thirds of all local authorities in England and Wales. Updated [ICTG guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/990138/Interim_guidance_for_Independent_Child_Trafficking_Guardians.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/990138/Interim_guidance_for_Independent_Child_Trafficking_Guardians.pdf) reflects the recent expansion and impact on the service model as well as the referral process.

2.4.32. The current ICTG service model provides one-to-one support for potentially trafficked children who have no one with parental responsibility for them in the UK via an ICTG Direct Worker and an expert ICTG Regional Practice Co-ordinator, for children where there is someone with parental responsibility for them in the UK. The Regional Practice Co-ordinator role is focused on embedding good practice when working with trafficked children with a figure of parental responsibility. As a strategic and operational role, regions have flexibility to deliver a Regional Practice Co-ordinator response that complements rather than duplicates the existing local response.

Data on Independent Child Trafficking Guardian Service

2.4.33. In 2020 there were 253 children referred to Direct Workers with the largest numbers referred in the West Midlands and Greater Manchester (57 and 51 respectively). The lowest number were referred in Wales (32).^{[footnote 13](#)}

2.4.34. Regional Practice Co-ordinators received 302 referrals in 2020, with the East Midlands receiving substantially more referrals than other RPC areas (110). The second highest was Wales with 74 referrals, with the lowest number received in Hampshire and Isle of Wight. The full figures for 2019 and 2020 referrals can be found in Annex A.

2.4.35. All referrals in 2020 were in addition to the children Direct Workers and Regional Practice Co-ordinators had on their caseloads at the end of 2019.

2.4.36. To date, the Home Office has adopted a staggered approach to the roll-out with robust built-in evaluations along the way to ensure the ICTG Service meets the needs of the vulnerable children it supports.

2.4.37. As part of this phase of the roll-out, the Home Office is testing the following three recommendations from the 2019 Independent Review of the Modern Slavery Act in a mix of ICTG sites:

- remove the 18-month limit for ICTG support to ensure that the support provided is based on the individual needs of the child rather than being time limited. This change is being implemented in all ICTG sites
- enable those children who need it to continue to receive ICTG support following their 18th birthday. This change is being tested in London, West Yorkshire, and Warwickshire
- allow children who have a figure of parental responsibility for them in the UK to access one-to-one support where there is an exceptional need. This change is being tested in Wales, the East Midlands, and West Midlands Combined Authorities

2.4.38. An independent evaluation will be carried out to assess the added value of implementing these changes to the Service.

Devolving child decision making pilot

2.4.39. The Home Office has launched a pilot programme to test devolving the responsibility to make NRM decisions for children from the Home Office to local authorities.

2.4.40. The pilot will explore whether determining if a child is a victim of modern slavery within existing local safeguarding structures is a more appropriate model for making modern slavery decisions for children. This approach will enable decisions about whether a child is a victim of modern slavery to be made by those involved in their care and ensure the decisions made are closely aligned with the provision of local, needs-based support and any law enforcement response. [Ten pilot areas \(https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/devolving-child-decision-making-pilot-programme-general-guidance-accessible-version\)](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/devolving-child-decision-making-pilot-programme-general-guidance-accessible-version) have been identified via a competitive process, which was open to all local authorities in the United Kingdom that are responsible for children's social care. [Detailed guidance for decision makers in the Devolving Child Decision Making Pilot Programme \(https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/decision-making-guidance-for-pilot-sites-in-england-and-wales-accessible-version\)](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery/decision-making-guidance-for-pilot-sites-in-england-and-wales-accessible-version) has been published. The pilot will be subject to a rigorous evaluation which is being overseen by an independently chaired evaluation panel.

County Lines criminal exploitation

2.4.41. Reported county lines exploitation to the NRM increased by 31% from 2019, accounting for 15% of all NRM referrals. This Government is determined to crack down on the county lines gangs who are exploiting our children and have a devastating impact on our communities. This year alone we are providing £40m

dedicated investment to tackle drugs supply and county lines and surge our activity against these ruthless gangs, which brings the total invested to tackle county lines and drugs supply to £65 million since November 2019. This includes expanding the National County Lines Co-ordination Centre and intensified law enforcement activity which has already seen more than 1,100 lines closed, over 6,300 arrests, £2.9 million in cash and significant quantities of drugs seized, and more than 1,900 vulnerable people safeguarded.

2.4.42. This financial year the Home Office is investing up to £1m to provide specialist support to under 25s from London, the West Midlands and Merseyside who are criminally exploited through county lines, to help them safely reduce and exit their involvement. Between July 2020 and May 2021, the St Giles' Trust supported over 170 criminally exploited young people as result of Home Office investment. In addition, the Home Office is also funding [Missing People's SafeCall service \(https://www.missingpeople.org.uk/get-help/help-services/exploitation-and-county-lines\)](https://www.missingpeople.org.uk/get-help/help-services/exploitation-and-county-lines), a specialist helpline which provides advice and support to children, young people and their parents/carers who are concerned about county lines, criminal exploitation and gangs.

Wales

2.4.43. Wales was an early adopter site for the Home Office-funded Independent Child Trafficking Guardian Service, which is operated by Barnardo's Cymru. Work is on-going concerning early identification and safeguarding practices.

Scotland

2.4.44. In Scotland, local authorities have responsibility for providing support to child victims of trafficking under existing child protection and children's services legislation. Additional support is provided to unaccompanied and trafficked children through the Scottish Guardianship Service, which is funded by Scottish Government and delivered in partnership by Aberlour Child Care Trust and the Scottish Refugee Council. Last year the service celebrated its 10-year anniversary with a series of events to mark the occasion including a parliamentary members' debate held in November 2020 at the Scottish Parliament.

2.4.45. Work continues on the implementation of Section 11 of the Human Trafficking and Exploitation (Scotland) Act 2015 to launch the statutory Independent Child Trafficking Guardian (ICTG) service for unaccompanied asylum seeking children, where there is reason to believe they might have been, or at risk of being, trafficked. As part of the commercial tendering process, an informal exercise took place in January 2021 for potential suppliers to note their interest in delivering the new service in Scotland. It has been announced as part of the Scottish Government's Programme for Government that Scotland's new ICTG service will launch in the summer of 2022. This will be a statutory service providing on-going practical help and support to refugee children and young people, replacing the non-statutory service currently provided by the Scottish

Guardianship Service. The Scottish Government will continue to fund the Scottish Guardianship Service in the interim.

2.4.46. To better understand the trafficking landscape in Scotland and inform policy development, Scottish Government published research in October 2020 on Child Trafficking in Scotland^[footnote 14]. The research examined the routes and circumstances of children and young people who had been identified as victims of trafficking in Scotland, and the response by professionals to support and care for these children. The research included interviews with trafficked children and young people in Scotland. These first-hand accounts will inform how Scotland continues to improve the support and services available for child victims.

Supporting individual needs for Adult Victims – England and Wales

2.4.47. Following an open procurement exercise, on the 29 June 2020, the Home Office announced that the Modern Slavery Victim Care Contract (MSVCC) had been awarded to The Salvation Army (TSA). The new five-year MSVCC went live on 4 January 2021. The new contract builds on the wide-ranging support provided through the previous Victim Care Contract, to deliver a service that is needs-based and better aligned to the requirements of individual victims in England and Wales.

2.4.48. The contract adds greater prescription to existing services to better meet the needs of each victim, including those with specialist or complex needs. It continues to provide accommodation, financial support payments, translation and interpretation, transport, and access to an outreach support worker for those who are identified as a potential victim and receive a positive Reasonable Grounds decision from the SCA.

2.4.49. As part of the contract, the Home Office has worked with the Care Quality Commission (CQC) to develop an inspection regime based on the Human Trafficking Foundation's updated Slavery and Trafficking Survivor Care Standards. CQC were appointed to conduct independent inspections of safehouse and outreach services under the MSVCC, providing the Home Office with a tool to monitor the effectiveness and quality of the support provided. During the COVID-19 pandemic, CQC has adapted its ways of working and is now taking a hybrid approach to inspections by conducting both on-site inspections of accommodation where safe to do so and remote assessments where required. As part of this work, survivors will be given the opportunity to provide feedback on the quality of the support services they receive whilst living in safehouse accommodation and/or in receipt of outreach support.

2.4.50. The MSVCC has also introduced a number of new services, including Journey Plans which are personalised plans tailored to an individual's needs and circumstances. Journey Plans keep track of the potential victim or victim's recovery progress and detail how they will be supported to move towards independence outside of the MSVCC.

2.4.51. The Recovery Needs Assessment (RNA) process, introduced in September 2019 for confirmed victims, was the first step in introducing a more needs-based approach to delivering victim support by providing a tailored support package according to the individual victim's specific recovery needs.

2.4.52. In the year up to 31 July 2021, 19% of RNAs have requested all three pillars of support (accommodation, financial support, and support worker contact) from the MSVCC. The most commonly requested support pillar is support worker contact: 94% of RNAs requested support worker contact, 62% requested financial support, and 22% requested accommodation. The average length of requested ongoing support is 61 days and of the 2,318 completed RNAs, the Home Office fully agreed with recommendations set out in 21%, partially agreed with 72%, and did not agree with 7%. The number of partially agreed decisions has increased by 34% over the last reporting year, largely due to inaccuracies in RNAs submitted and requests made contrary to the published guidance. To address this, the SCA has worked in partnership with TSA over the last year to improve RNA quality. This has included a series of drop-in sessions run by the SCA for support providers and support workers. [\[footnote 15\]](#)

2.4.53. Building upon the introduction of the RNA process, we are now reviewing the end-to-end system of support as part of the NRM Transformation Programme to ensure that the victim, and their specific recovery needs, are at the centre of the support we provide from the outset.

2.4.54. Finally, following exit from the main service, the MSVCC introduced support that can be provided through a new reach-in support service. Reach-in is a post-NRM service that offers transitional support to confirmed victims who exited the main service on, or after, 4 January 2021 with a positive Conclusive Grounds decision. Assistance includes provision of information and signposting in respect of a range of services, including housing, health care, translation, employment, and support with submitting claims (for example, asylum, benefits, or legal claims).

Survivor voice

2.4.55. We remain committed to embedding the survivors' voice in future policy. We recognise the vital role survivors have in improving our understanding of and response to modern slavery. Involving survivors in policy making will help to ensure we have robust and effective policies and that allow us to react to new forms of exploitation as they arise. Through the NRM Transformation Programme we will continue to examine how best we can engage survivors to inform our response to modern slavery. Survivors were included in the consultation on the New Plan for Immigration and we are committed to seeking their views as we develop a new modern slavery strategy for England and Wales.

5) International engagement

2.5.1. The UK continues to demonstrate international leadership, driving action towards the long-term ambition of eradicating modern slavery, here in the UK and overseas. It is crucial that we continue to work with other countries and our international partners such as the G7, G20, the Commonwealth and the UN to make progress against our commitment to deliver Sustainable Development Goal 8.7 which focuses on combatting modern slavery.

UK Modern Slavery International Programme Portfolio

2.5.2. The UK government has committed to investing up to £200m of UK aid to combat modern slavery across the globe. To date, we have reached millions of people with action to support victims, reduce vulnerability, protect those most at risk of exploitation, and help prevent people from falling into modern slavery. This work has continued and developed over the past year.

2.5.3. The COVID-19 global pandemic increased the vulnerability of individuals at risk of, or engaged in, exploitative labour in some of the poorest regions of the world. We used UK aid to help mitigate the worst impacts of the pandemic on those vulnerable individuals. Measures included:

- support from The Modern Slavery Fund (MSF), to provide shelters to protect survivors in Malaysia and South Africa
- support from the Migration for Development Programme to provide £250,000 to the Freedom Fund to ensure vulnerable communities in India, Ethiopia, Myanmar, Nepal, and Thailand received emergency relief in the early stages of the pandemic
- supporting the Global Fund to End Modern Slavery (GFEMS) to support highly vulnerable and marginalised survivors of commercial sexual exploitation and provide vulnerable garment workers with vital information on the heightened risks of forced labour and deliver financial assistance to 1500 households

2.5.4. Through the MSF, this year we have continued to work in Nigeria, Albania, and Vietnam to apprehend offenders, support victims and prevent people falling into slavery in the first place. We are also continuing work through Phase Two of the Modern Slavery Innovation Fund (MSIF, a subset of the MSF). The MSIF supports 8 projects covering a range of interventions, including improving workers' rights in Mauritius and Malaysia; supporting victims in India; tackling stigma as a driver of modern slavery in Ethiopia and Indonesia; and continuing to strengthen the global evidence base.

2.5.5. Our work this year has contributed to significant overall results to date. The MSF has now provided direct assistance to over 2,500 victims of trafficking; supported the prosecution of over 300 trafficking cases; engaged over 154,200 people from communities, businesses, and operational groups worldwide to reduce the harms and likelihood of modern slavery; and raised awareness of the risks among millions of people. It has also contributed to 35 anti-slavery policies in

14 countries, through support to strengthen national-level, regional and local government strategies, and action plans, and delivered over 30 evidence products helping to advance collective understanding of the problem and tackle it effectively.

2.5.6. The FCDO draws on and combines its diplomatic and development expertise to lead the Government's efforts to mobilise the international community. We focus on the targets in Sustainable Development Goal 8.7 and the UK's Call to Action to end forced labour, modern slavery and human trafficking. Interventions include:

- the Work in Freedom Programme which prevents trafficking and exploitation of women working in domestic households and garment factories across South Asia and the Middle East. To date, the programme has helped 555,000
- supporting international partners to help strengthen partner government capacity, improving child protection systems, investing in community-level initiatives, building the evidence on what works to tackle child labour, and responding to the increased vulnerability of children to exploitation during the COVID-19 pandemic
- funding from our Asia Regional Child Labour Programme to support UN agencies and civil society to reduce child labour in Afghanistan, Bangladesh, India, Myanmar, Nepal, and Pakistan

Independent Commission for Aid Impact review on UK's approach to tackling modern slavery through the aid programme

2.5.7. The Independent Commission for Aid Impact (ICAI) review on the UK's approach to tackling modern slavery through the aid programme was published on 14 October 2020 and the government's response on the 24 November 2020. ICAI made five recommendations on improving the effectiveness of our approach.

2.5.8. We welcomed the review's recommendations and have accepted them all in whole, or in part. The review of the UK's Modern Slavery Strategy will help us to better frame and deliver on ICAI's recommendations.

Multilateral engagement

2.5.9. The June 2021 G7 Summit hosted in Cornwall demonstrated how we are revitalising cooperation between democratic open societies to tackle the most pressing global challenges of our time.

2.5.10. Under the UK's Presidency, the G7 announced joint action on forced labour in global supply chains and reaffirmed its commitment to upholding human rights and international labour standards. Trade Ministers were tasked to identify areas for collective action and drive progress, which were discussed during a meeting with officials from the International Labour Organisation, The Modern Slavery Policy and Evidence Centre and Government in September.

Inter-Agency Coordination Group Against Trafficking in Persons (ICAT)

2.5.11. The UK continues to support the United Nations Inter-Agency Coordination Group Against Trafficking in Persons (ICAT). ICAT is the lead UN mechanism to coordinate comprehensive and holistic responses to trafficking in persons, comprising of almost 30 UN entities and other international and regional organisations. With support from UK aid, ICAT developed this year an online resource to help UN agencies better access the full range of activities and expertise available. The report will enable partners to draw on shared expertise to develop activities in the field and at home to help combat modern slavery and help survivors to rebuild their lives.

Labour exploitation

2.5.12. The Government is committed to tackle labour exploitation wherever it occurs. The Government has serious concerns about the gross violations of human rights being perpetrated against minorities in Xinjiang. In January, the Foreign Secretary announced a package of cross-Government policy measures seeking to ensure that UK private and public bodies are not complicit in nor profiting from, the human rights violations in Xinjiang:

- a review of export controls as they apply to Xinjiang to ensure the Government is doing all it can to prevent the exports of goods that may contribute to human rights abuses in the region
- new, robust and [detailed guidance to UK business setting out the specific risks faced by companies with links to Xinjiang](https://www.gov.uk/government/publications/overseas-business-risk-china/overseas-business-risk-china#business-and-human-rights) (<https://www.gov.uk/government/publications/overseas-business-risk-china/overseas-business-risk-china#business-and-human-rights>) and underlining the challenges of effective due diligence there
- ensuring public bodies have the evidence they require to help them exclude bidders from Government contracts if bidders are complicit in human rights violations in Xinjiang
- a Minister led campaign of business engagement to reinforce the need for UK businesses to take action to address the risk
- the introduction of financial penalties for organisations who fail to meet their statutory obligations to publish annual modern slavery statements

UK Envoy

2.5.13. The UK Envoy has continued to engage partners throughout the COVID-19 pandemic to advocate for further action to tackle modern slavery. On 13 June 2021 the UK Envoy announced a new UK pledge to tackle child labour and exploitation at a UN high-level event to mark the World Day Against Child Labour and launch of the new global estimates on child labour. The event was hosted by the Permanent Missions of EU and Luxembourg, the International Labour Organisation (ILO), and UNICEF as part of the UN Year for the Elimination of Child Labour.

2.5.14. The Envoy continues to engage partners through our network of Embassies and High Commissions. During a virtual visit to India, the UK Envoy established a very productive dialogue with the National Commission for Protection of Child Rights. This will help to progress modern slavery objectives at both state and national level. Other examples include engagement with government partners in the Gulf to support labour reforms and strengthen protection of migrant workers.

Annex A: UK Annual Report on Modern Slavery – Data Tables

Prosecutions data

England and Wales

Table 1: Pre-charge legal and non-legal decisions for defendants flagged as being involved in modern slavery

Decisions	Vol (2017)	% (2017)	Vol (2018)	% (2018)	Vol (2019)	% (2019)	Vol (2020)	% (2020)
Legal (substantive) Decisions (Charged, No Prosecution, Out of Court Disposal)	287	87.8%	249	83.6%	322	75.4%	347	76.1%
Administratively Finalised (non- Legal Decision)	40	12.2%	48	16.1%	103	24.1%	127	29.9%
Other	0	0.0%	1	0.3%	2	0.5%	2	0.4%
Pre-Charge Decisions Completed by the CPS	327		298		427		476	

Data source: CPS Case Management System.

Table 2: Pre-charge referrals and finalisations for defendants flagged as being involved in modern slavery

Referrals and finalisations	2017	2018	2019	2020
Charged	237	188	239	259
No Further Action	49	61	83	88
Out of Court Disposal	1	0	0	0
Administrative Finalisation	40	48	103	127
Other	0	1	2	2
Total	327	298	427	476

Data source: CPS Case Management System.

Table 3: Completed prosecution outcomes for defendants flagged as being involved in modern slavery

Completed prosecution outcomes	Vol (2017)	% (2017)	Vol (2018)	% (2018)	Vol (2019)	% (2019)	Vol (2020)	% (2020)
Convictions	180	67.9%	191	65.0%	251	71.9%	197	73.8%
Non-Convictions	85	32.1%	103	35.0%	98	28.1%	70	26.2%
Total prosecuted	265		294		349		267	

Scotland

Table 4: Number of individuals where initial decision was to prosecute for human trafficking offences in Scotland, broken down by date the police report was received by COPFS^{[footnote 16](#)}

Year	Sexual	Other	Forced	Labour	Aggravated Total
2018	4	5	1	0	10
2019	2	4	1	5	12
2020	20	2	4	3	29
2021 ^{[footnote 17]}	5	0	2	0	7

Table 5: Number of individuals convicted of human trafficking offences in Scotland, broken down by the date the police report was received by COPFS. Proceedings are ongoing against a number of individuals which means that these figures may change as cases are concluded

Year	Sexual	Other	Forced	Labour	Aggravated Total
2018	0	1	0	0	1
2019	1	0	0	0	1
2020	0	0	0	0	0
2021 ^{[footnote 18]}	0	0	0	0	0

Independent Child Trafficking Guardian (ICTG) Data^{[\[footnote 19\]](#)}

Table 6: Number of children referred to Direct Workers, 2020^{[\[footnote 20\]](#)}

2020 Quarter	Croydon	East Midlands	Greater Manchester	Hampshire & IoW	Wales	West Midlands
Q1	14	5	14	13	6	14
Q2	13	10	7	9	6	11
Q3	*	12	15	9	13	13
Q4	*	8	15	12	7	19
Total by site	35	35	51	43	32	57

*suppressed value due to small numbers^{[\[footnote 21\]](#)}

**not including suppressed value

Table 7: Number of children referred to Regional Practice Coordinators, 2020

2020 Quarter	Croydon	East Midlands	Greater Manchester	Hampshire & IoW	Wales	West Midlands
Q1	*	13	7	*	26	5
Q2	6	43	17	*	12	27
Q3	*	15	*	0	22	9
Q4	*	39	12	*	14	22
Total by site	12	110	36**	**	74	63

*suppressed value due to small numbers

**not including suppressed value

Table 8: Number of children referred to Direct Workers, 2019

2019 Quarter	Croydon	East Midlands	Greater Manchester	Hampshire & IoW	Wales	West Midlands
Q1	*	9	*	12	13	0
Q2	7	9	8	10	17	*
Q3	12	12	14	*	17	13
Q4	*	38	*	8	20	6
Total by site	27	68	27	30**	67	19**

*suppressed value due to small numbers

**not including suppressed value

Table 9: Number of children referred to Regional Practice Coordinators, 2019

2019 Quarter	Croydon	East Midlands	Greater Manchester	Hampshire & IoW	Wales	West Midlands
Q1	*	12	0	18	*	0
Q2	19	14	0	10	16	0
Q3	26	9	*	7	14	0
Q4	14	*	0	12	5	0
Total by site	59**	35**	*	47	35**	0

*suppressed value due to small numbers

**not including suppressed value

1. [Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2020 – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020)
(<https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-end-of-year-summary-2020>)
2. Modern Slavery and Organised Immigration Crime Unit – Live Modern Slavery Investigations in UK Policing
3. NCA-held data, unpublished
4. Police Scotland, recorded crime data
5. PSNI-held data
6. CPS, Case Management System
7. Ministry of Justice, Criminal Court Outcomes and Sentencing for Modern Slavery and related legislation
8. Basis i.e. the total number of offences a defendant is prosecuted for (principle offences plus non-principal offences). [Proceedings and Outcomes by Home Office Code 2017 to 2020](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987732/HO-code-tool-all-offence-2020.xlsx)
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987732/HO-code-tool-all-offence-2020.xlsx)
9. Public Prosecution Service for Northern Ireland Case Management System
10. GLAA-held data

11. [Modern Slavery PEC \(https://modernslaverypec.org/\)](https://modernslaverypec.org/)
12. Membership of the MSHT subgroup includes all statutory agencies working in MHST including PSNI, PPS, Border Force, NCA, Home Office, NI Departments, GLAA and HMRC
13. Independent Child Trafficking Guardian (ICTG) Data
14. [Child trafficking: research – gov.scot \(www.gov.scot\) \(https://www.gov.scot/publications/child-trafficking-scotland-research/\)](https://www.gov.scot/publications/child-trafficking-scotland-research/)
15. SCA-held data on Recovery Needs Assessments, unpublished
16. It is important to note that a number of the individuals included in these figures will have been prosecuted for, and convicted of, offences other than human trafficking, such as immigration offences, brothel keeping or sexual offences. Evidence secured in the cases mentioned here may have been used to support prosecutions in other countries. Proceedings are ongoing against a large number of individuals listed here.
17. Between 1 January 2021 and 31 March 2021
18. Between 1 January 2021 and 31 March 2021
19. Barnardo's only collects management information on children that RPCs have directly supported through help and advice to frontline staff that are in direct contact with the child. This may include advising first responders on a child's NRM referral or advising professionals on the child's safeguarding or support options. Only children supported by RPCs in this way appear in RPC caseload data, which is the data used in the above table. It does not include children that may have been indirectly supported through the general advice and guidance RPCs provide to frontline staff. Low numbers of children on RPC caseloads in particular regions may reflect the RPC in that region adopting a more strategic approach to supporting children, which will not show up in the data.
20. Due to changes in the way data is recorded by the ICTG service from September 2020 onwards, children that are missing at the point of referral into the ICTG Service and/or are missing for more than 6 months are now counted separately from overall referral numbers, and so are not included in the above tables. The Home Office is currently reviewing how best to report this data to ensure confidentiality is protected and the data remains robust.
21. Small numbers (below 5) have been suppressed to protect confidentiality. This is in line with how data has previously been published in the ICTG evaluations.



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Home Office

Official Statistics

Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, quarter 3 2024 - July to September

Published 7 November 2024

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This publication is available at
<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-july-to-september-2024/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-quarter-3-2024-july-to-september>

This statistical bulletin provides a summary and breakdown of the number of potential victims of modern slavery referred into the National Referral Mechanism (NRM) or via the Duty to Notify (DtN) process from 1 July to 30 September 2024 (quarter 3). Please refer to the [data tables](#)

(<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-july-to-september-2024#documents>) published alongside this bulletin for additional data.

Raw data related to referrals from 2014 onwards is available from the [UK Data Service](#) (<https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910>). Future release dates for these statistics are published in the Government statistics release calendar (https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance).

This publication includes an [annex](#)

(<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-july-to-september-2024#documents>) with statistics on the devolving decision-making pilot for child victims of modern slavery.

Frequency of release: Quarterly

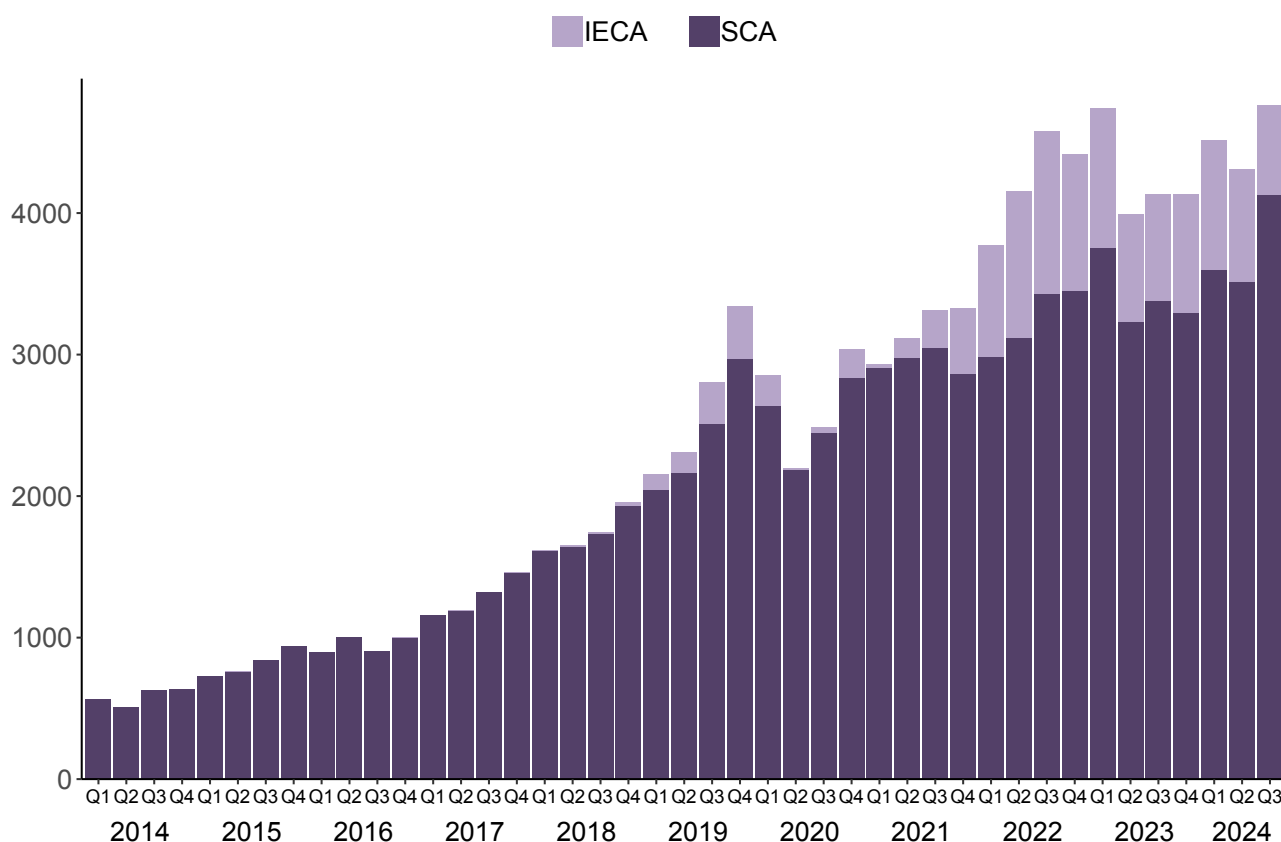
Home Office Responsible Statistician: Stuart Prince

1. Key results

- 4,758 potential victims of modern slavery were referred to the Home Office from July to September 2024, representing a 10% increase compared to the previous quarter (4,312) and a 15% increase from July to September 2023 (4,132)
- the number of referrals received this quarter was the highest since the NRM began in 2009, a slight increase from the previous record in the period from January to March 2023 (4,742)
- 87% (4,127) were sent to the Single Competent Authority (SCA) for consideration and 13% (631) to the Immigration Enforcement Competent Authority (IECA)
- the most common nationalities referred this quarter were UK (23%; 1,092), Albanian (11%; 523) and Vietnamese (11%; 514)
- 4,953 reasonable grounds and 5,188 conclusive grounds decisions were issued this quarter; the number of conclusive grounds decisions issued was the highest for any quarter since the NRM began, representing a 35% increase from the previous record in the period from January to March 2024 (3,838)

- 50% of reasonable grounds (2,500) and 52% of conclusive grounds decisions (2,705) were positive
- the Home Office received 1,501 reports of adult potential victims via the DtN process, the highest in a quarter since the DtN began in 2015 and a 6% increase from the previous record in the period from January to March 2023 (1,420)

Figure 1: Number of quarterly NRM referrals by competent authority



Source: SCA, IECA

Notes:

1. Excludes data pre-2014 due to data reliability. The IECA took on referrals from November 2021 onwards.

2. Introduction

Modern slavery is a term that includes any form of human trafficking, slavery, servitude or forced labour, as set out in the Modern Slavery Act 2015. Potential victims of modern slavery in the UK who come to the attention of authorised first responder organisations are referred to the NRM.

Authorised first responder organisations include local authorities, specified non-governmental organisations (NGOs), police forces and specified government agencies. Adults (aged 18 or above) must consent to being referred to the NRM, whilst children aged 17 and under need not consent to being referred. Adults who were exploited as children can also be referred. As specified in section 52 of the Modern Slavery Act 2015, public authorities in England and Wales have a statutory duty to notify the Home Office when they come across potential victims of modern slavery. This duty is discharged by either referring a child or consenting adult potential victim into the NRM, or by notifying the Home Office via the DtN process if an adult victim does not consent to enter the NRM.

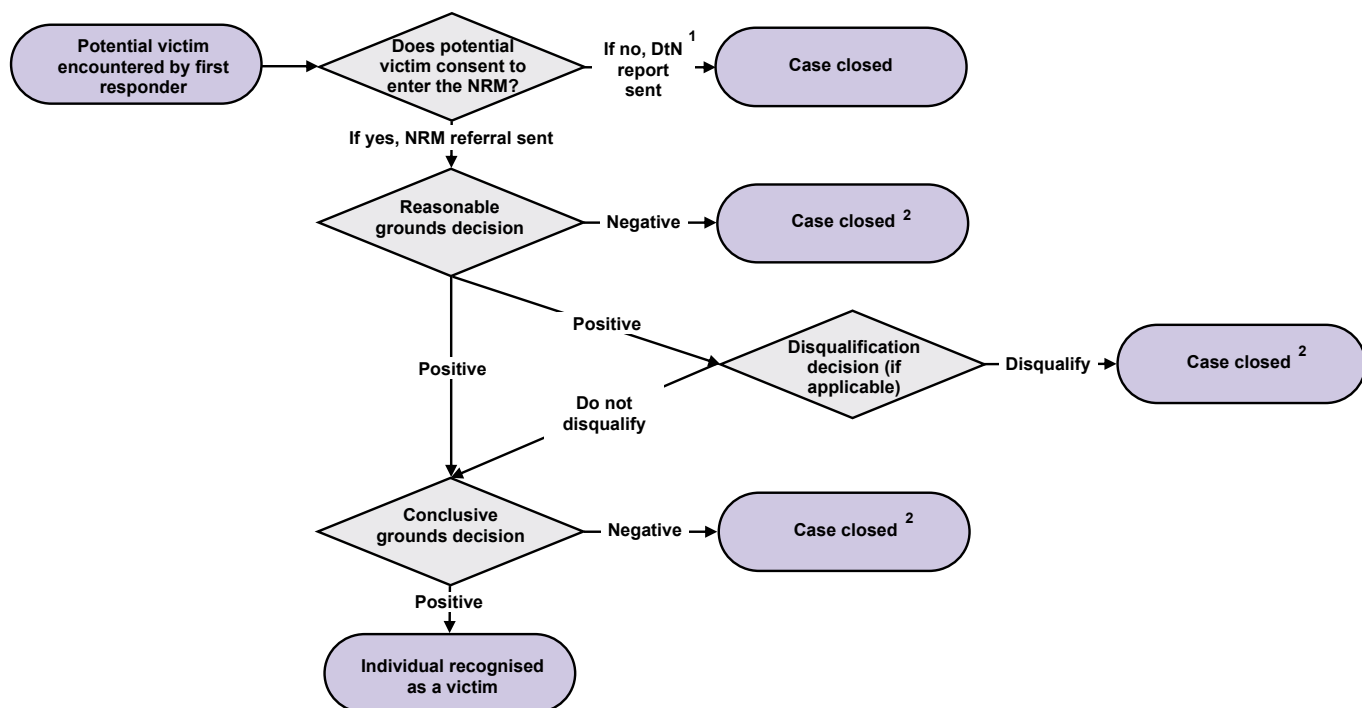
Individuals referred to the NRM receive decisions from the Home Office on 2 grounds: reasonable grounds, and conclusive grounds (figure 2).

Before 30 January 2023, the reasonable grounds test was whether the decision maker suspects but cannot prove that the individual is a victim of modern slavery. From 30 January 2023, that test was amended so that the decision maker must agree there are reasonable grounds to, based on objective factors, that a person is a victim of modern slavery. From 10 July 2023, the test was further amended to whether decision makers agree there are reasonable grounds to believe, based on all available general and specific evidence but falling short of conclusive proof, that a person is a victim of modern slavery. This takes the victim's account into consideration and any other relevant information, and considers whether, in the circumstances of the case, it is reasonable to expect supporting information to be available.

From 30 January 2023, disqualification requests could be made for individuals if they are deemed to have met criteria for disqualification from the NRM. These criteria may be based on either grounds of public order, bad faith, or if the individual has already received a support period in the NRM. Individuals may only be disqualified after they have received a positive reasonable grounds decision. Public order disqualification decisions were paused from 31 July 2023 to 8 January 2024 while this policy was updated. For more information, see the [published guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf) for modern slavery.

Following a positive reasonable grounds decision, a conclusive grounds decision will be made. A positive conclusive grounds decision indicates that, on the balance of probabilities, there is sufficient information to consider the individual is a victim of modern slavery.

Figure 2: Victim identification flowchart (simplified)



Source: Home Office

Notes:

1. The DtN is only open to adults in England and Wales (as opposed to the NRM which covers the UK). Consent is not needed for children to enter the NRM.
2. Decisions may be reconsidered, which may mean some cases are reopened after being closed.
3. Some cases may not follow this flowchart. For instance, some may be suspended, and others may be devolved pilot cases which can receive combined reasonable and conclusive grounds decisions.

Currently, adults with a positive reasonable grounds decision supported by the Modern Slavery Victim Care Contract (MSVCC) in England and Wales are entitled to accommodation where necessary, financial support and access to a support worker. Victims in MSVCC support with a positive conclusive grounds decision are entitled to a further 45 days of support at least, whilst those with a negative decision receive 9 days of 'move on' support as the individual exits the service.

See [further information regarding the NRM process](https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales)

(<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>).

Trained specialists in the Home Office decide who is recognised as a victim of modern slavery. The SCA was launched in April 2019 and the IECA was created in November 2021. Both competent authorities recognise victims of modern slavery for cases referred to the NRM across the UK. See [further information regarding both competent authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-_ew_-non-statutory-guidance-_sni_v2.5-final.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031731/modern-slavery-statutory-guidance-_ew_-non-statutory-guidance-_sni_v2.5-final.pdf).

In June 2021, the Home Office launched a pilot programme, across 10 successful sites, to test alternative models of decision-making for child victims of modern slavery and human trafficking. To enable further testing, 10 additional pilot sites were launched in early 2023. The Home Office are working closely with local authorities and stakeholders to monitor the pilot and continue to assess next steps. Decisions made by pilot areas, which are then issued by the SCA, are included in the data used for the bulletin. Statistics on the [devolved decision-making pilot for children](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-july-to-september-2024#documents) (<https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-july-to-september-2024#documents>) are provided in an annex. See [further information regarding the pilots](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery) (<https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery>).

3. National Referral Mechanism (referrals)

3.1 Overall

From July to September 2024, the NRM received 4,758 referrals of potential victims of modern slavery. This represents a 10% increase in referrals compared to the preceding quarter (4,312) and a 15% increase from July to September 2023 (4,132). This is also the highest number of referrals in a quarter since the NRM began, although it is only 16 more referrals than the previous record high from January to March 2023 (4,742).

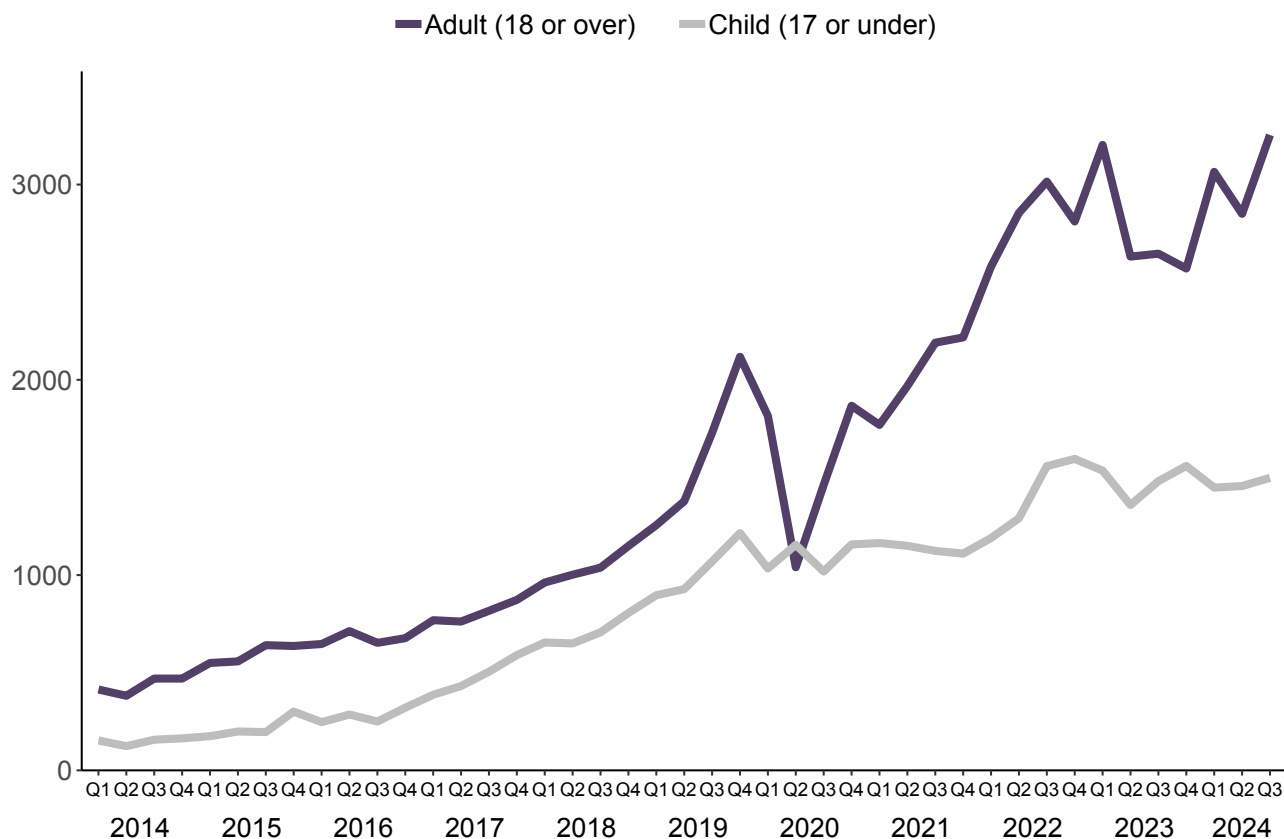
There have been a number of changes which have collectively raised the profile of modern slavery since 2014. These are likely to have increased awareness of modern slavery and the NRM and, alongside potential increases in exploitation, may have driven the increase in overall referrals. However, it is not possible to point to a main driver due to the hidden nature of modern slavery.

3.2 Age group

The Home Office records demographic data about individuals referred into the NRM, as well as information about the exploitation they have potentially suffered. This includes the age at referral, as well as the age of reported exploitation. Statistics on age at exploitation can be found in the data tables.

Of all referrals this quarter, 68% (3,254) were adults at age of referral (compared to 66% in the previous quarter), whilst 31% (1,498) were children (compared to 34% in the previous quarter) (figure 3). The age at referral was unknown in 6 cases. The number of adults referred was the highest in a quarter since the NRM began.

Figure 3: Number of quarterly NRM referrals by age of referral



Source: SCA, IECA

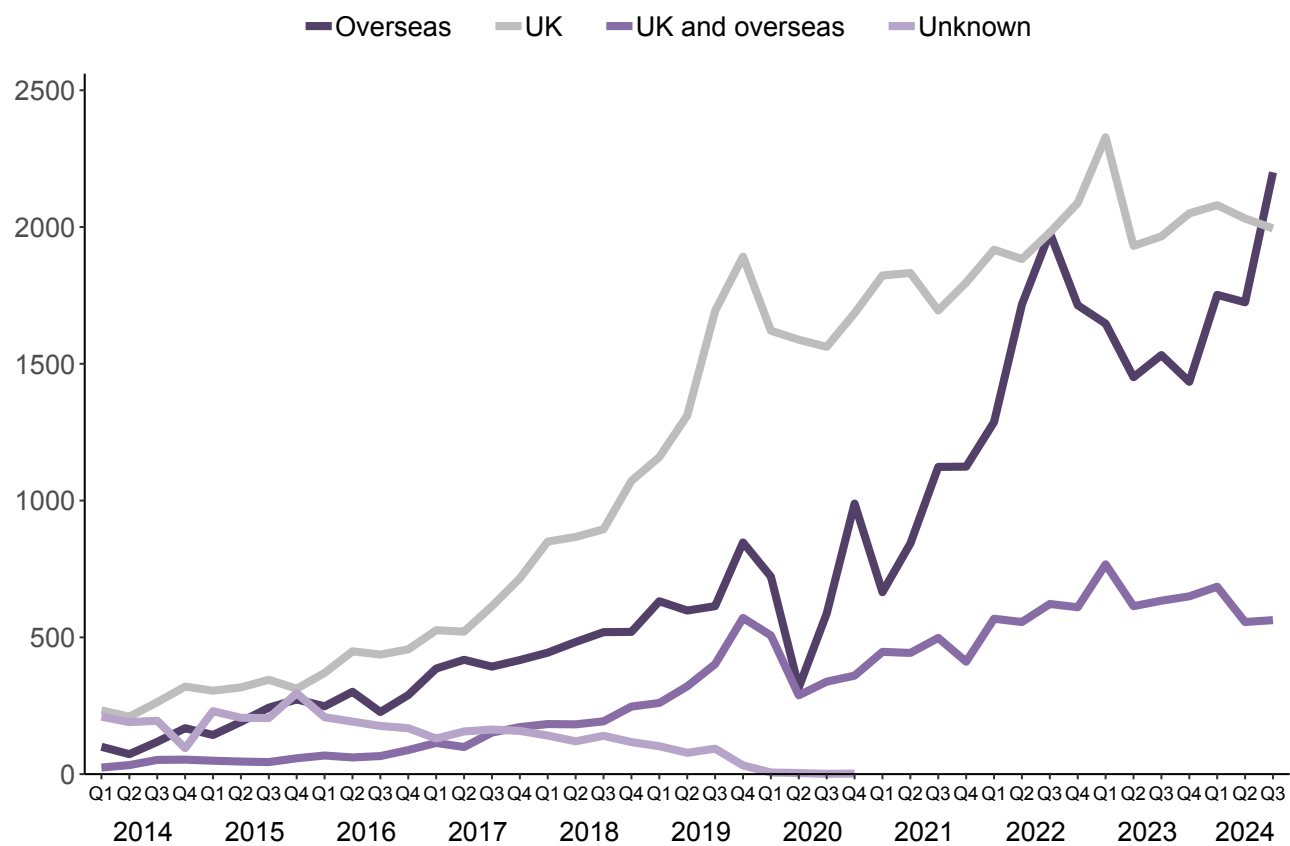
Notes:

- 1. Excludes data pre-2014 due to data reliability.
- 2. Excludes referrals where the age at referral is unknown.

3.3 Location of exploitation

Potential victims may report that their exploitation has occurred either in the UK, overseas, or a combination of both. Overall, 42% (1,995) of potential victims claimed that they were exploited exclusively in the UK, compared to 47% in the previous quarter, and 46% (2,200) claimed that they were exploited exclusively overseas, compared to 40% in the previous quarter (data table 3; figure 4). The number of referrals for those claiming they were exploited exclusively in the UK has generally followed an upward trend since 2015. The number of potential victims who claimed exploitation exclusively overseas was the highest for a quarter since the NRM began, and it was the first quarter that these referrals have overtaken the number claiming exploitation in the UK.

Figure 4: Number of quarterly NRM referrals by location of exploitation



Source: SCA, IECA

Notes:

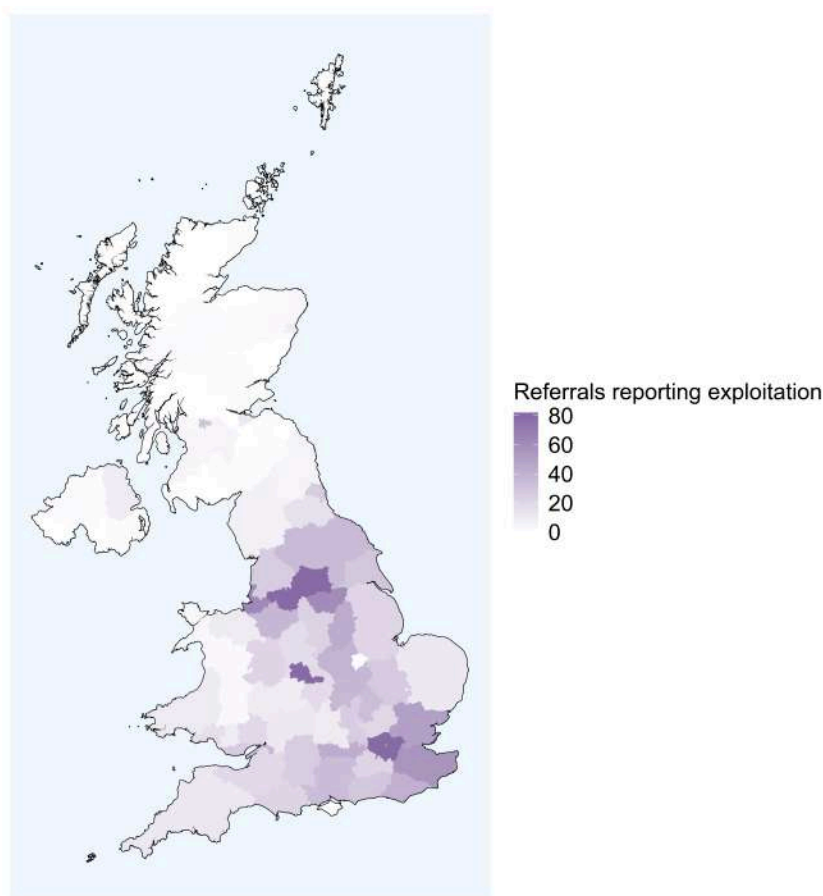
1. Excludes data pre-2014 due to data reliability.

Where exploitation has occurred in the UK, referrals may also name the towns and cities where this is reported to have occurred. These are grouped into counties for the purpose of data reporting. Here, 'counties' refer to lieutenancy areas, which are the boundaries used because of the scale at which the data is collected, as

well as for the purpose of mapping. Further information can be found in the [‘Quality information’](#) section.

From July to September 2024, the UK county where exploitation was most commonly reported to have occurred in was Greater London (579). This was followed by West Midlands (177) and Greater Manchester (116). Referrals may report multiple places of exploitation, so it is not advised to combine statistics for multiple counties.

Figure 5: Number of NRM referrals reporting exploitation in UK counties



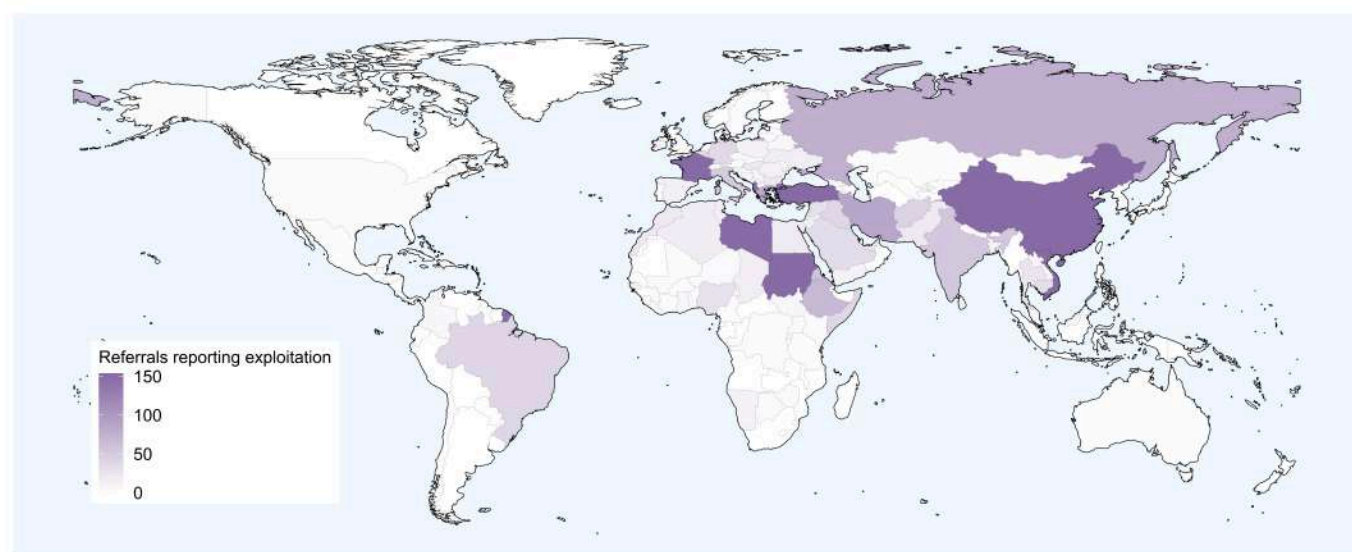
Source: SCA, IECA

Notes:

1. Includes referrals which have reported exploitation in the UK, or a combination of the UK and overseas.
2. It is not advised to combine statistics for multiple counties as each referral may report multiple places of exploitation.
3. May not capture all places of exploitation if they are not recorded on referral forms.

Where exploitation has occurred overseas, referrals may also name the countries and regions where this is reported to have occurred. From July to September 2024, the overseas country where exploitation was most commonly said to have occurred in was Libya (908). This was followed by Albania (255) and Vietnam (235). Referrals may report multiple places of exploitation, so it is not advised to combine statistics for multiple countries.

Figure 6: Number of NRM referrals reporting exploitation in overseas countries



Source: SCA, IECA

Notes:

1. Country borders do not necessarily reflect the UK Government's official position.
2. Includes referrals which have reported exploitation overseas, or a combination of the UK and overseas.
3. It is not advised to combine statistics for multiple countries as referrals may report multiple places of exploitation.
4. May not capture all places of exploitation if they are not recorded on referral forms.

3.4 Gender

Overall, of the 4,758 potential victims referred in this quarter, 75% (3,589) were male and 24% (1,160) were female. This quarter saw the third highest number of referrals for males and the third highest number of referrals for females since the NRM began. Although the proportion of referrals that were female saw a fall in this quarter, it has generally been increasing since the period from July to September 2022, where 20% of potential victims referred were female.

For adults (at age of referral), 74% (2,414) were male and 26% (834) were female; whilst for children, 78% (1,169) were male and 22% (326) were female (data table 4). The number of referrals for males who were adults at the time of referral was the highest in a quarter since the NRM began.

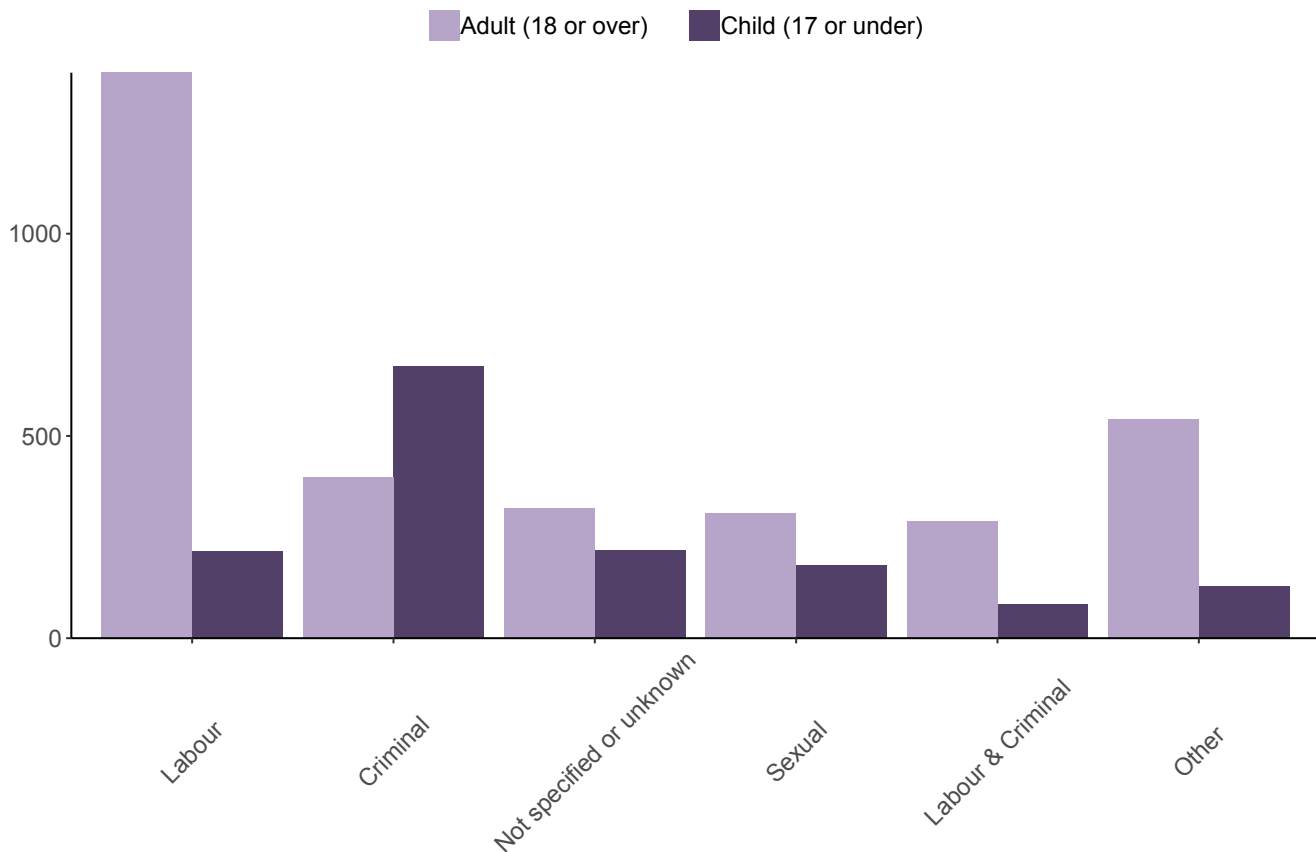
3.5 Exploitation type

There are a variety of ways potential victims can be exploited as set out in the modern slavery [statutory guidance](#)

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1173256/Modern_Slavery_Statutory_Guidance_EW_and_Non-Statutory_Guidance_SNI_v3.4.pdf). From October 2019, the recording categories were changed, to include more types and combinations of exploitation. Statistics prior to this should therefore not be compared. More information can be found in the [‘revisions’](#) section.

Overall, potential victims were most commonly referred for labour exploitation only, which accounted for 34% (1,616) of all referrals. For adults (at age of referral), labour exploitation was most commonly reported (43%; 1,398), whereas children were most often referred for criminal exploitation (45%; 671) (data table 4). See [further information on types of exploitation](#) (<https://www.gov.uk/government/publications/a-typology-of-modern-slavery-offences-in-the-uk>).

Figure 7: Number of NRM referrals, by exploitation type and age at referral



Source: SCA, IECA

Notes:

- 1. First responders can enter data for unclassified exploitation in a free-text field; for statistical reporting, this field is grouped as ‘Not specified or unknown’.
- 2. Less commonly reported exploitation types are grouped as ‘Other’ and a full breakdown is provided in data table 4.

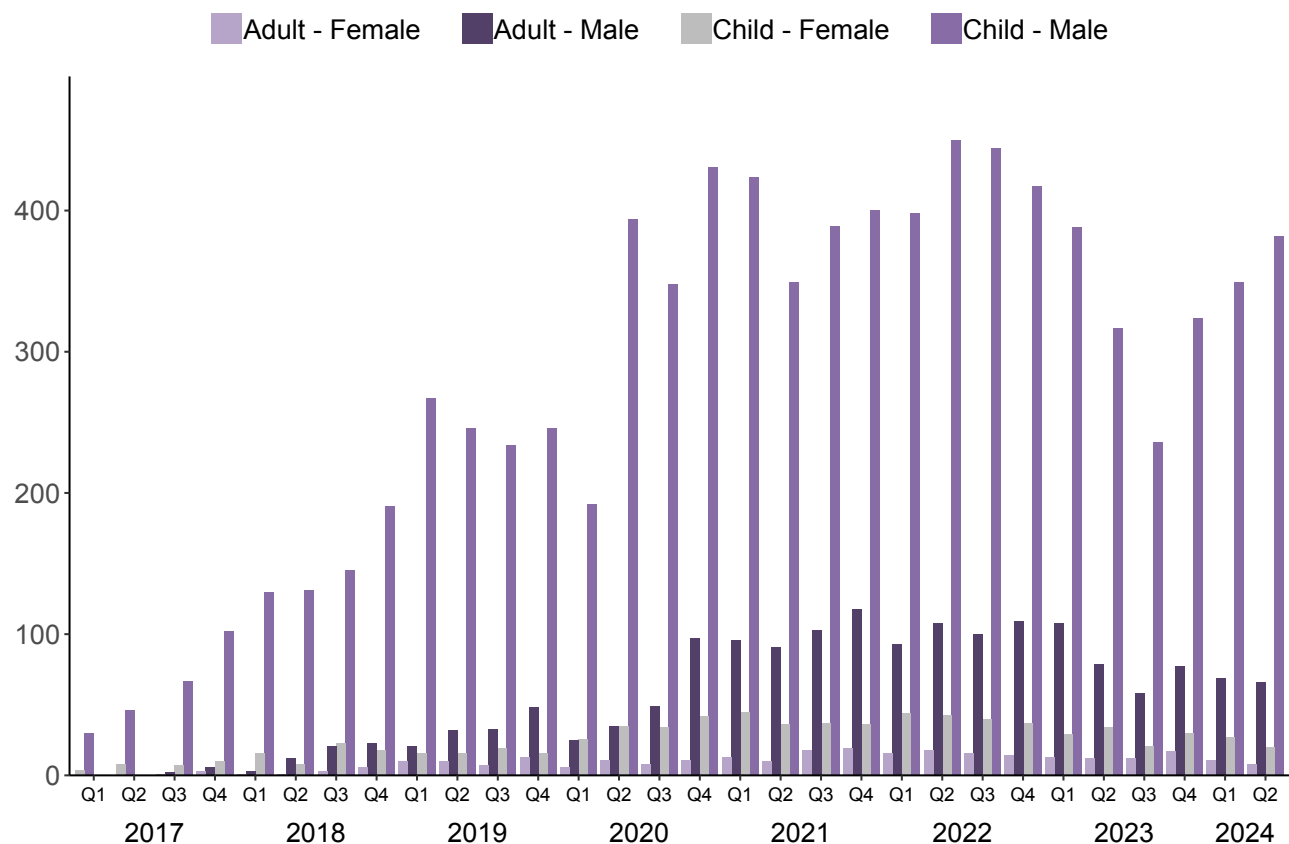
Exploitation types typically have gendered patterns. For example, from July to September 2024, males most often reported criminal (28%; 987) or labour exploitation (41%; 1,461), whereas females most often reported sexual exploitation (34%; 393).

Referrals may be flagged as county lines cases by decision makers, which is most commonly a subset of criminal exploitation. County lines is a term used to describe drug gangs in large cities expanding their reach to small towns. Often, the gangs exploit vulnerable individuals to transport substances, and mobile phone ‘lines’ are used to communicate drug orders. See [further information on county lines \(https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines\)](https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/drug-trafficking/county-lines).

From July to September 2024, 403 county lines referrals were flagged, accounting for 8% of all referrals received (data table 19). The majority (71%; 288) of these referrals were for male children (at age of referral).

Referrals flagged as county lines partly drove the increase in referrals for children within the criminal exploitation category from 2020 to 2022. In 2022, there were an average of almost 600 referrals flagged each quarter. In 2023, the number of referrals flagged fell to an average of around 450 each quarter, and also fell as a proportion of all referrals (from 14% in 2022 to 11% in 2023).

Figure 8: Number of NRM referrals flagged as county lines, by age at referral and gender



Source: SCA, IECA

Notes:

1. County lines referrals were classified as a sub-type of labour exploitation prior to October 2019. Since January 2020, a 'flag' within the NRM digital casework system identifies county lines referrals.

3.6 Nationality

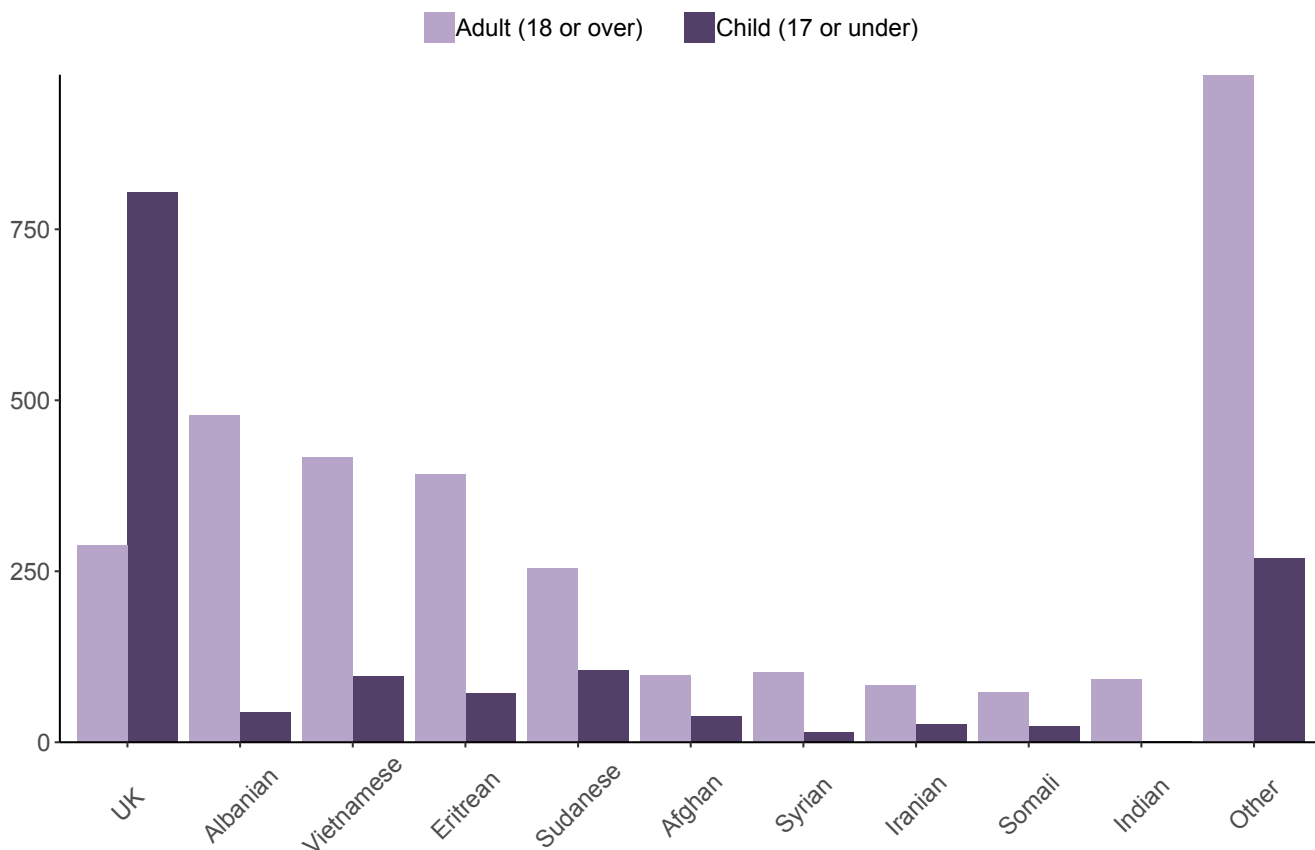
There were 201 nationalities represented in referrals this quarter, which includes dual nationals as separate categories. The most common nationality referred was UK, which accounted for 23% (1,092) of all potential victims (compared to 26% in the previous quarter). The second most commonly referred nationality was Albanian (11%; 523) and the third was Vietnamese (11%; 514) (data table 7).

The majority (74%; 804) of UK nationals were children (at age of referral); whilst for Albanian nationals, most (91%; 478) were adults. For Vietnamese nationals, 81% (417) were adults and 19% (97) were children (figure 9). Potential victims may have no recorded age at referral, so are grouped as 'not specified or unknown' in the data tables.

The UK often supports efforts to tackle modern slavery upstream in key source countries. Between 2016 and 2023, the Home Office has spent over £40 million through the Modern Slavery Fund to combat modern slavery overseas and reduce the threat of human trafficking to the UK, including from Albania and Vietnam.

Please note, a change to data recording from October 2019 means that NRM data reflects the dual nationality of potential victims in separate categories. To see total counts of a particular nationality, please refer to the data tables. A potential victim's nationality is based on information provided by the first responder upon referral; however case workers may update this as further information is gathered.

Figure 9: Number of NRM referrals for the most common nationalities of potential victims, by age at referral



Source: SCA, IECA

Notes:

1. Excludes potential victims with an unknown age at referral.
2. There are separate categories for dual-nationals.

3.7 Location of crime investigation

Upon receiving an NRM referral, the SCA determines the responsible geographic police force for investigation based on the information provided on the referral form and transfers the referral. Transfer between police forces can take place as they receive further information, which is reflected in the statistics. Previously, British Transport Police referrals were classed under England, but are now separate in the data tables.

As in previous quarters, most (84%; 4,020) of the NRM referrals were sent to police forces in England, with 5% (236) to Police Scotland, 3% (127) to Welsh police forces and 4% (183) to the Police Service of Northern Ireland (data table 3).

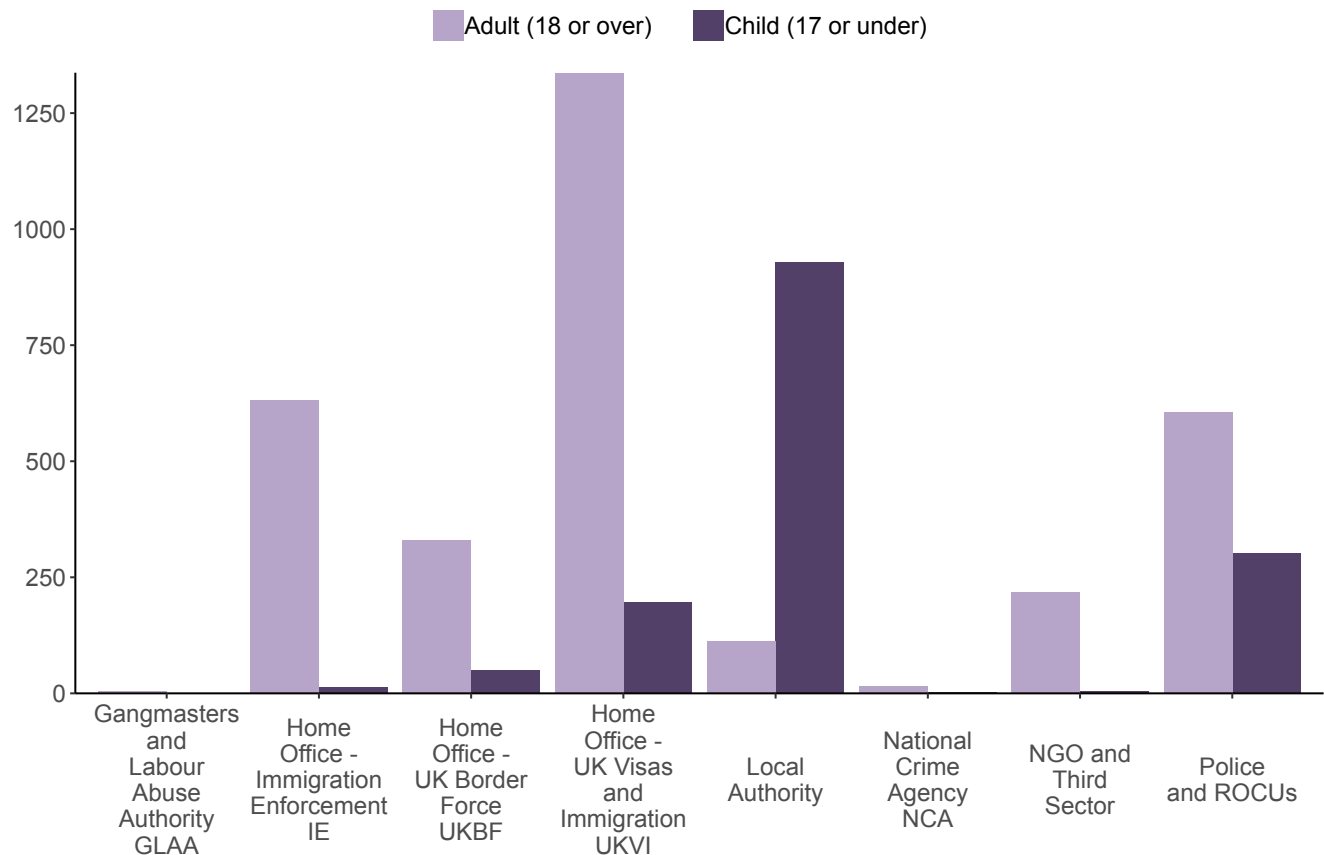
3.8 First responders

From July to September 2024, 54% (2,582) of the referrals came from government agencies, compared to 49% in the previous quarter. This was the highest number of referrals that came from government agencies for any quarter since the NRM began. Of these referrals, most came from UK Visas and Immigration (59%; 1,535), whilst 25% (645) came from Home Office Immigration Enforcement, compared to 32% in the previous quarter (data table 15; figure 10).

NGO and third-sector organisations accounted for 5% (224) of referrals (data table 16). Police forces and Regional Organised Crime Units (ROCUs) accounted for 19% (909) of NRM referrals from July to September 2024, compared to 21% in the previous quarter (data table 17). Local authorities accounted for 22% (1,041) of referrals, mostly for children (at age of referral) (data table 18).

Law enforcement efforts often focus on modern slavery which may lead to an increase in NRM referrals. The National Crime Agency (NCA) co-ordinate Project Aidant, which was established in 2017 as a series of targeted law enforcement intensifications aimed at tackling modern slavery threats. Operations are run nationally, with 4 intensifications being undertaken each calendar year that involve local police forces working alongside partner agencies to focus on vulnerability, exploitation and modern slavery.

Figure 10: Number of NRM referrals by first responder types



Source: SCA, IECA

Notes:

1. Excludes potential victims with an unknown age at referral.

4. National Referral Mechanism (decisions)

4.1 Reasonable grounds decisions

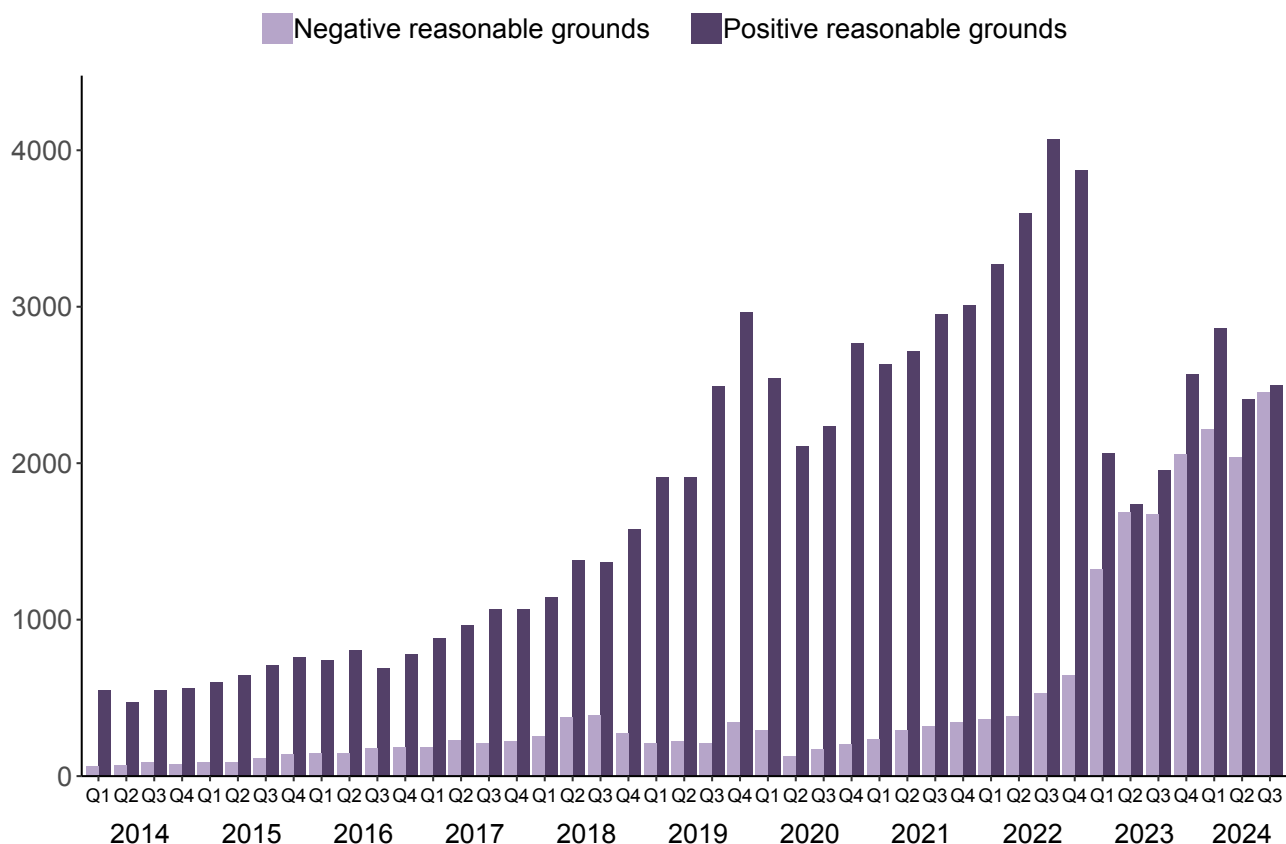
From July to September 2024, 4,953 reasonable grounds decisions were issued, with 50% being positive. This was the lowest proportion of positive reasonable grounds decisions made in a quarter since the NRM began. Of these, the SCA issued 4,294 decisions and the IECA issued 659 decisions; 55% (2,363) of reasonable grounds decisions made by the SCA were positive and 21% (137) of reasonable grounds decisions made by the IECA were positive (data tables 21 and 22).

For the 2,453 negative reasonable grounds decisions issued this quarter, the most common reason for issuing negative decisions was that the referral had insufficient information to meet the standard of proof required (48%; 1,183). The second most common reason was that the referral did not meet the definition of modern slavery (47%; 1,146) and the third was that the referral was not credible (4%; 109) (data table 25).

The proportion of positive reasonable grounds decisions had remained relatively stable in recent years, with around 9 out of every 10 referrals receiving a positive decision. However, from 30 January 2023, the threshold for a positive reasonable grounds decision was updated, which led to a reduction in the proportion of positive decisions issued. On 10 July 2023, the threshold was revised once more, and for further information see the [published guidance](https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims) (<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>).

Of the 4,953 reasonable grounds decisions issued this quarter, the proportion of positive reasonable grounds decisions was 38% for adults (at age of referral) and 77% for children (data table 20).

Figure 11: Number of NRM positive and negative reasonable grounds decisions



Source: SCA, IECA

Notes:

1. Based on the quarter in which the competent authority issued their decision.

The average (median) time taken from referral to reasonable grounds decisions made from July to September 2024 across the competent authorities was 11 days, compared to 10 days in the previous quarter (data table 26). For reasonable grounds decisions made by the SCA, the average time taken this quarter was 13 days, and the IECA took an average of 5 days (data tables 27 and 28, respectively).

Average wait times for reasonable grounds decisions had been increasing following the change in guidance for such decisions since 30 January 2023 but have broadly fallen since the period from October to December 2023. While average wait times have fallen since this period, they are still above pre-guidance change levels (data table 26).

It is important to note that decision-making times presented here are for cases that received a reasonable grounds decision in this period and do not reflect the waiting time of all cases within the system. Decision-making times are taken as the difference between the date of the referral receipt and decision date, and do

not exclude any periods of time during which referrals may be suspended, withdrawn or previously closed. Hence, actual average wait times will be shorter.

In addition, cases where the decision-making is devolved to local authorities as part of a pilot for children are included as SCA cases for these statistics. Decisions made as part of this pilot operate at different timescales, with guidance outlining that reasonable grounds decisions should be made no later than 45 days from the date the pilot area receives the referral. More information can be found in the [published guidance \(https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery\)](https://www.gov.uk/government/publications/piloting-devolving-decision-making-for-child-victims-of-modern-slavery).

4.2 Disqualifications

From 30 January 2023, disqualification requests could be made by the Home Office for individuals if they are deemed to have met criteria for disqualification from the NRM (either on the basis of bad faith, public order or given the person would benefit from multiple recovery periods). From July to September 2024, 60 disqualification requests were made. Of these, 97% (58) were on grounds of public order and 3% (2) were on grounds of bad faith (data table 29).

Upon the individual receiving notice of a disqualification request, there is a period of 10 working days for evidence to be sent to competent authorities to consider while making their decision on whether to disqualify. The expectation is that a disqualification decision will be made as close as possible to a positive reasonable grounds decision.

From July to September 2024, there were 80 confirmed disqualifications, all of which were made on grounds of public order (data table 32). Public order disqualification decisions were paused from 31 July 2023 to 8 January 2024 while this policy was updated.

4.3 Conclusive grounds decisions

From July to September 2024, 5,188 conclusive grounds decisions were issued, compared to 3,093 in the previous quarter and 2,356 from July to September 2023. The number of conclusive grounds decisions issued this quarter was the highest since the NRM began, following the increasing trend since the early months of 2021 due to the significant productivity and efficiency efforts of the competent authorities, and the additional decision makers recruited by the Home Office.

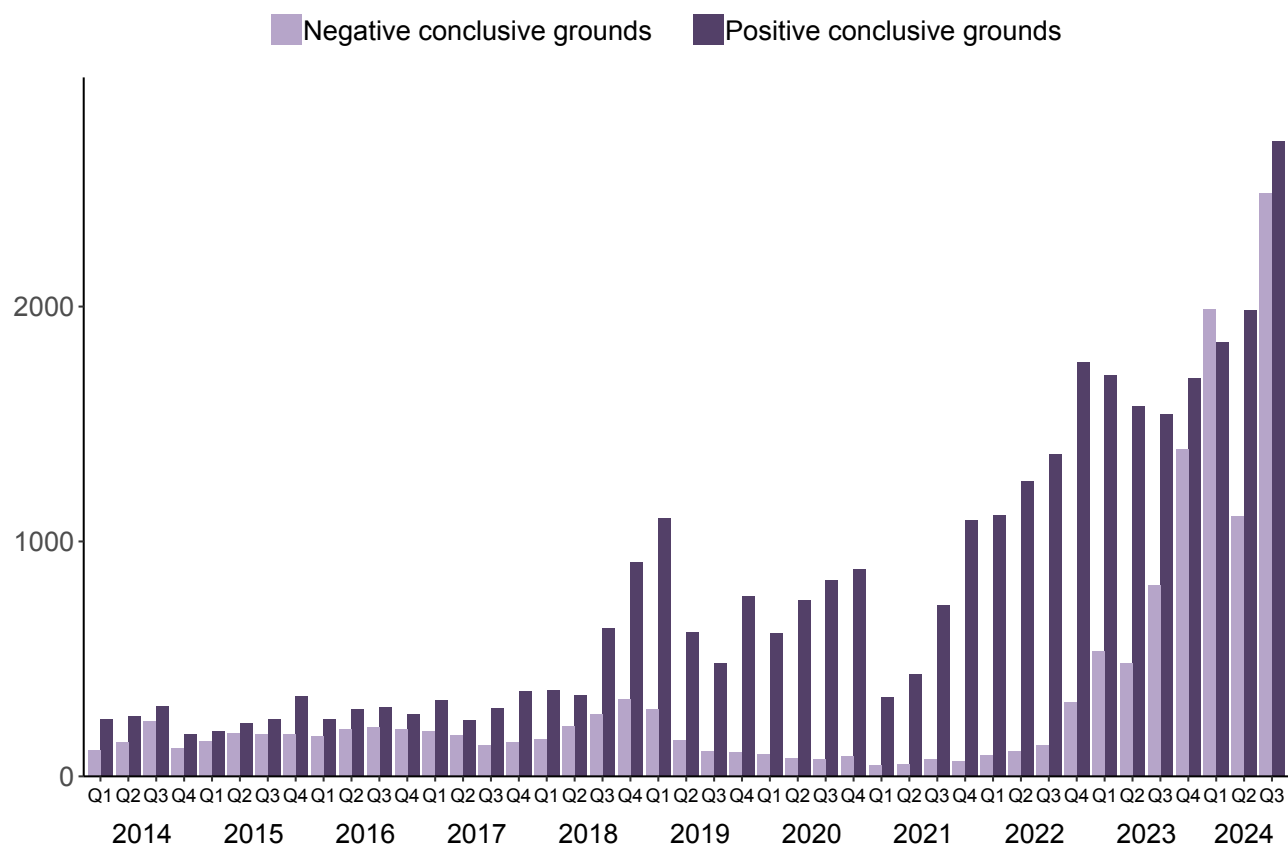
For those issued this quarter, the proportion of positive conclusive grounds decisions was 52%. More specifically, the proportion of positive conclusive

grounds decisions was 37% for adults (at age of referral) and 74% for children (data table 35).

For the 2,483 negative conclusive grounds decisions issued this quarter, the most common reason for issuing negative decisions was that the referral had insufficient information to meet the standard of proof required (78%; 1,935). The second most common reason was that the referral did not meet the definition of modern slavery (13%; 327) and the third was that the referral was not credible (8%; 201) (data table 38).

Of the 5,188 decisions issued this quarter, 3,531 were issued by the SCA and 1,657 by the IECA (data tables 36 and 37); 72% (2,526) of conclusive grounds decisions issued by the SCA were positive and 11% (179) of conclusive grounds decisions issued by the IECA were positive.

Figure 12: Number of NRM positive and negative conclusive grounds decisions



Source: SCA, IECA

Notes:

1. Based on the quarter in which the competent authority issued their decision.

The average (median) time taken from referral to conclusive grounds decisions made from July to September 2024 across the competent authorities was 1,039 days, compared to 543 days in the previous quarter (data table 39). For conclusive grounds decisions made by the SCA, the average time taken this quarter was 725 days, and the IECA took an average of 1,675 days (data tables 40 and 41, respectively).

The average time taken for the IECA to make decisions has been much higher since May 2024. The IECA did not take on older cases prior to its establishment in 2021, but in May 2024 took on the remainder of the cases awaiting conclusive grounds decision which would have been within IECA cohorts, totaling 1,914 cases. These cases were referred to the NRM prior to the establishment of the IECA in November 2021, but are part of cohorts that the IECA typically make decisions on. The IECA made conclusive grounds decisions on 1,487 of the cases in the period from July to September 2024, leading to higher average decision times.

It is important to note that decision-making times presented here are for cases that received a conclusive grounds decision in this period and do not reflect the waiting time of all cases within the system. Decision-making times are taken as the difference between the date of the referral receipt and decision date, and do not exclude any periods of time during which referrals may be suspended, withdrawn or previously closed. Hence, actual average wait times will be shorter.

Given the quarterly variance in the average time to decision, the average (median) age of those awaiting conclusive grounds decisions is a more accurate reflection of wait times. Overall, the average age of cases awaiting a conclusive grounds decision at the end of September 2024 was 711 days. For SCA cases, the average age was 711 days and for IECA cases the average age was 182 days (data table 42).

As of the end of September 2024, there were 20,111 cases awaiting a conclusive grounds decision, having already received a positive reasonable grounds decision. Of these, 19,939 are SCA cases and 172 are IECA cases. The number of cases awaiting conclusive grounds decisions has decreased in every quarter since October 2022 (data table 45).

4.4 Reconsiderations

Decisions may be reconsidered after being issued by the competent authorities. This could be if additional evidence becomes available, taken with all available evidence already considered, that would be material to the outcome of a case, or there are specific concerns that a decision has not been made in line with published guidance. For more information, see the [published guidance](#)

<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>).

From July to September 2024, there were 303 reconsideration requests made to the competent authorities. Of these, 197 were for reasonable grounds decisions, 98 were for conclusive grounds decisions and 8 were for disqualification decisions (data table 46).

From July to September 2024, 72% of reasonable grounds decisions which were reconsidered received a positive outcome. For conclusive grounds decisions, 71% were positive, and there were no reconsiderations on disqualification decisions made (data table 49). These outcomes may be from reconsideration requests made in previous quarters.

Both reconsideration requests and outcomes refer to the most recent instance where the competent authority has agreed to reconsider at each decision stage for an individual. Hence, an individual will only be shown to have a maximum of one reasonable grounds request and outcome, and one conclusive grounds or disqualification request and outcome.

Reconsideration requests may also be for positive or hybrid decisions, which are included in these statistics. A hybrid decision is where the potential victim has reported multiple incidents of exploitation, where at least one incident is accepted and one or more are not accepted. In a small number of cases, reconsideration data contains inaccurately recorded fields, so apply caution when using. For more information, see the '[Quality information](#)' section.

5. Duty to Notify

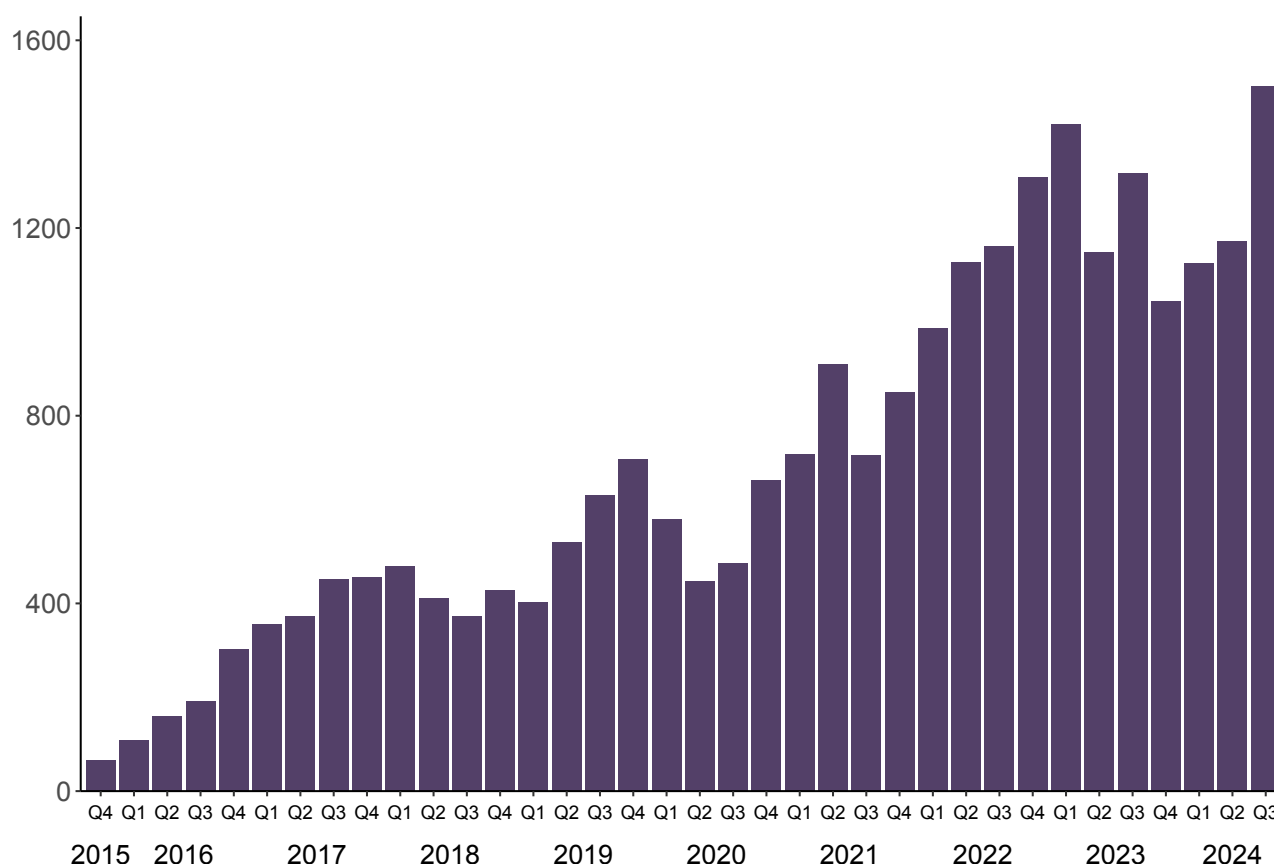
Since 1 November 2015, [specific public authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988810/May_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.2.pdf) (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/988810/May_2021_-_Modern_Slavery_Statutory_Guidance_EW_Non-Statutory_Guidance_SNI_v2.2.pdf) in England and Wales must notify the Home Office via the DtN process of suspected adult victims of modern slavery that do not consent to enter the NRM. During this process, first responders may not collect the potential victim's personal details.

From July to September 2024, the Home Office received 1,501 reports of adult potential victims via the DtN process (data table 52; figure 13), compared to 1,172 in the previous quarter. The number for this quarter is the highest ever recorded, representing a 6% increase from the previous record in the period from January to March 2023 (1,420). Of these:

- the most notified nationalities were Eritrean (18%; 274), Vietnamese (14%; 205) and Sudanese (10%; 155) (data table 53)

- the most notified exploitation types were labour (46%; 689), not recorded or unknown (20%; 297) and sexual (13%; 202) (data table 54)
- in terms of first responders, most DtN reports were submitted by Home Office - UK Visas and Immigration UKVI (59%; 890), Home Office - UK Border Force UKBF (13%; 199) and Home Office - Immigration Enforcement IE (7%; 101) (data table 55)

Figure 13: Number of quarterly DtN referrals



Source: SCA

Notes:

1. Potential victims may be reported via DtN and subsequently also referred to the NRM at a later point in time, so these figures should not be combined due to potential double counting.

6. What's new?

Statistics on the reasons given for negative conclusive grounds and reasonable grounds decisions have been added to the bulletin. These provide information on the reason why a negative decision has been issued by the decision maker.

Statistics on the average age cases have spent awaiting conclusive grounds decisions have also been added to the bulletin.

7. Quality information

These statistics are produced in accordance with quality requirements of the Code of Practice for Statistics. It uses [guidance](https://analysisfunction.civilservice.gov.uk/policy-store/quality-statistics-in-government/) (<https://analysisfunction.civilservice.gov.uk/policy-store/quality-statistics-in-government/>) published on the Government Analysis Function, which considers 5 aspects of quality:

- relevance
- accuracy and reliability
- timeliness and punctuality
- accessibility and clarity
- coherence and comparability

This section also discusses data sources, production and quality assurance of statistics.

Relevance

NRM and DtN statistics are used to build a picture of the potential scale of potential victims of modern slavery in the UK. As the data relates to potential victims identified by first responders and referred into the NRM and DtN, it does not capture all victims of modern slavery in the UK. There is likely to be a large number of unidentified potential victims given the hidden nature of modern slavery.

The statistics contribute to an understanding of the profile of potential victims referred to the Home Office. They are used by the Government, NGOs and other organisations to monitor the impact of policy and operational decisions and challenge government on modern slavery policy.

The content of this publication is reviewed as to whether it meets the needs of users, and data is added accordingly. Further information can be found in the [‘revisions’](#) section.

Accuracy and reliability

Data is based on an extract from the database taken on 4 October 2024. NRM referral statistics and DtN report statistics are based on information provided on forms by first responders. First responders receive guidance on identifying and referring potential victims of modern slavery. In line with guidance provided, the

competent authorities can seek additional information from stakeholders, where required, to ensure consistency of consideration and recording of outcomes.

The reported statistics might be different from previous bulletins. The data is extracted from a live case management system and the recorded data might be updated as new information comes to light.

For location of exploitation data, UK counties are grouped using the towns and cities reported by referrals. Here, 'counties' refer to lieutenancy areas, which are the boundaries used because of the scale at which the data is collected. The data boundaries used for overseas country of exploitation do not necessarily reflect the UK Government's official position. Not all places of exploitation may be included if these are not provided on referral forms. If a referral has reported the same place multiple times, it is only counted once in the statistics. Because referrals may report multiple places, it is not advised to add the numbers for multiple UK counties and multiple overseas countries.

County lines cases are manually 'flagged' and added to cases by decision makers. The referral form does not explicitly require the first responder to highlight whether county lines is a feature of a potential victim's exploitation. If the first responder does not provide the information to enable decision makers to identify county lines potential victims, they are not flagged on the system. Therefore, the data may not identify all county lines potential victims referred to the NRM. In addition, more information may come to light that a potential victim has been exploited through county lines which may be flagged at a later stage in the decision-making process. If these cases are subsequently identified, data will be updated to reflect this.

The data for reconsiderations has some fields which have been recorded inconsistently. The latest decision date has been found to be missing or inaccurate in a small number of cases. While cases with an inaccurate latest decision are included, those with missing dates have been excluded, in addition to reconsiderations from duplicate referrals, to ensure the data does not double count reconsiderations. As such, reconsideration data should be used with caution and may be subject to revision.

Overall referral breakdowns are reliable for data prior 2014, but more granular data was not quality assured at the time the data was collected. Most data is therefore presented from 2014 onwards.

All percentages in the bulletin are rounded to the nearest whole percentage point.

Timeliness and punctuality

NRM and DtN statistics are typically published less than 2 months after each quarter finishes. The exceptions are the October to December and annual statistics, which are both published 3 months after the year finishes due to the

work required to quality assure and publish multiple publications. The [statistics collection](https://www.gov.uk/government/collections/national-referral-mechanism-statistics) (<https://www.gov.uk/government/collections/national-referral-mechanism-statistics>) contains previous release dates and the Government statistics [release calendar](https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance) (https://www.gov.uk/search/research-and-statistics?keywords=Modern%20Slavery:%20National%20Referral%20Mechanism%20and%20Duty%20to%20Notify%20statistics%20UK&content_store_document_type=upcoming_statistics&order=relevance) publishes upcoming dates.

Accessibility and clarity

From the annual publication for 2022, the bulletin has been published to reflect accessibility criteria outlined in [guidance](https://analysisfunction.civilservice.gov.uk/area_of_work/accessibility/) (https://analysisfunction.civilservice.gov.uk/area_of_work/accessibility/) published by the Government Analysis Function. This includes editing bulletin text, formatting of data tables and converting graphs to more accessible formats. More information on accessibility changes can be found in the '[revisions](#)' section.

Coherence and comparability

The NRM was set-up in 2009, though detailed breakdowns of statistics prior to 2014 are not made available for the reasons outlined in the 'accuracy and reliability' section. Broadly consistent data recording practises (with exception of nationality and exploitation type referrals statistics outlined in the 'revisions' section) allow for meaningful comparisons over time. The DtN began in 2015 and has similarly consistent data recording practises, enabling comparisons from the start of the dataset.

NRM and DtN datasets are the most extensive datasets on potential victims of modern slavery in the UK. Both datasets contain data collected through a range of first responders. NRM referrals are sent from across the UK, while DtN reports are sent from England and Wales. However, there could be overlaps between the 2 datasets. For example, a first responder could encounter a potential victim that is notified to the Home Office through a DtN and, subsequently, another first responder could encounter the same victim who then decides they want to be referred into the NRM. As the DtN is anonymised it is not possible to understand the overlap between the 2 datasets.

Other sources of data may not necessarily reflect trends shown in NRM and DtN statistics due to differing recording practises, scope and definitions of modern slavery.

Data source

NRM and DtN statistics are taken from an administrative Home Office case management system. It stores information from NRM referrals and DtN reports which are submitted from online forms sent by a variety of first responders.

Referral forms may be filled with varying amounts of information, which depends on what the first responder captures and how much the potential victim provides. If necessary, additional information can be sought by decision makers from the SCA and IECA, who make manual edits to data on the case management system.

Decision makers also add details, such as decision outcomes and decision dates, as well as make amendments to existing information such as the responsible police force, location of exploitation and biographic information. Cases are also flagged if they meet certain criteria, such as those involving county lines.

Decision makers may also merge cases together if they are identified as being for the same individual. They may also reopen cases which were closed, such as if a decision is being reconsidered.

As information can be manually updated on the live case management system, a small number of fields may be inaccurately recorded. These are corrected when identified.

Statistical production

This statistical bulletin has been produced to the highest professional standards and is free from political interference. It has been produced by statisticians working in the Home Office Analysis & Insight Directorate under the Home Office's [Statement of compliance with the Code of Practice for Official Statistics](https://www.gov.uk/government/publications/statement-of-compliance-with-code-of-practice-for-official-statistics) (<https://www.gov.uk/government/publications/statement-of-compliance-with-code-of-practice-for-official-statistics>), which covers Home Office policy on revisions and other matters.

Data is extracted by Home Office Analysis and Insight from the case management system and is cleaned using reproducible and tested code. The code reformats data for statistical production, such as by grouping the data into categories (for example, first responder type and age groups) and standardises spelling. Further columns are also added, such as time to decision. Following this, the statistics are collated and outputted as a bulletin with accompanying graphs.

The Chief Statistician, as Head of Profession, reports to the National Statistician regarding all professional statistical matters and oversees all Home Office National Statistics products regarding the Code, being responsible for their timing, content and methodology.

Quality assurance

Data cleaning and grouping has been agreed and checked by the SCA. This is done using reproducible code, which is split into sections to first provide a cleaned dataset, and then produce the bulletin and graphs. The latter 2 are manually

cross-checked with the dataset. Reproducible code also allows analytical colleagues to test and validate the production.

Data tables are manually produced using the cleaned dataset and are cross-checked with the bulletin and dataset. Data tables are then checked by the SCA for accuracy.

8. Revisions

Overall

The National Crime Agency (NCA) previously published NRM statistics prior to transferring NRM decision-making responsibilities to the SCA in April 2019 as part of the NRM Reform Programme. Publications prior to July 2019 can be accessed via the [NCA website \(https://nationalcrimeagency.gov.uk/who-we-are/publications?search=&category%5B%5D=3&limit=15&tag=&tag=\)](https://nationalcrimeagency.gov.uk/who-we-are/publications?search=&category%5B%5D=3&limit=15&tag=&tag=). With this transfer of responsibility, this data is now designated as Official Statistics and produced in line with the [Code of Practice for Statistics \(https://code.statisticsauthority.gov.uk/\)](https://code.statisticsauthority.gov.uk/).

Exploitation type statistics

Prior to October 2019, potential victims were recorded as having a single primary exploitation type, grouped into distinct categories:

- labour
- sexual
- domestic servitude
- organ harvesting
- unknown exploitation

Following changes to recording after October 2019, these categories changed to give a better picture of the exploitation experienced by potential victims. These changes split criminal exploitation from labour exploitation, and factor in cases where individuals have experienced multiple exploitation types.

Furthermore, 'Unknown exploitation' is no longer a category; instead, first responders can provide information for unclassified exploitation in a free-text box field. This field is grouped as 'Not specified or unknown'. Apply caution when comparing statistics for exploitation type from October 2019 with previous quarters.

Nationality statistics

A potential victim's nationality is based on information provided by the first responder upon referral; however, case workers may update this as further information is gathered.

Before October 2019, potential victims were recorded as having a single nationality. Following this, dual nationalities were recorded as separate categories, which has resulted in a greater number of categories which provide a more accurate representation. This quarter, there were 201 nationalities represented by referrals. Caution should therefore be applied when comparing statistics for nationality from October 2019 with previous quarters.

Police force identification

Police force data provided in data tables is based on the location of the police force that received the NRM referral. Each referral is screened against the criteria below to identify the responsible geographic police force. Once identified, the referral is transferred for action to the relevant Force Intelligence Bureau or stipulated point of receipt within the force.

Sometimes, further information is received and processed regarding a referral, which means it will be sent to a different police force. The updated statistics will reflect this. Criteria applied to identify the relevant police force are:

- the force has acted as first responder, or the referral indicates that the force is already involved in the recording/investigation of the potential modern slavery human trafficking offences
- the potential victim has been exploited within the force area
- the potential victim has been exploited abroad, or at an unknown location and the victim's address at time of referral is within the force area
- the potential victim has been exploited abroad or at an unknown location and they have presented to another first responder within the force area

Bulletin

January to March 2022: data was first split out in the bulletin for referrals received and decisions made by the SCA and IECA, given it was the first full quarter since the IECA was set-up. Figure 1 was also changed to reflect this.

October to December 2022: the key findings were rationalised to show the most important points illustrated by the data.

Annual 2022: an annex was first added to this bulletin to highlight key drivers of referrals in the year and provide more detailed statistics.

April to June 2023: the 'reasonable grounds decisions' section was updated to include data on average time to issue reasonable grounds decisions, to match the 'conclusive grounds decisions' section. A new section on 'disqualifications' was also added, since it was the first full quarter where disqualifications for the NRM were considered.

July to September 2023: a new section on 'reconsiderations' was added with data on the number of reconsidered decisions. The 'nationality' section was also updated to outline the number of nationalities represented in the NRM.

October to December 2023: more context and background was added to better explain the data. A flowchart was added as figure 1, to show the NRM and DtN processes. Additionally, the 'further information' section was split out into 3 new sections: 'quality information', 'revisions' and 'related publications'. These added more detailed information on quality, provided a better overview of changes to this publication and signposted to related published work.

January to March 2024: within the 'location of exploitation' section, data on UK county of exploitation and overseas country of exploitation has been added. These provide a more granular breakdown of exploitation reported in the UK and overseas.

April to June 2024: within the 'conclusive grounds decisions' section, data on the conclusive grounds decision backlog has been added. This provides information on cases that have been issued a positive reasonable grounds decision and are awaiting a conclusive grounds decision.

July to September 2024: within the 'Reasonable grounds decisions' section, data on the reasons behind a negative reasonable grounds decision has been added. Additionally, within the 'Conclusive grounds decisions', data on the reasons behind a negative conclusive grounds decisions has been added. These provide information on the reason why a negative decision has been issued by the decision maker. Within the 'Conclusive grounds decisions' section, data on the average time cases have spent awaiting conclusive grounds decisions has been added.

Data tables

July to September 2021: tables were reformatted. Table 7 (referrals by UK country and age group) in previous updates was removed as this information is available in table 3. Tables 16 to 26 in previous updates (referrals received by police forces by nationality, exploitation type, first responder and age at exploitation) were removed. This information is now available in tables 4 to 9.

January to March 2022: tables were split out. Tables 15 and 16 (reasonable/conclusive grounds decisions by age group at exploitation) in

previous releases was split into tables for SCA and IECA decisions. Reasonable grounds decision breakdowns are therefore provided as tables 20 to 22, whilst conclusive grounds breakdowns are provided as tables 35 to 37.

April to June 2022: tables were split out. Table 21 (average number of days taken to make conclusive grounds decisions) in past releases was split for SCA and IECA times. Timeliness breakdowns are therefore provided as tables 39 to 41.

October to December 2022: tables were split out and reformatted for accessibility. Table 1 (referrals by age group and location of exploitation) in past releases was split into tables 1 and 2 to more clearly show referrals split by competent authority. Several changes to formatting were made for accessibility, including adding consistent worksheet titles, adding a notes worksheet and reducing the use of merged cells.

April to June 2023: tables were added. Additional tables were added to show average time to reasonable grounds decision (table 26), as well as split by the SCA and IECA (tables 27 and 28 respectively). Moreover, tables 29 to 31 were added for disqualification requests, and tables 32 to 34 were added for confirmed disqualifications.

July to September 2023: tables were added. Additional tables were provided to show reconsideration requests (tables 46 to 48) and outcomes (tables 49 to 51).

January to March 2024: tables were added. Additional tables were provided to show age at referral (tables 3 to 4), referrals by UK county (table 12) and referrals by overseas country (table 13). Age at exploitation information has been replaced with age at referral, though is still included in tables 5 to 6. Moreover, tables 23 to 24 have been added to monitor the Sustainable Development Goals that relate to modern slavery.

April to June 2024: table was added. An additional table was provided to show the backlog for cases awaiting conclusive grounds decisions having been issued positive reasonable grounds decisions (table 45).

July to September 2024: tables were added. Additional tables were provided to show the average number of days cases are awaiting conclusive grounds decisions (table 42), as well as split by the SCA and IECA (tables 43 and 44 respectively). Moreover, the reasons behind a negative reasonable grounds decision (table 25) and the reasons behind a negative conclusive grounds decision (table 38).

9. Related publications

Latest and previous NRM and DtN statistical releases can be found in the [National Referral Mechanism statistics \(https://www.gov.uk/government/collections/national-referral-mechanism-statistics\)](https://www.gov.uk/government/collections/national-referral-mechanism-statistics) collection.

Raw NRM data used for statistical releases is published on [UK Data Service \(https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910\)](https://beta.ukdataservice.ac.uk/datacatalogue/studies/study?id=8910).

For statistics on the number of small boat arrivals with NRM referrals, see the [Irregular migration to the UK statistics \(https://www.gov.uk/government/collections/irregular-migration-to-the-uk-statistics\)](https://www.gov.uk/government/collections/irregular-migration-to-the-uk-statistics) collection.

[Research on modern slavery referrals for people detained for return after arriving in the UK on small boats \(https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats\)](https://www.gov.uk/government/publications/modern-slavery-referrals-for-people-detained-for-return-after-arriving-in-the-uk-on-small-boats) was published in March 2023.

Ad-hoc [analysis on modern slavery referrals from asylum, small boats and detention cohorts \(https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-january-to-march-2023/annex-analysis-of-modern-slavery-nrm-referrals-from-asylum-small-boats-and-detention-cohorts\)](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-january-to-march-2023/annex-analysis-of-modern-slavery-nrm-referrals-from-asylum-small-boats-and-detention-cohorts) was published in May 2023.

Statistics and [analysis of the devolved decision-making pilot for child victims of modern slavery \(https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery\)](https://www.gov.uk/government/statistics/modern-slavery-national-referral-mechanism-and-duty-to-notify-statistics-uk-july-to-september-2023/annex-analysis-of-the-devolved-decision-making-pilot-for-child-victims-of-modern-slavery) was published in November 2023.

Statistics on children referred to the [Independent child trafficking guardianship \(https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-april-to-june-2024/annex-independent-child-trafficking-guardianship-statistics-year-ending-march-2024\)](https://www.gov.uk/government/statistics/modern-slavery-nrm-and-dtn-statistics-april-to-june-2024/annex-independent-child-trafficking-guardianship-statistics-year-ending-march-2024) service were published in August 2024.

Offences and charges data for modern slavery is published in the [police recorded crime statistics collection \(https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables\)](https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables).

Prosecutions statistics for modern slavery-flagged crimes in England and Wales are published by the Crown Prosecution Service in their [data summaries \(https://www.cps.gov.uk/publication/cps-quarterly-data-summaries\)](https://www.cps.gov.uk/publication/cps-quarterly-data-summaries).

Sentencing data for modern slavery offences in England and Wales is published by the Ministry of Justice in their [Criminal Justice System statistics \(https://www.gov.uk/government/collections/criminal-justice-statistics\)](https://www.gov.uk/government/collections/criminal-justice-statistics).

The Office for National Statistics publish a summary of data sources for [modern slavery in the UK](#)

(<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/modernslaveryintheuk/previousReleases>), as well as those specifically for [child victims](#) (<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/childvictimsofmodernslaveryintheuk/previousReleases>).

Feedback and enquiries

We are always looking to improve the accessibility of our documents. If you find any problems, or have any feedback, relating to accessibility, or general questions regarding this publication, please email us NRMStatistics@homeoffice.gov.uk

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ENSANNA 2024

Child Labor Report 2024

08/09/2025

Child labor in Uruguay: main results of the 2024 National Survey on Child and Adolescent Health (ENSANNA)



Today, the report on Child Labor 2024 was presented at the Ministry of Labor and Social Security.

The speakers at the presentation included Andrea Bouret, Deputy Inspector and President of the National Committee for the Eradication of Child Labor (CETI); Mauricio Fuentes, Vice President of INAU; Patricia Roa, Representative of the International Labour Organization (ILO); Darío Fulletti, Evaluation and Monitoring Officer of UNICEF Uruguay; and Fiorella Di Landri, Head of the Sociodemographic Studies Department of INE.

Di Landri presented the most relevant data from the survey conducted in the second half of 2024 and shared the main conclusions obtained from the measurement: in the whole country, 6.8% of children and adolescents are in a situation of child labor; child labor is lower in Montevideo than in the interior of the country and the percentage is higher among girls and adolescents than among boys; the percentage of children and adolescents increases with age, reaching 10.6% in the 15 to 17 year old group.

Minister **Juan Castillo** declared that child labor is a *“more than worrying”* scourge and emphasized that *“the survey results reveal that gender gaps begin to emerge at very young ages and that children living in low-income households bear the greatest burden of child labor.”* He acknowledged the institutions that worked on the report and stated that *“it is very difficult to change a society if we don't understand it, and the goal is to see what is happening to our population, to understand the world around us, in order to find the most effective measures to reverse this situation.”*

La encuesta analizó a la población de **niñas, niños y adolescentes de 5 a 17 años** en todo el país.

- **A nivel nacional**, la tasa de trabajo infantil se ubicó en **6,8%**, lo que equivale a unas **40.200 personas**.
- **Por región**, se observó una mayor incidencia en el **interior del país (7,7%)**, en comparación con **Montevideo (5,2%)**.
- **Por sexo**, las cifras son similares: **7,0% en mujeres y 6,6% en varones**, lo que corresponde a unos **20.100 casos en cada grupo**.
- **Por edad**, el trabajo infantil aumenta con los años:

- **5 a 8 años:** 2,0% (3.300 personas).
- **9 a 14 años:** 7,6% (21.800 personas).
- **15 a 17 años:** 10,6% (15.000 personas).

En el informe completo se puede acceder a mayor información sobre los componentes del trabajo infantil definidas entre actividades productivas y no productivas como también a características de la operacionalización.

(Ver el informe completo)

Durante el segundo semestre de 2024, el Instituto Nacional de Estadística (INE) llevó adelante la **Encuesta Nacional sobre las Actividades de Niñas, Niños y Adolescentes (ENSANNA)**. El estudio se realizó en convenio con el **Ministerio de Trabajo y Seguridad Social (MTSS)**, y con el apoyo de la **Organización Internacional del Trabajo (OIT)** y **UNICEF Uruguay**.

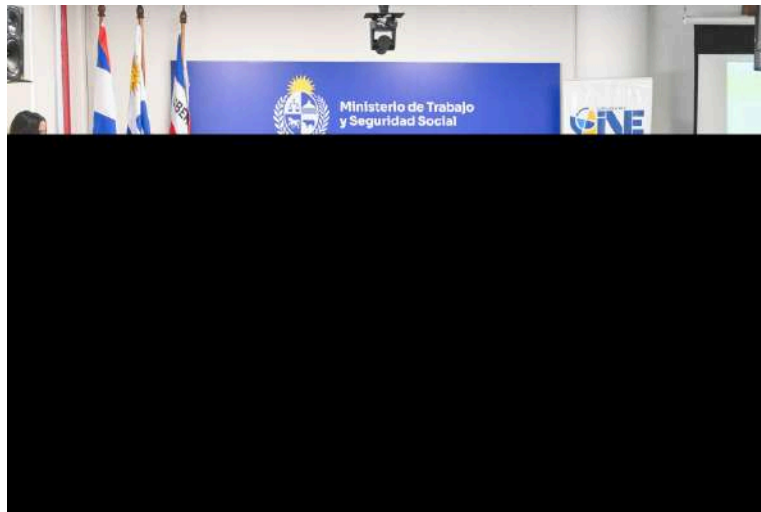
El objetivo fue conocer la magnitud y las características del trabajo infantil en el país, siguiendo los lineamientos internacionales de la **Conferencia Internacional de Estadísticas del Trabajo (CIET)**. En particular, las directrices aplicadas corresponden a las 19ª y 20ª ediciones de esta conferencia, que orientan a los países en la medición de fenómenos laborales complejos y sensibles.

Se considera trabajo infantil toda actividad realizada por niñas, niños y adolescentes por debajo de la edad mínima legal para trabajar, o que, aun superándola, implique riesgos para su salud, seguridad o moralidad. Esta definición incluye tanto tareas remuneradas como no remuneradas, dentro o fuera del hogar, en el mercado, en la producción para autoconsumo o en servicios domésticos que resulten excesivos o peligrosos.

La medición se apoya en marcos internacionales, como la **Convención sobre los Derechos del Niño (1989)** y los convenios de la **OIT N° 138 (1973)** y **N° 182 (1999)**, ambos ratificados por Uruguay.

At the national level, the **Children and Adolescents Code (2008)** prohibits the employment of children under 15 years of age, while for those between 15 and 17, employment is only permitted under specific conditions. The **INAU** (National Institute for Children and Adolescents) is the agency responsible for issuing permits, supervising, and regulating these situations, in coordination with the **MTSS** (Ministry of Labor and Social Security) , which also participates in inspection and enforcement.

Image gallery



1/6

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International
Labour
Organization

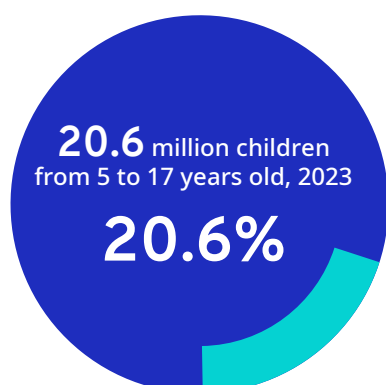
► Key findings on the situation of working children and child labour in Viet Nam in 2023

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- **731.6** thousand working children from 5 -17 years old.
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- **94.3** thousand children engaged in work that can be harmful.
- **50.1** thousand children who have to work at night.

► 1. Viet Nam's Child Population

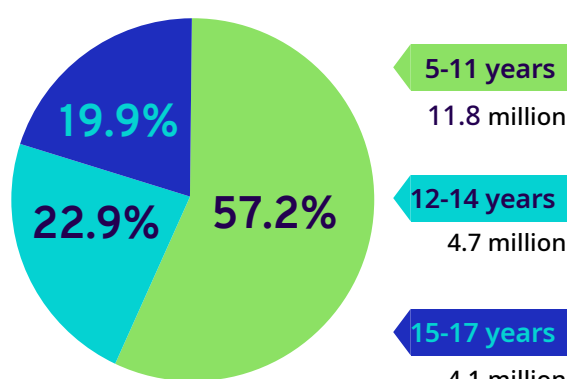
According to the 2023 survey, the number of children aged 5 to 17 in Viet Nam is **20.6** million, accounting for **20.6** per cent of the total population of the country. Children living in urban areas account for **35.0** per cent, and children in rural areas account for **65.0** per cent.



Nationwide, **96.4** per cent of children aged 5 to 17 years old “are attending school/educational institutions”. **94.8** per cent of children in this age group are “only attending school”, while **2** per cent are “only working”, **1.6** per cent are “both attending school and working”, and only **1.6** per cent are “neither working nor studying”.

65,0%
rural
areas

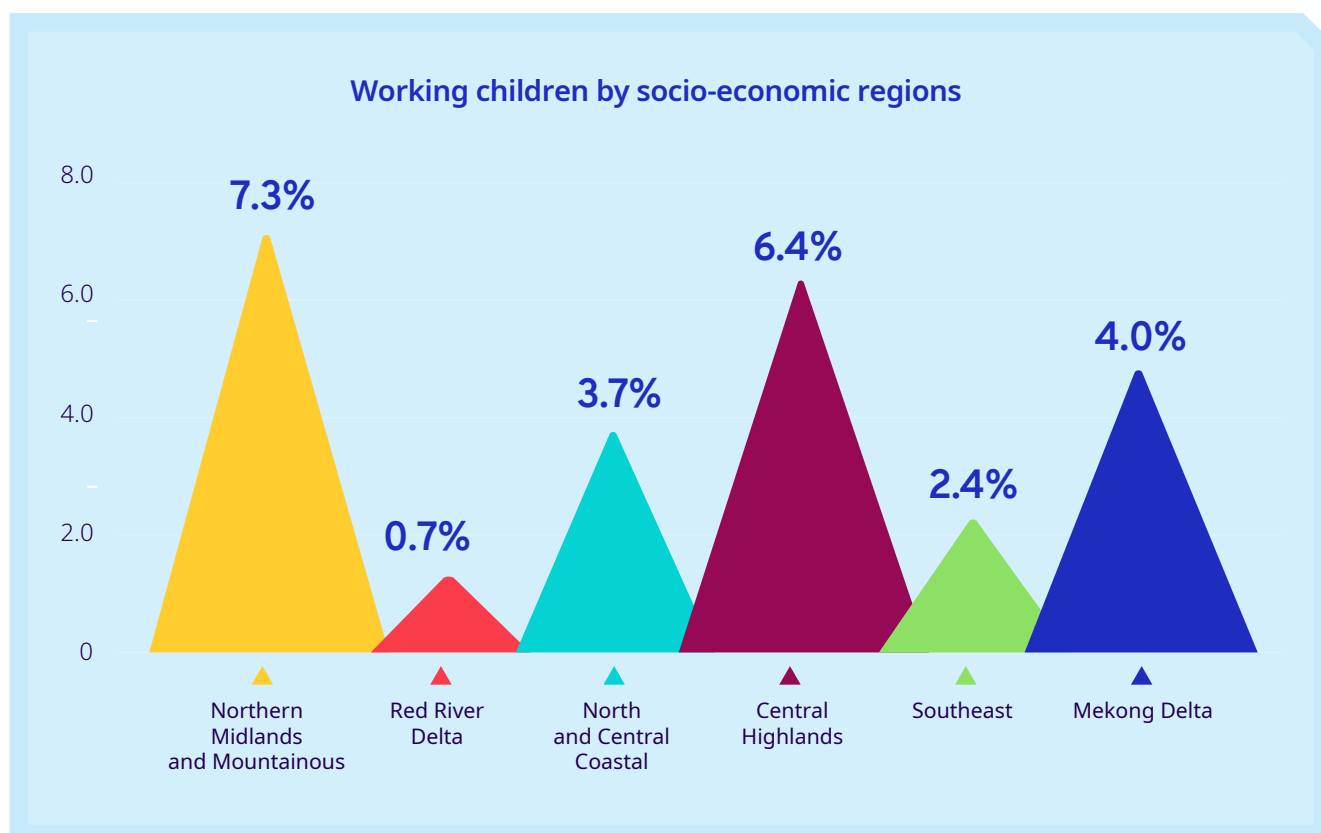
35,0%
urban
areas



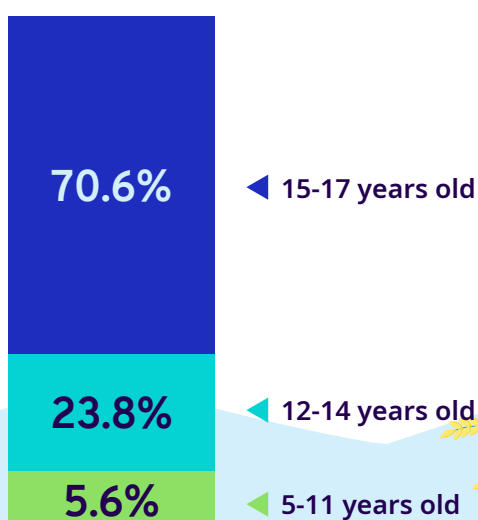
Proportion of children
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► 2. Working children

According to the 2023 survey, there were **731.6** thousand working children nationwide, accounting for **3.5** per cent of the total number of children aged 5-17, a decrease of **5.6** percentage points compared to the rate of working children in 2018.

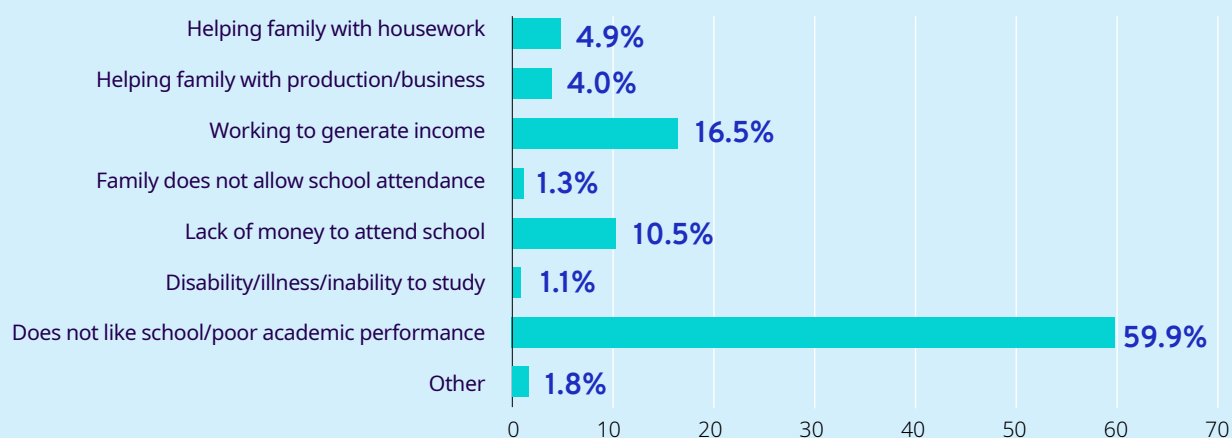


Distribution of working children by age group



Children who work often have limited opportunities to attend school. **44.9** per cent of working children are attending school. Conversely, among the group of children not working **98.3** per cent are attending school.





Reasons why working children do not go to school



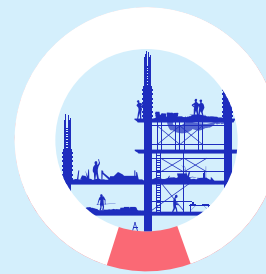
67.0%
Agriculture,
forestry
and fisheries
sector



16.4%
Service
industry



13.3%
Industry
sector



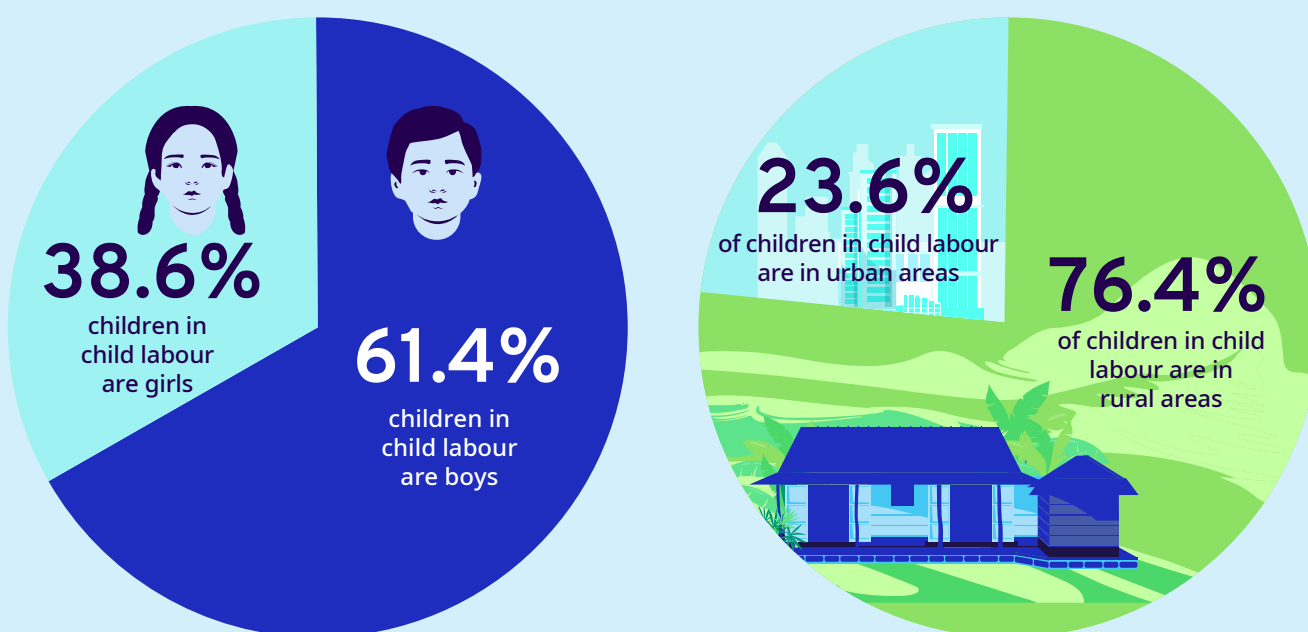
3.2%
Construction
industry

Working children by sector

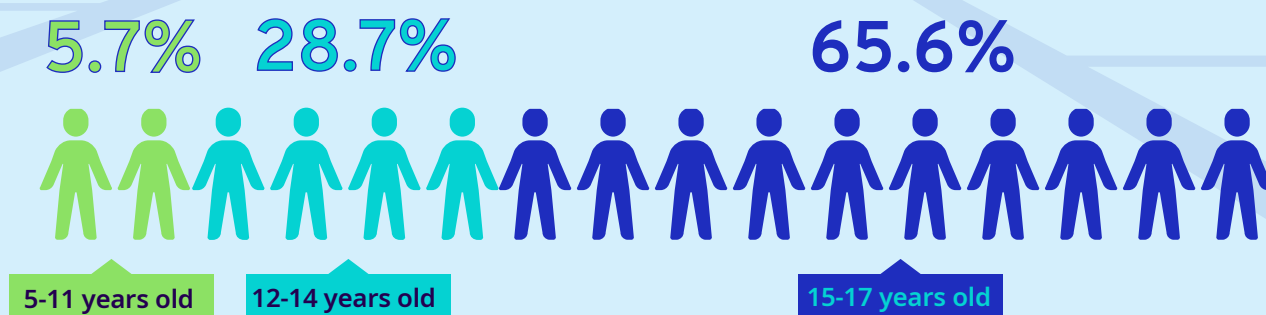
► 3. Children in child labour

Not all working children are in child labour. There are **269,604** children in child labour nationwide, accounting for **1.31** per cent of the total number of children aged 5–17 years and **36.9** per cent of the total number of working children.

Distribution of children in child labour by gender and residence

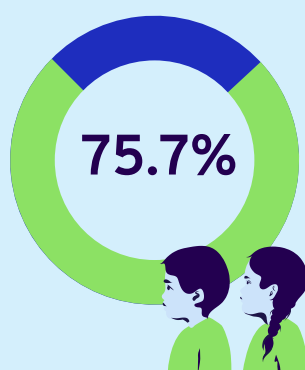


Distribution of children in child labour by age

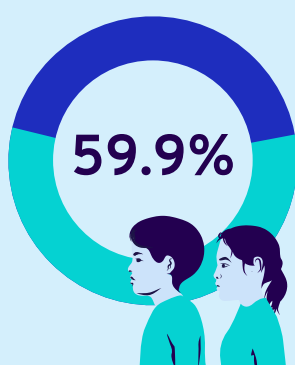


As children grow older, they tend to shift to non-agricultural sectors.

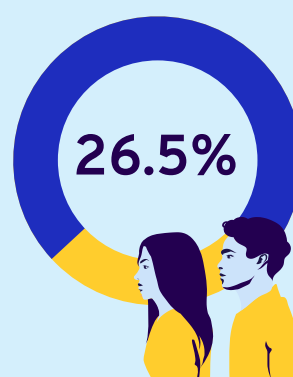
Percentage of children in child labour working in the agriculture, forestry and fisheries sector, by age



children in child labour
aged 5-11



children in child labour
aged 12-14



children in child labour
aged 15-17

Although the number of children in child labour in agriculture, forestry and fisheries is high, the risk of child labour is higher in non-agricultural sectors.

Rate of children in child labour among 3 sectors



21.4%
Agriculture, forestry
and fisheries sector



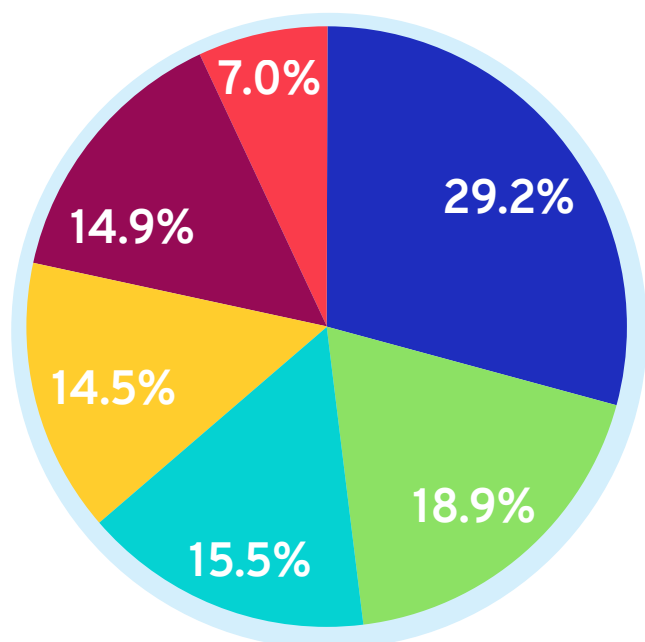
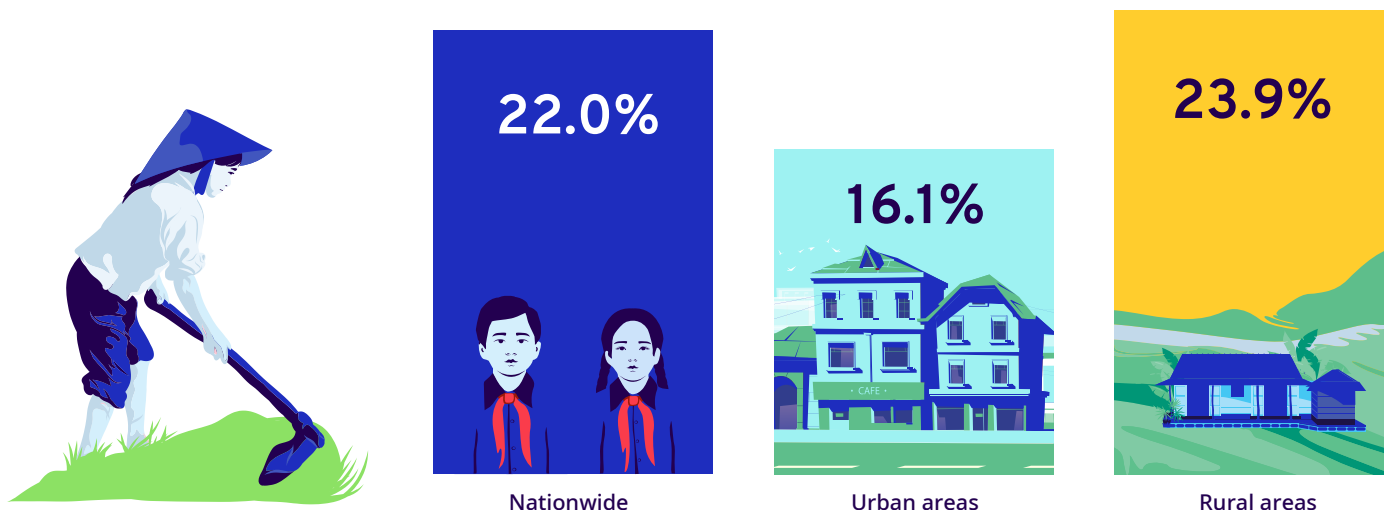
85.3%
Industry and
construction sector



51.2%
Services sector

Children in child labour are mainly involved in seemingly simple tasks. Nationwide, out of every **100** children in child labour, around **56** are engaged in seemingly simple tasks; about **12** are working in personal service, security, or sales jobs; **14** are engaged in machine assembly and operation; and over **12** work in crafts and other related trades.

School attendance rate of children in child labour



Distribution of children in child labour by socio-economic regions

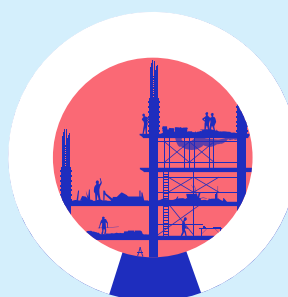
- North Central and Central Coast regions
- Red River Delta region
- Central Highlands
- Northern Midlands and Mountainous regions
- Southeast region
- Mekong Delta region



38.9%
Agriculture, forestry and fisheries sector



29.6%
Industry sector



8.8%
Construction sector

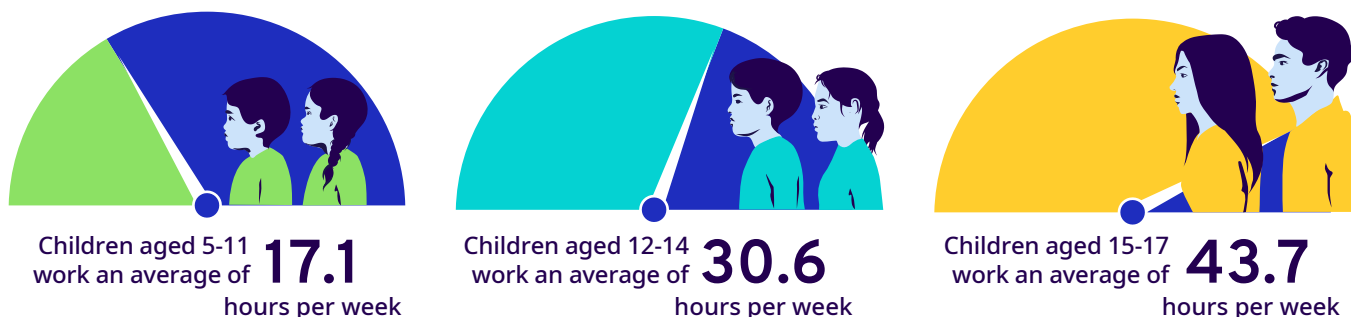


22.8%
Services sector

Children in child labour by sector

On average, children in child labour work **37.5** hours per week. Working time increases with age. **65.9** per cent of children in child labour work more hours than the hours legally permitted; **75** per cent of these children are from rural areas, and **61.6** per cent are boys.

Working hours and age of children in child labour



Children in child labour primarily work during the daytime or at weekends. However, approximately **50.1** thousand children work at night (between **10** pm and **6** am the next day), accounting for **18.6** per cent of children in child labour. Working at night directly affects a child's health and opportunities for full development.

Across the country, nearly **94.3** thousand children (accounting for **35** per cent of children in child labour) are engaged in **hazardous work** that endangers their well-being. Children in child labour in urban areas are **1.5** times more likely to engage in hazardous work compared to children in child labour in rural areas, at **47.9** per cent and **31.9** per cent, respectively.

Rate of children in child labour have experienced at least one health problem



The average income of a child in child labour is about **3.0** million Vietnamese Dong (approximately US\$117.0) per month which is less than a half of the average income of workers aged 15 and older in Viet Nam is **7.1** million VND.



► Conclusions and recommendations

- Despite Viet Nam's relatively developed legal system and policy framework on child labour, the challenge persists, and obstacles in its management and prevention remain. It is necessary to review existing regulations in line with the current situation and characteristics of child labour, and ensure conformity with international standards and recommendations.
- Strengthened inspection and supervision measures, to ensure compliance with regulations prohibiting child labour, especially in the informal sector and small/household-based businesses and agriculture, are needed.
- Strict sanctions and the enforcement of current legal provisions should be upheld in cases of violations of child labour laws, especially in cases concerning children under 13 years old, to protect children's rights and uphold the integrity of the law.
- Community level communication campaigns are recommended to raise awareness on the negative impacts of child labour, widespread dissemination of legal policies, and sanctions against the use of child labour. Encourage commitment and participation from the community in monitoring and reporting cases of child labour.
- Out-of-school children are at high risk of becoming child labour. Therefore, it is necessary to study policies and develop more appropriate training and vocational education programs. Promote their capacity and strengths to encourage, create opportunities, and motivate all school-age children to attend school, reduce the dropout rate, and prevent the risk of child labour.
- There is a clear relationship between some household background characteristics and the prevalence of child labour. The higher the level of education of the household head, the lower the probability of child to be in child labour. Additionally, if the household head has formal employment, it is also less likely that a child will be engaged in child labour. Policies to increase access to education and formalize informal employment and increase employment skills are therefore recommended as effective solutions to prevent child labour.
- In addition to national surveys such as the Labour Force Survey, it is recommended that in-depth surveys are conducted to expand the representative survey sample to the provincial/city level. This will ensure the necessary evidence base for a comprehensive assessment of child labour issues to support the development of effective and practical prevention solutions. Collaboration between the state management agency in charge of labour and statistical agencies is needed to review and standardize lists of hazardous and permissible jobs different groups, in accordance with Vietnamese occupational classifications. This will enhance the effectiveness of the statistical measurement of child labour.
- Active participation in international forums and enhanced bilateral cooperation is required to share experiences, resources and effective methods for eliminating child labour.
- Child labour deprives children of the opportunity to learn and acquire knowledge for the future. Additionally, the work they are engaged in may negatively impact their health. Therefore, it is essential to continue maintaining programmes for the prevention, reduction, and eventual elimination of child labour to ensure children's rights and promote social progress.
- Eliminating child labour is a challenging task that requires active participation from the entire political system, multiple organizations and the whole of society. Strong coordination and commitment from all parties will contribute to reducing and eradicating child labour, allowing children to develop fully so that "no one is left behind."

Data Source: The concept of "children" in this publication includes children (from 5 years old to under 16 years old) and minors (under 18 years old) in accordance with Vietnamese law.

The Labour Force Survey is a survey of the national statistical survey programme, according to the Prime Minister's Decision No. 03/2023/QĐ-TTg dated February 15, 2023.

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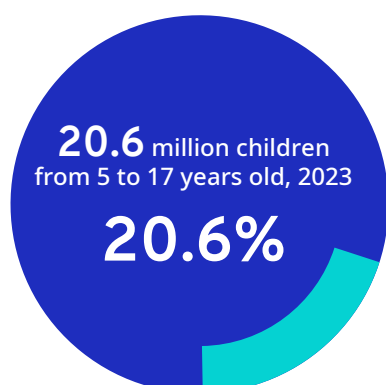
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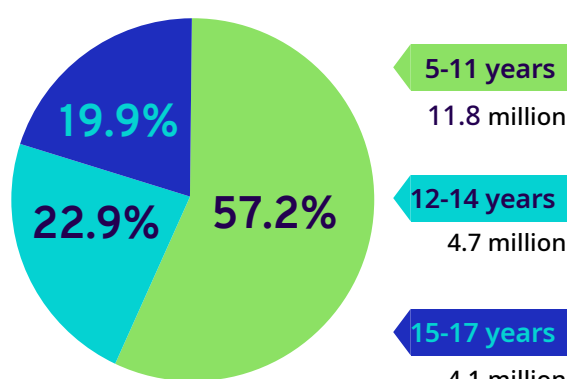
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65,0%
rural
areas

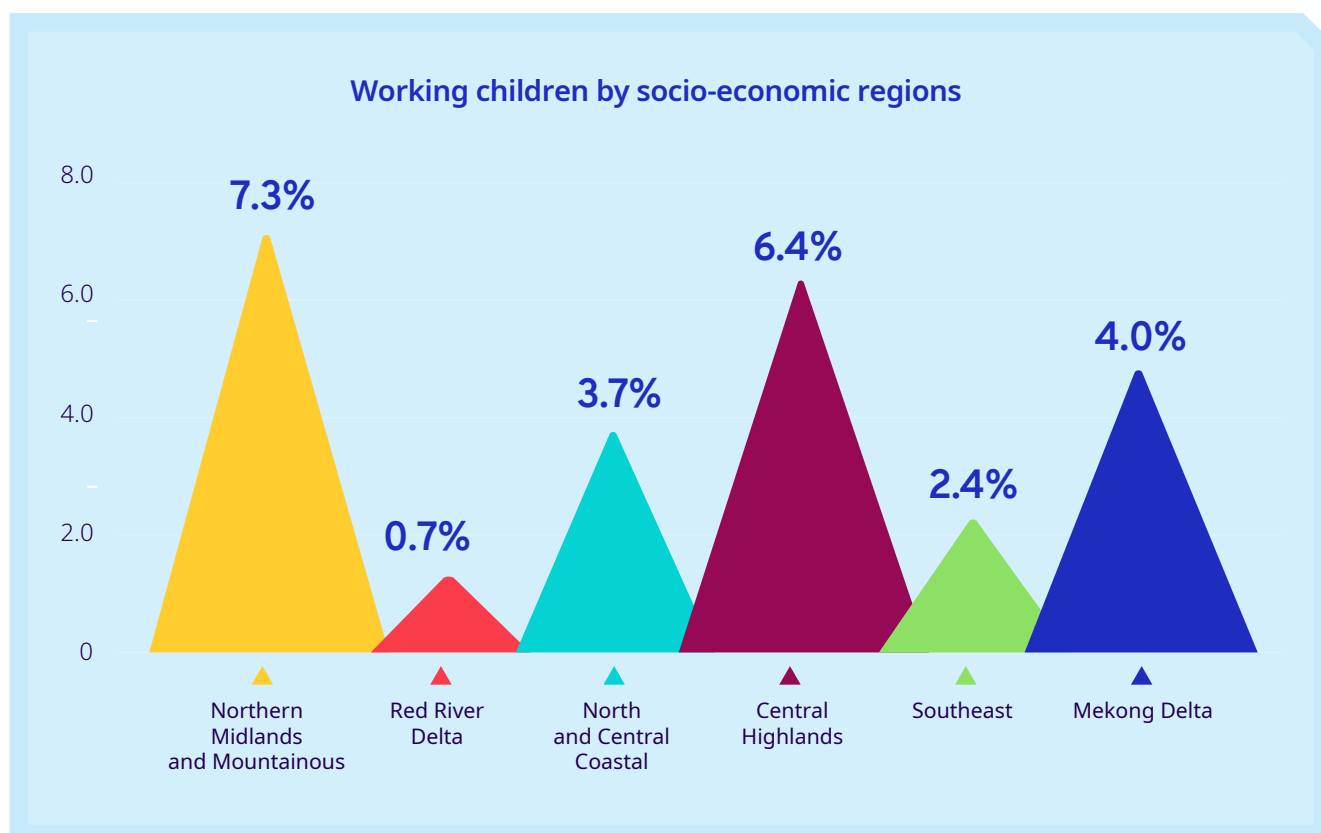
35,0%
urban
areas



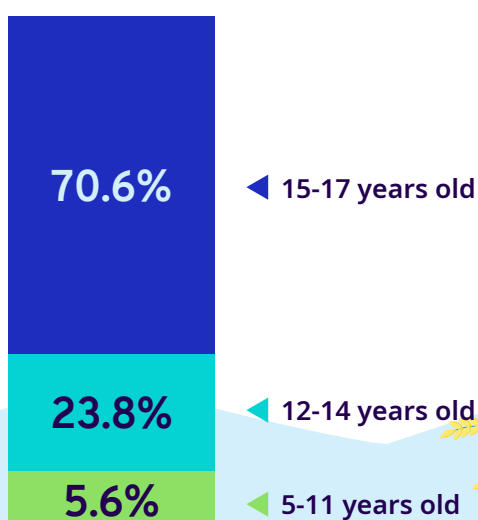
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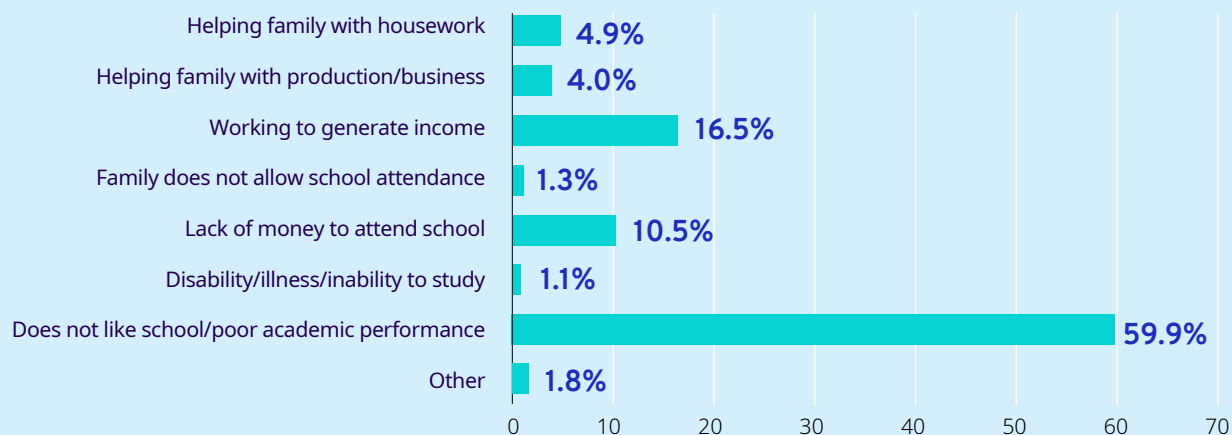


Distribution of working children by age group

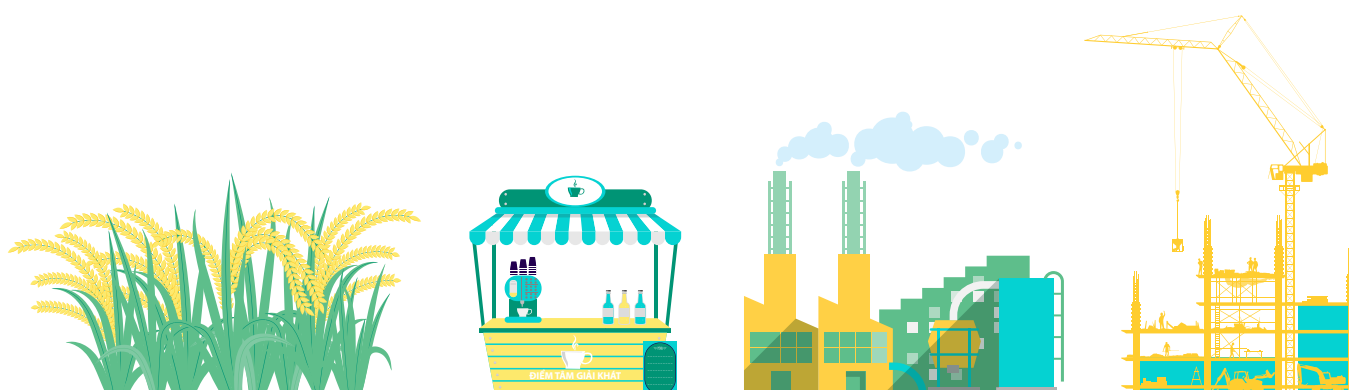


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Reasons why working children do not go to school



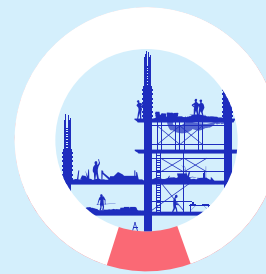
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Service
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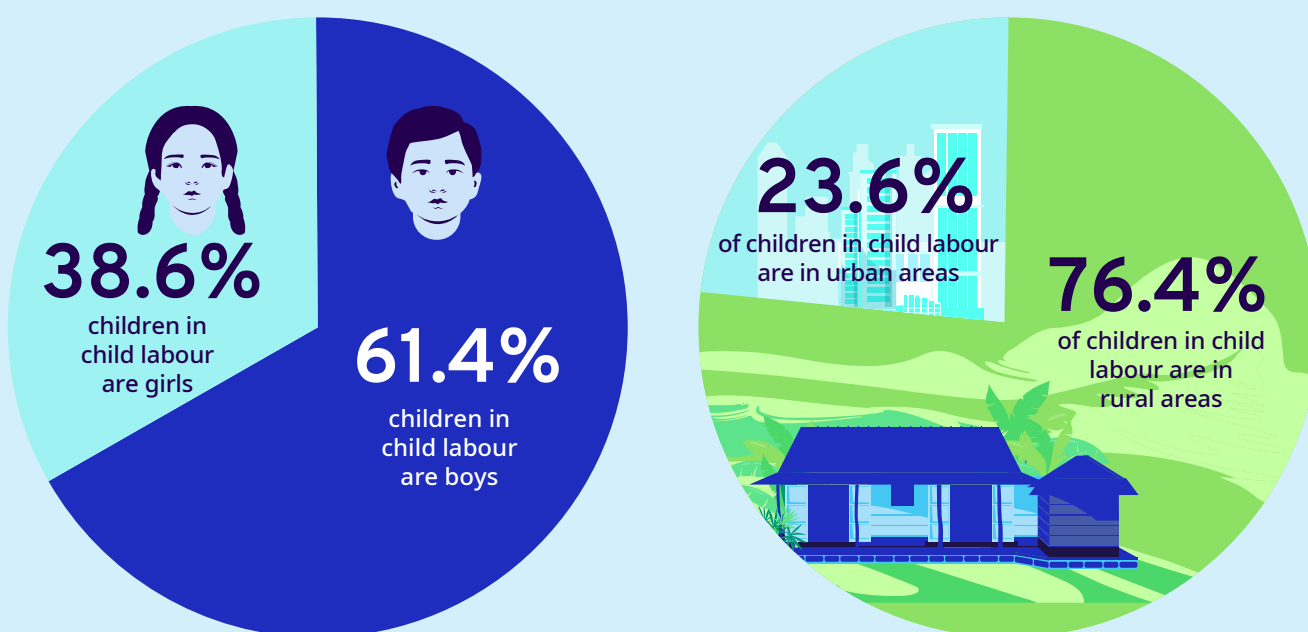
3.2%
Construction
industry

Working children by sector

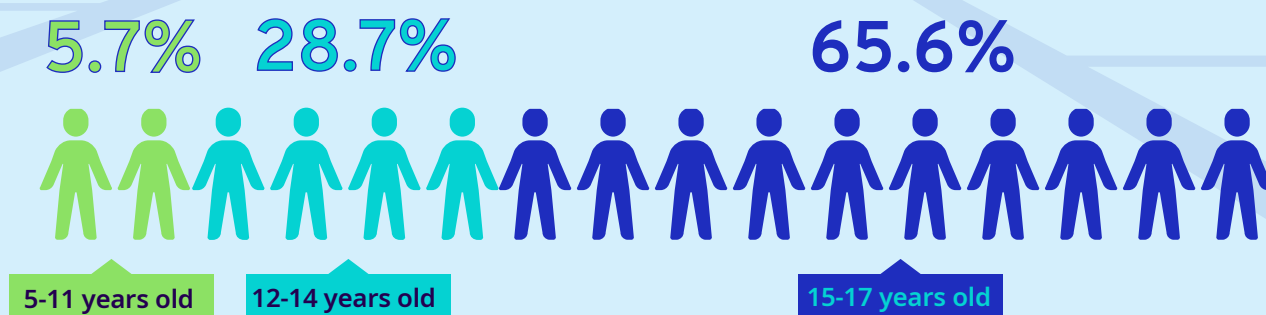
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Distribution of children in child labour by gender and residence



Distribution of children in child labour by age



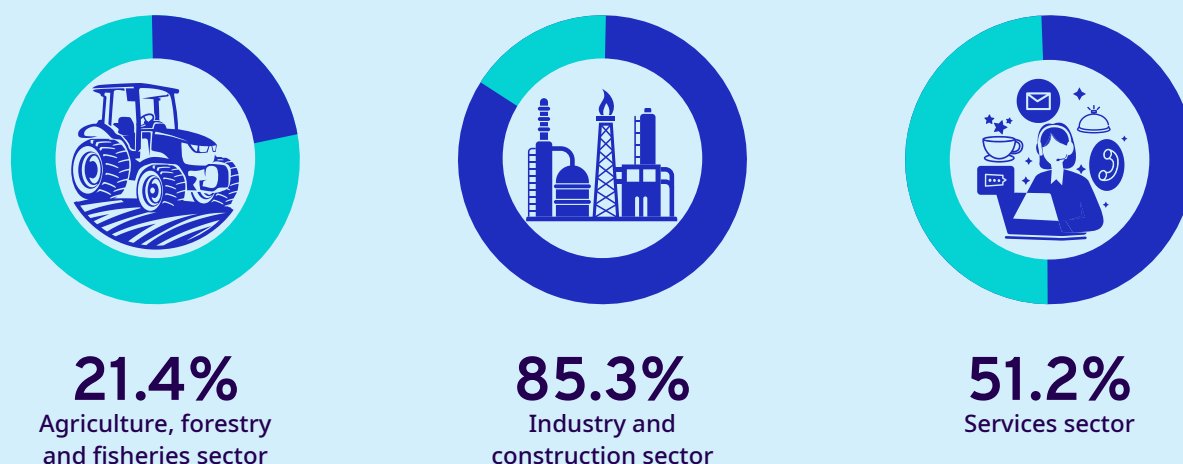
As children grow older, they tend to shift to non-agricultural sectors.

Percentage of children in child labour working in the agriculture, forestry and fisheries sector, by age



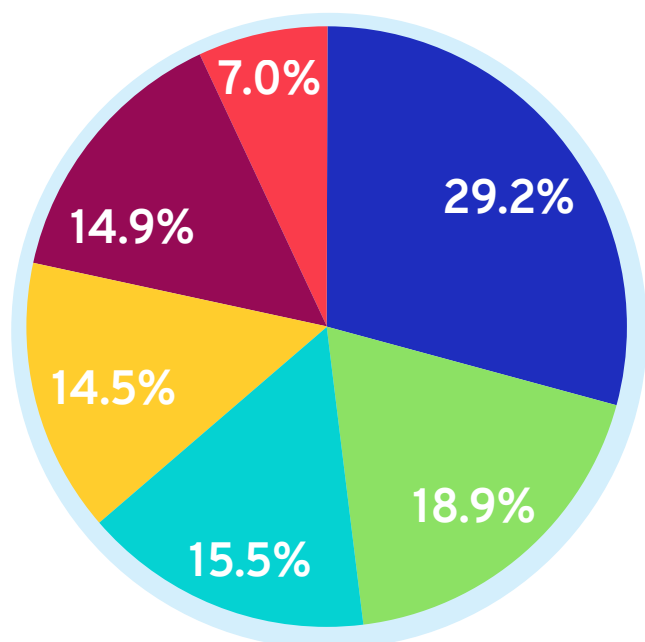
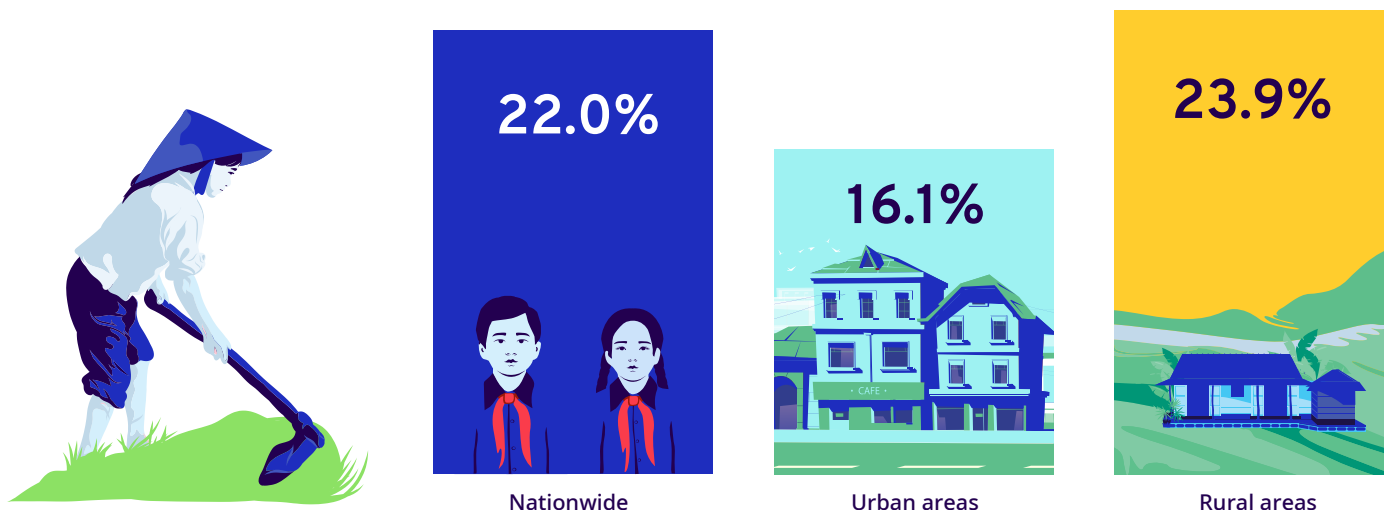
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School attendance rate of children in child labour



Distribution of children in child labour by socio-economic regions

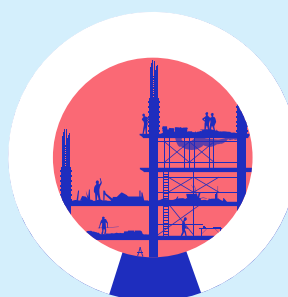
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38.9%
Agriculture, forestry and fisheries sector



29.6%
Industry sector



8.8%
Construction sector

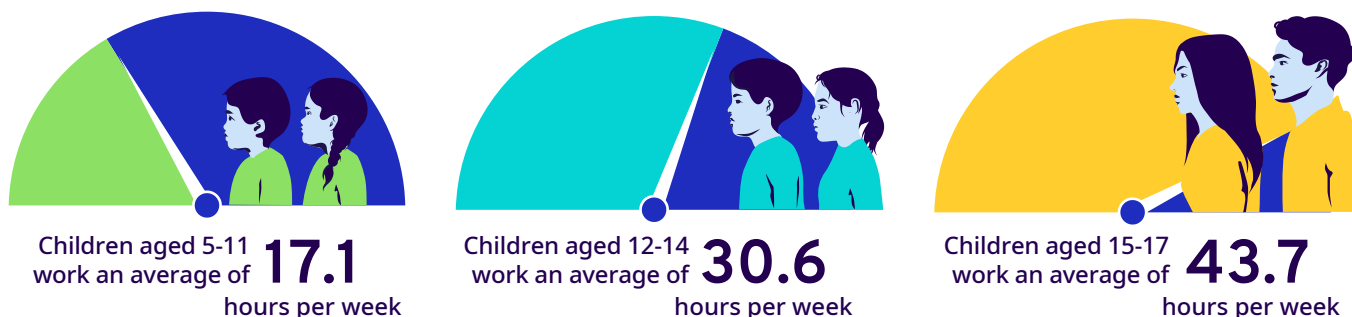


22.8%
Services sector

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► Conclusions and recommendations

- Despite Viet Nam's relatively developed legal system and policy framework on child labour, the challenge persists, and obstacles in its management and prevention remain. It is necessary to review existing regulations in line with the current situation and characteristics of child labour, and ensure conformity with international standards and recommendations.
- Strengthened inspection and supervision measures, to ensure compliance with regulations prohibiting child labour, especially in the informal sector and small/household-based businesses and agriculture, are needed.
- Strict sanctions and the enforcement of current legal provisions should be upheld in cases of violations of child labour laws, especially in cases concerning children under 13 years old, to protect children's rights and uphold the integrity of the law.
- Community level communication campaigns are recommended to raise awareness on the negative impacts of child labour, widespread dissemination of legal policies, and sanctions against the use of child labour. Encourage commitment and participation from the community in monitoring and reporting cases of child labour.
- Out-of-school children are at high risk of becoming child labour. Therefore, it is necessary to study policies and develop more appropriate training and vocational education programs. Promote their capacity and strengths to encourage, create opportunities, and motivate all school-age children to attend school, reduce the dropout rate, and prevent the risk of child labour.
- There is a clear relationship between some household background characteristics and the prevalence of child labour. The higher the level of education of the household head, the lower the probability of child to be in child labour. Additionally, if the household head has formal employment, it is also less likely that a child will be engaged in child labour. Policies to increase access to education and formalize informal employment and increase employment skills are therefore recommended as effective solutions to prevent child labour.
- In addition to national surveys such as the Labour Force Survey, it is recommended that in-depth surveys are conducted to expand the representative survey sample to the provincial/city level. This will ensure the necessary evidence base for a comprehensive assessment of child labour issues to support the development of effective and practical prevention solutions. Collaboration between the state management agency in charge of labour and statistical agencies is needed to review and standardize lists of hazardous and permissible jobs different groups, in accordance with Vietnamese occupational classifications. This will enhance the effectiveness of the statistical measurement of child labour.
- Active participation in international forums and enhanced bilateral cooperation is required to share experiences, resources and effective methods for eliminating child labour.
- Child labour deprives children of the opportunity to learn and acquire knowledge for the future. Additionally, the work they are engaged in may negatively impact their health. Therefore, it is essential to continue maintaining programmes for the prevention, reduction, and eventual elimination of child labour to ensure children's rights and promote social progress.
- Eliminating child labour is a challenging task that requires active participation from the entire political system, multiple organizations and the whole of society. Strong coordination and commitment from all parties will contribute to reducing and eradicating child labour, allowing children to develop fully so that "no one is left behind."

Data Source: The concept of "children" in this publication includes children (from 5 years old to under 16 years old) and minors (under 18 years old) in accordance with Vietnamese law.

The Labour Force Survey is a survey of the national statistical survey programme, according to the Prime Minister's Decision No. 03/2023/QĐ-TTg dated February 15, 2023.

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Child Labor in Transition in Vietnam

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February 2002



Abstract

Vietnam experienced a dramatic decline in child labor during the 1990s. Edmonds and Turk explore this decline in detail and document the heterogeneity across households in both levels of child labor and in the incidence of this decline in child labor. The authors find a strong correlation between living standards improvements and child labor so that much of the variation in declines in child labor can be explained by variation in living standards improvements. Ethnic minority children and the children of recent migrants appear to remain particularly vulnerable even by the late 1990s. Children of all ethnicities in the Central

Highlands appear to have missed many of the improvements in the 1990s, while children in the rural Mekong and in Provincial Towns have experienced the largest declines in child labor. The results suggest embedding efforts against child labor within an overall antipoverty program. The authors find that the opening or closing of household enterprises seems to be associated with increases in child labor. So attention should be devoted to the activities of children in the government's current program to stimulate nonfarm enterprises.

This paper—a product of Macroeconomics and Growth, Development Research Group—is part of a larger effort in the group to study household welfare and poverty reduction in Vietnam. Copies of the paper are available free from the World Bank, 1818 H Street NW, Washington, DC 20433. Please contact Rina Bonfield, room MC3-354, telephone 202-473-1248, fax 202-522-3518, email address abonfield@worldbank.org. Policy Research Working Papers are also posted on the Web at <http://econ.worldbank.org>. The authors may be contacted at eedmonds@dartmouth.edu or cturk@worldbank.org. February 2002. (55 pages)

The Policy Research Working Paper Series disseminates the findings of work in progress to encourage the exchange of ideas about development issues. An objective of the series is to get the findings out quickly, even if the presentations are less than fully polished. The papers carry the names of the authors and should be cited accordingly. The findings, interpretations, and conclusions expressed in this paper are entirely those of the authors. They do not necessarily represent the view of the World Bank, its Executive Directors, or the countries they represent.

Child Labor in Transition in Vietnam*

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* We are grateful to Paul Glewwe and participants of the Development Strategy Institute, Ministry of Planning and Investment, and World Bank Conference on Economic Growth and Household Welfare in Vietnam for helpful comments. The contents of this paper do not reflect the viewpoint of the World Bank. Correspondence to Edmonds at eedmonds@dartmouth.edu. Correspondence to Turk at cturk@worldbank.org.

I. Introduction

Child labor¹ is endemic in most of the world's poorer countries. As a response to chronic poverty and idiosyncratic shocks, poor children around the world are withdrawn from school, if they are attending, and are required to make an economic contribution to the household. This may have a positive effect, in allowing the household and children within the household to maintain essential basic consumption in times of real hardship. A moderate amount of work in safe conditions can allow children to develop useful skills and a sense of responsibility. Child labor may also have negative effects, diminishing a child's human capital accumulation, creating an enduring poverty trap for (potentially) generations and exposing children to harmful situations that restrict their physical, psychological, and emotional development. There are clearly documented problems in outlawing all forms of child labor (Crawford, 2000). Such prohibitions, if enforced, can cause severe hardship for households who are barely surviving and drive the economic contributions of children underground into illegal and exploitative areas of work. At the same time, there is also a need to safeguard children from abuses to protect them from harmful situations, to ensure their education and to uphold their basic rights as children.

The incidence of child labor appears to be negatively correlated with living standards. Using a cross-section of countries from 1995, Krueger (1997) shows that child labor virtually disappears once a country's GDP per capita reaches \$5,000. He finds that 80% of the international variation in child labor can be explained by GDP per capita alone. Vietnam does not appear to be an exception to this relationship. Driven by rural and other reforms in the late 1980's and early 1990's Vietnam enjoyed rapid economic growth of over 6% per annum over the last decade. This in

turn generated impressive reductions in the incidence of poverty, with the poverty headcount falling from 58% to 37% between 1993 and 1998 (World Bank et al). Edmonds (2001) documents that the probability that a child (ages six to fifteen) works in agriculture, a family operated business, or wage employment drops by 28% between 1993 and 1998. He shows that 94% of the drop in child labor for rural households at the poverty line in 1993 can be explained with improvements in household economic status.²

Not all households benefit equally from improvements in living standards. The aim of this study is to explore in detail the decline in child labor that Vietnam experienced during the 1990s and to document the heterogeneity across households in both levels of child labor and in the incidence of this decline in child labor. Our primary aim is to develop a set of indicators to help direct policy to children who remain vulnerable despite general improvements in living standards.

We find that even after controlling for time invariant household characteristics, we still observe substantial heterogeneity across households in the amount by which child labor has declined in Vietnam in the nineties. Decreases in the probability that children participate in any type of economic activity have been largest in provincial towns, minor cities, the southeast, and the rural Mekong river delta. Declines in the fraction of children working have been the smallest in urban areas, the south central coast, and the Central Highlands.

In addition to geographic indicators, we consider other observable household characteristics associated with variation in the decline in the probability a child works. Ethnic minorities appear to work more than non-ethnic minorities, but most of this additional work can be explained by time

¹ In much of the literature on child labor, distinctions are made between children “working” and child “labor”. The former is often used to describe situations where children’s economic contribution is not harmful to their overall development while child “labor” describes situations where a child’s opportunities for development are being constrained by their work. In this paper we use the terms “labor” and “work” interchangeably.

² Glewwe and Jacoby (1998), in looking at retrospective school enrollment and labor market information in the 1993 VNLS, argue that schooling declined and formal labor market participation rates increased in Vietnam from 1986 to 1991. Unfortunately, there is no data available to link these patterns to changes in household economic status.

invariant household characteristics. Ethnic minorities constitute 14% of the population of Vietnam, but represent 29% of the poor. They have less access to infrastructure, social services and other resources (Baulch et al 2001). Girls experience smaller reductions in child labor than do boys. Older children experience greater reductions, but that appears to be because older children were more apt to work in 1993. Both a past migration history or the actual departure of a household head are associated with higher levels of child labor, and migrant households experience smaller declines in child labor than do non-migrant households. The creation of a new household business seems to be associated with smaller declines in child labor, although households that had a household business in 1993 experience larger reductions in child labor than other households.

Taken together, the results of this paper paint an optimistic picture for child labor in Vietnam. Children are doing better in 1998 than in 1993. Although there is substantial heterogeneity across households and regions in the amount by which they have reduced their child labor, we do not find any observable household characteristics that clearly indicate a failure to participate in the declines in child labor that we observe between 1993 and 1998. There is still ample scope for policy to help improve the well-being of children and there are groups of children who remain vulnerable even in the context of rising living standards. Some of the worst forms of child labor are not easily captured with household surveys. Nevertheless, for the average child in Vietnam who is represented in the VNLSS, there is every reason to be optimistic about their future.

II. The Child Labor Environment in the 1990s

A. Recent Trends in Child Labor

In this paper, we rely on the Vietnam Living Standards Surveys (VNLSS). There are two nationally representative rounds of the VNLSS. The first round conducted in 1992/93 interviewed 4800 households, collecting data on a wide variety of household characteristics and activities. The second round took place in 1997/98 and followed a similar questionnaire and field design. The

1997/98 round of the VNLSS was designed to be a nationally representative, stand-alone cross-sectional survey sampling 5999 households, but it also revisited 4305 households from the first round of the VNLSS. When our analysis is based on nationwide comparisons, we treat the two rounds of the VNLSS as separate, nationally representative (when appropriately weighted) cross-sectional surveys. We complete our descriptive work with regression analysis where we limit our sample to the panel households that appear in both rounds of the survey.

There are limitations associated with using the VNLSS to investigate patterns and trends in child labor. First, some of the most exploitative forms of child labor, such as child prostitution, are likely to be hidden because they are illegal. Second, the VNLSS collects little information on working conditions. Whether or not work is harming the development of a child lies partly in the nature of the work and the exposure to physically hazardous and/or psychologically stressful conditions. Because the VNLSS does not attempt to document working conditions and the data on hours worked in agriculture is not comparable between rounds, our quantitative analysis focuses on participation in work rather than working conditions. We supplement our analysis by drawing on a growing body of qualitative studies that examine issues around child labor. Third, some of the children who are laboring are likely to be hidden. Street children³, for example, are often not part of households and are therefore likely to be omitted from household surveys. Households of unregistered migrants are less likely to be included in the VNLSS (World Bank et al, 1999), though studies suggest that their children are more likely to work for a living (SCF (UK) 1999).

The VNLSS may also miss the labor activities of children who have left their household. Children who have been “trafficked” overseas are very likely to be working but, since they no longer reside in Vietnam, will not show up in household survey data. Likewise, there is a case

study literature documenting children leaving their parental home to stay and work with other families for periods of time, either in exchange for board, lodging, and education or to work for a wage as a domestic helper (SCF (UK), 1997; VN-Sweden MRDP, 1999). The work of these children may not be adequately captured by the data because these children very often remain both unregistered in the host family (survey respondents may not consider the child when listing household residents or members) and absent from the family home (SCF Sweden et al, 2000).

Fortunately, it is possible to assess the scale of this missing children problem with the VNLSS data. The 1993 survey collects a household roster of all individuals in the household at the time of the survey, and the 1998 survey asks about the location of each of those members. Of the children ages 10 and under (and thus between 5 and 15 in 1998) in the 1993 survey, 92% are still in the household in 1998. Of this missing 8%, 10% died. 56% of the dead are boys (in other countries, boys have been found to have slightly higher mortality rates). Of the surviving 421 children present in the household in 1993 but not in 1998, 365 (or 87%) moved out when their family moved. For the remaining 56 children, 31 (55%) are female. 11 of these females left the household for marriage (9 boys of the 25 boys left the household for marriage). Thus, out of 6003 sampled children between the ages of 0 and 10 in 1993 in panel households, a total of 36 appear to have left the household for reasons other than death, parental movements, or marriage. The reasons given for migration of these 36 children are evenly split between employment, schooling, and other. 9 out of the 20 girls report leaving home for employment whereas only 3 out of the 16 boys do. However, 8 of the 16 boys report leaving for "other" reasons (only 4 girls report other). Thus, although departing one's household for work is undoubtedly an important event in the lives of those children being sent away, this experience does not appear to be an integral part of the childhood

³ The term "street children" here is used to describe children who are working on the streets and who live on the street (with or away from their families) or who live in basic shelter away from their families or who return at night to live

experience of either the average boy or the average girl and is unlikely to substantively alter our conclusions.

The VNLSS surveys present several ways to define child labor. We present these in table 1. For each household member, age 6 and older, the VNLSS asks whether the person works for pay outside of the household (“works for wages outside of household”), works for the household in agriculture (“works in agr. for hh”), and works for the household in self-employment or a household run business (“works in bus. for hh”). Collectively, we refer to these three work categories as traditional work. The survey also asks whether a person performs household work and chores such as cleaning, cooking, washing, shopping, collecting water or wood, and building or maintaining the house, its surroundings, or furniture. Collectively, we refer to this set of activities as household work.⁴ The VNLSS collects data on participation in each of these activities for the last seven days and in the last twelve months. Throughout this paper, we focus on participation in the last seven days.

Table 1: Participation in Child Labor (in last 7 days) by Type of Work for Children 6-15 (%)

	1992/93		1997/98	
	Mean	S.E.	Mean	S.E.
Works for wages outside of household	2.3	0.3	1.3	0.2
Works in Agr. in Hh	25.6	1.6	19.3	1.7
Works in Bus. in Hh	4.4	0.6	2.6	0.4
Works in Traditional Work	30.7	1.5	22.0	1.6
Works in Household Work	52.8	1.2	53.0	1.6
Works	62.1	1.3	56.8	1.5

Population means weighted to reflect sampling probabilities. Standard errors corrected for clustered sample design. The 1992/93 data are from a sample of 6071 children 6-15 representing a population of 16,340,704. The 1997/98 data are from a sample of 7071 children 6-15 representing a population of 19,117,671.

with their families off the street. This is a mixed group of children with different vulnerabilities.

⁴ We are missing household work information for 47 children (0.4% of our total sample). 6 of these children report working in traditional work. Thus, throughout this paper when we consider participation in traditional work will we have 41 more children than when we consider work participation across all categories and 47 more children than when we consider work participation in household work. Because we are missing household hours for these 47 children, all hours worked observations contain 47 less children than does hours in traditional work.

Table 1 documents the economic activities of children 6-15 in both rounds of the VNLSS. The outstanding feature of table 1 is that a majority of children in Vietnam are engaged in some form of economic activity within the last seven days. This is true in both the 1993 and the 1998 rounds of the VNLSS. However, participation rates declines by 9% between the survey years from 62% to 57%. This decline is composed of a large (28%) decline in participation in traditional work and a small (0.4%), statistically insignificant increase in participation in household work.⁵ For the components of traditional work, children are most likely to be engaged in agricultural work within the household. The participation rate in agriculture within the household in 1993 is 26%. This declines to 19% in 1998, a 25% reduction relative to the 1993 level. Work outside of the household and work for a household business are rare with participation rates of 2% and 4% respectively in 1993. However, both these categories experience large, statistically significant percentage reductions. Work outside of the household declines by 44%. Work in a household business declines by 42%.

B. The Economic and Policy Context

These changes in child labor are taking place in a rapidly evolving economic and policy environment. The rural reforms of the late 1980's returned responsibility for agricultural production to the autonomous farming household and this reform is correlated with impressive growth in agricultural output. Over the 1990's agricultural GDP grew by nearly 5% per annum, prompting a rise of 60% in farm incomes between 1993 and 1998 (World Bank, 2000). The industrial sector has also been expanding rapidly, growing at 13% per year between 1993 and 1998. Policies that promoted capital-intensive industries and protected domestic markets have meant that

⁵ When we discuss changes in child labor through time, we will either consider percentage point changes which are calculated by subtracting the 1998 participation rate from the 1993 participation rate (i.e., the fraction of children working in traditional work drops by 8.7 percentage points) or percentage changes that are calculated by dividing the percentage point decline by the 1993 base (i.e., we find a 28% decline in participation in child labor).

industrial employment over this period grew relatively slowly (at approximately 4% per annum over the same period). The introduction of a new Enterprise Law in 2000 and recent announcements that the Government of Vietnam intends to embark on further reforms to create a stronger environment for enterprise and international trade suggest that a more labor intensive sector may develop rapidly over the coming years. Recent estimates based on GSO data suggest that 300,000 new jobs were created in the private sector during 2000 (World Bank estimates based on GSO data).

1. Education

Government policies in the post-Independence period have demonstrated a commitment to achieving universal primary education and to protecting children from exploitative situations. Vietnam entered the 1990's with net enrollment rates in primary school of 86% (Government of Vietnam, National Literacy Committee estimates). This emphasis on the provision of education was reinforced in 1991 by the introduction of the Law on the Universalisation of Education and in the 1992 Constitution, which asserts that primary education is both free and compulsory. Though it is the case that tuition fees are not charged for primary education, many sources have described the burdensome nature of a whole range of other costs associated with educating children (Actionaid, 1999; Oxfam GB, 1997; World Bank, 1999).

These studies suggest that the costs have become more onerous over the 1990s and that they are an important cause of interrupted education. Recent estimates using VNLSS data suggest that the costs of educating one student at primary level are equivalent to nearly 5% of non-food expenditure for a household in the lowest quintile of the population and that their primary school costs have risen between 1993-1998 (Government of Vietnam – Donor Working Group, 2000). Households in the lowest quintile are well below the poverty line. As such, any non-food expenditure diverts funds from basic consumption needs (World Bank et al, 1999). Much of the qualitative literature on child labor and working children in Vietnam tracks a path from household economic difficulties to

withdrawing children from school to, shortly afterwards, scaling up the economic activity of children as a strategy for coping with hardship (SCF(UK), 1998; SCF(UK), 1999; VN-Sweden MRDP, 1999).

Even though the costs of educating children can be considerable, enrollment rates in all levels of schooling have risen over the 1990's. Table 2 contains school enrollment rates by quintile and level of schooling for 1993 and 1998. In 1998, net enrollment in primary education (grades 1-5) was 91 percent with little difference between the enrollment rates of girls and boys. Enrollment in lower secondary school (grades 6-10) had climbed to 62 percent by 1997. However, poor children have generally lower enrollment rates at all levels of schooling in Table 2 and the quality of education services varies widely across the country. Moreover, Vietnam has one of the shortest primary school curricula in the world in terms of hours in the classroom (though this is currently under revision, following the National Assembly's adoption of resolution No 40/2000/QH on curriculum reform) and, particularly in rural areas, does not demand more than a few hours' attendance a day (DFID 2001). For many children, progress through primary school is fully compatible with a moderate amount of work, either inside or outside the household, paid or unpaid. In fact, for some children, the costs of pursuing education may necessitate economic activity.

Table 2: School enrollment rates by quintile in Vietnam, 1993-98 (%)

	<i>Primary</i>		<i>Lower sec</i>		<i>Upper sec</i>		<i>Post sec</i>	
	1993	1998	1993	1998	1993	1998	1993	1998
<i>Net enrollment rates</i>								
<i>Vietnam</i>	87	91	30	62	7	29	3	9
Poorest quintile	72	82	12	34	1	5	0	0
Richest quintile	96	96	55	91	21	64	9	29
<i>Gross enrollment rates</i>								
<i>Vietnam</i>	120	115	42	78	9	36	4	12
Poorest quintile	100	112	15	47	1	8	0	0
Richest quintile	130	104	77	105	24	75	13	37

Source: Nguyen Nguyet Nga (forthcoming), based on estimates from VNLSS1 and VNLSS2

A child only has so much available time, and time spent working may reduce time in school, time studying, or leisure time. A vast descriptive literature suggests that low levels of work are compatible with continued school enrollment, but as hours worked increase, schooling and work become incompatible. Even if school enrollment is compatible with child labor, work may still affect a child's human capital accumulation. First, a working child may be enrolled in school, but it is not clear that we observe time spent in class with enrollment information. Second, physically being in school is only a necessary, not sufficient, condition for learning. Work may limit the child's energy for school, or it may limit the child's ability to develop skills outside of the classroom. Third, even if working has no effect on schooling whatsoever, leisure is important in a child's development. Play enables a child to develop both its social and creative thinking skills. It is possible that this cost to a child could be even greater than the lack of general skill accumulation. Of course, the types of general skill that a child learns in school are not the only types of skill that are useful to a child. A child may use the skills it develops while working throughout its life. Thus, the relationship between schooling and child labor is very difficult to analyze. This fact is further complicated because we cannot separate whether a child works because it does not attend school or the child does not attend school because it works.

With this in mind, we look at school enrollment rates in 1993 and 1998 for different work categories. We can say nothing about the quality of time spent in school for working children, and we do not observe the working child's consumption of leisure. With these caveats, it seems useful to consider school enrollment rates by the type of work performed by a child. We also consider whether school enrollment rates differ by type of work through time. This is in table 3:

Table 3: School Enrollment by Age and Type of Work in Last 7 Days

	<u>All Ages</u>		<u>Ages 6-11</u>		<u>Ages 12-13</u>		<u>Ages 14-15</u>	
	1993	1998	1993	1998	1993	1998	1993	1998
Doesn't Work	83.3	92.3	83.7	92.9	88.3	93.3	67.0	85.8
Works for wages (outside)	15.9	7.5	46.2	39.9	32.4	16.2	4.5	4.0
Works in Agr in Hh	63.0	74.7	89.8	93.3	66.3	80.6	34.0	58.3
Works in Bus in Hh	48.9	59.7	86.8	90.1	58.8	62.9	28.1	51.4
Works in Traditional Work	59.3	70.2	89.5	92.6	63.2	76.9	30.9	53.3
Works in Household work	72.5	86.3	88.8	96.0	72.1	88.2	43.0	72.4
Works	71.8	84.7	89.2	95.5	70.7	86.7	41.6	69.6

In table 3, each cell is calculated by stratifying the sample by the each row. Hence, in the first row, we compute school enrollment rates for all children that do not work. In the third row, we compute school enrollment rates for all children that work in agriculture for their household. Any individual child can appear in multiple rows. For example, if a child works in agriculture and a household business, it is counted in both rows. The first two columns calculate school enrollment rates by year for all ages. The remaining columns compute school enrollment rates for children 6-11, 12-13, and 14-15.

Several interesting traits appear in table 3. First, school enrollment rates are generally highest for nonworking children. 88% of 12-13 year olds who do not work are enrolled in school in 1993, but only 71% of 12-13 year olds that work attend school in 1993. The only exception to this is for primary school age children (6-11). In this group, children who work report slightly higher enrollment rates, but this difference in enrollment rates for primary school age children is not statistically significant. Second, in both 1993 and 1998, children are least likely to attend school if they work outside of the household (only 8% of children in this group enroll in school in 1998) or if they work in a household run business. For a majority of children, it is possible to both enroll in school and work in agriculture or in household work. For children above the age of 11, however, children that work in any type of traditional work have enrollment rates that are below (statistically)

enrollment rates for children who do not work. Third, between 1993 and 1998, school enrollment rates increase across all rows of table 3 except for those children who work outside of the household. School enrollment rates are actually lower for children who work outside of the household in 1998, but this lower rate of school enrollment is only statistically significant at the 10% level for one age group: 12-13. Fourth, outside of ages 6-11, school enrollment rates increase between 1993 and 1998 by more for working children than nonworking children. Part of this may be attributable to the fact that school enrollment rates are bounded at 1, and they start off very close to 1 for non-workers in 1993. In addition, work could be becoming more compatible with schooling in 1998. One mechanism for this increase in the compatibility between schooling and working might be that a reduction in hours worked accompanies the reduction in work participation rates that we observe in this paper. Hence, in the VNLSS data we observe that older children who work are less likely to be enrolled in school than children that do not work, and we see that children who work become more likely to be enrolled in school through time.

2. Legislation

Vietnam was the second country in the world, and the first country in Asia, to sign the International Convention on the Rights of the Child in 1990. Article 32 of the Convention underscores the need for Governments to “recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous to or interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”. The Government of Vietnam has acted on this through a number of legislative and regulatory measures, seeking to maintain an uneasy balance between allowing children to contribute to their own survival in times of hardship and safeguarding the rights of children to physical and intellectual development. Of particular importance are the Law on Child Protection, Care and Education (1991); the 1992 Constitution of the Socialist Republic of Vietnam

(especially Article 65); the Labor Code (1994); many Decrees and Circulars which clarify specific issues in connection to child labor; and Decision No 134/1999/QĐ-TTg which approves the Program of Action to protect vulnerable children in the 1999-2002 period.

The outcome of these laws, decrees, regulations and instructions is a regulatory framework that outlines the key definitions and priorities in relation to child labor. A child is a person under the age of 18 (according to the Constitution), but Articles 119-122 of the Labor Code specify conditions under which adolescents or juniors (15-18 year-olds) may work legally. Restrictions that apply to the employment of 15-18 year-olds include:

- Not working more than 7 hours per day or 42 hours per week;
- Working under dangerous conditions⁶ ; and,
- Being forced to work or being involved in abusive or exploitative work.

Junior employees between the ages of 15 and 18 are entitled by law to the same wage as an adult, provided they are performing the same work. Children under the age of 15 are allowed to work in a very restricted range of activities specified by MOLISA (Circular No 21/1999/TT-BLĐTBXH), but are not permitted to work more than 4 hours per day or 24 hours per week, must be over the age of 12, and may only work with written consent of their parents or sponsors. The employer is obliged to ensure the child's schooling. Children under the age of 13 can be employed legally if they are being trained in certain occupations identified by the MOLISA (Decree No 90/CP).

The Government of Vietnam ratified the ILO Convention No 182 on the Worst Forms Of Child Labor in November 2000. As such the Government of Vietnam has indicated its commitment

⁶ Defined by Circular 09/TTLB, 13.4.95, issued by the Ministry of Labor, Invalids and Social Affairs and the Ministry of Health, specifies 13 harmful situations and 81 forbidden occupations.

to eliminating “the worst forms of child labor” as defined in Article 3 of Convention 182 and is in the process of drafting a plan to implement the requirements of Convention 182 (MOLISA, 2001).

Vietnamese tradition accords an important role for children within the households and, in common with many cultures, a moderate amount of work within the household can be considered positive for the physical, intellectual and personal development of children. This is legal as long as it is not harmful, dangerous or exploitative and it does not interfere with the completion of primary education (Institute of Labor Studies and University of Wollongong, 2000).

III. Winners and Losers Among Child Laborers in the Nineties

The allocation of child time is an important component of a household's decision-making process. The household must weigh the value of child time spent in many activities including schooling, wage work, work inside the household, and work in household chores or other components of household production. The value of child time in any of these activities may depend on both child and household attributes. In this section we consider how observable child and household characteristics are associated with the degree to which a household benefits from improved living standards in Vietnam in the 1990s.

A. Child Attributes: Age and Gender

The types of work that a child can perform vary with the child's age and may vary with the child's gender. A child age 6 is a less capable worker in most activities than is a child age 15. Sex-typing of economic and household activities can lead to different age/gender distributions of the activities of children. If boys and girls perform different types of activities, it is possible that they have been differentially affected by the changes that Vietnam has experienced in the 1990s. In this section, we consider changes in child labor by gender, then discuss gender differences by age.

Table 4 presents participation rates in various types of economic activities by gender. Girls are more likely to work than are boys in both rounds of the VNLSS. In traditional work, higher

participation rates appear to be driven by greater participation by girls in the household business. Also, girls are more apt to participate in household work, and this extra participation in household work than boys. Most of the large gender differences in participation in any form of work ("works") appear to owe substantially higher participation rates of girls in household work. The reduction (in percentage terms) in participation rates between the two rounds of the VNLSS is larger for boys, although the decline in levels of participation are nearly identical for boys and girls.

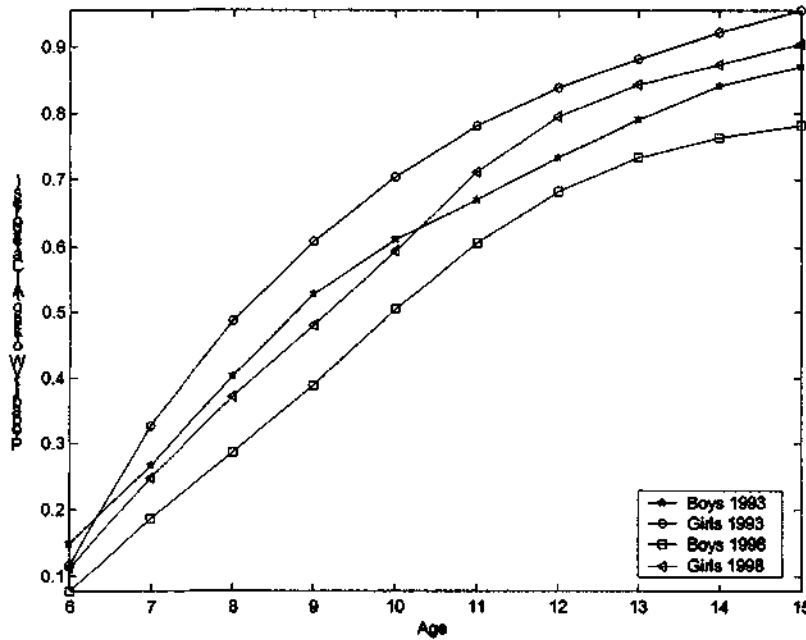
Table 4: Participation in Child Labor (in last 7 days) by Gender for Children 6-15

		<u>1992/93</u>		<u>1997/98</u>	
		Mean	S.E.	Mean	S.E.
Boys					
	Works for wages outside of household	2.2	0.3	1.2	0.2
	Works in Agr. in Hh	25.4	1.7	19.1	1.9
	Works in Bus. in Hh	3.6	0.5	2.5	0.5
	Works in Traditional Work	29.9	1.6	21.6	1.9
	Works in Household Work	45.2	1.6	46.8	1.8
	Works	57.9	1.6	52.5	1.8
Girls					
	Works for wages outside of household	2.4	0.4	1.4	0.3
	Works in Agr. in Hh	25.9	1.7	19.4	1.7
	Works in Bus. in Hh	5.3	0.7	2.7	0.5
	Works in Traditional Work	31.6	1.5	22.4	1.6
	Works in Household Work	60.7	1.3	59.6	1.6
	Works	66.5	1.3	61.3	1.6

However, the activities of boys and girls differ with their age. Hence, while there may be little difference between the way boys and girls as groups benefit from the growth in Vietnam in the 1990s, there may be important by age differences. Figure 1 presents child labor participation rates

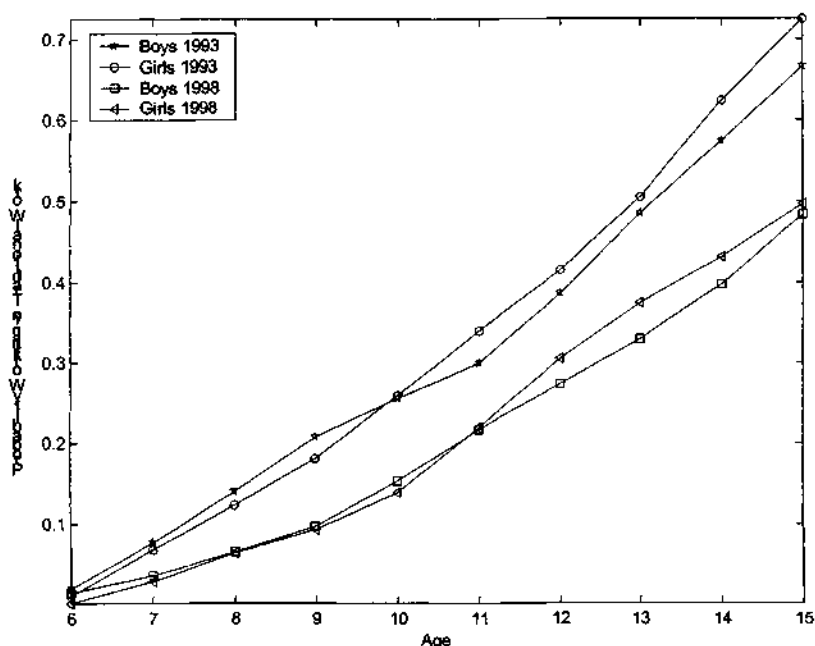
by age and gender.⁷ Throughout this paper, we examine figures similar to figure 1. Hence, it is important that the interpretation of figure 1 is clear. Figure 1A considers participation in all categories of work. Figure 1B only considers participation in traditional forms of work (the difference between the two being household work).

Figure 1: Participation in Work by Age and Gender
A. All Work Categories



⁷ Though the sample sizes in the VNLSS are relatively large, when we separate children by age and by gender, the number of children that we observe of a given age and gender becomes relatively small. Hence, we smooth our estimates of child labor participation rates using a nonparametric (local) regression smoother. The lines are local regression lines estimated with an Epanechnikov kernel and a bandwidth of .9. With such a small bandwidth, these regression lines look only slightly smoother than just the raw, by age, sample means. Later, when we bifurcate the sample by household characteristics where the number of children at a given age is very small, we use a larger bandwidth, and this regression procedure imposes more smoothing.

B. Traditional Work



Each line in figure 1 connects the participation rates by age for the group indicated in the legend. The vertical axis is labeled the "Probability of Working". It has the interpretation of being the fraction of children at a given age in a given group (e.g., boys 1993) who are working or of being the probability, upon observing a child at the indicated age in the given group, of finding that the child works. When multiplied by 100 these are identical to the labor participation rates in the tables.

The large drop in the probability that a child works as well as the improvements experienced by each gender is evident in these pictures. However, there are some interesting age/gender differences evident in figure 1. In figure 1A (all work categories), the largest drop in work probabilities appear between the ages of 8 to 10. These are primary school ages. The decline in work is smaller in older age groups, particularly for girls. However, for traditional work, the decline in labor participation is greatest for older (post-primary school) ages. In figure 1B, girls after the age of 11 are more likely to engage in traditional work than are boys although the

differences are very small. Both boys and girls experience a similarly large drop in participation rates in traditional work between 1993 and 1998. The magnitude of this drop (percentage point) increases with age. Since older children are substantially more likely to work in traditional work in 1993, it makes sense that they should experience the largest reductions over time.

The interpretation of these gender differences is complex. Boys and girls may have different economic opportunities open to them, and the value of their time outside of work may vary dramatically. Within the household, members may not agree on how to allocate child time. It is particularly important to recognize that the benefits from any particular decision may not accrue to those bearing the costs associated with that decision. This repeatedly emerges as a theme in studies on children in Vietnam. It is common, for example, to see one child (often a girl) withdrawn from school and set to work in order to allow the other children to carry on their education (SCF (UK) (1999)). Since an important part of the difference in work participation between boys and girls lies in their contribution to household work it is likely that the gender division of labor and gender-based inequities in decision-making within the household are important determining factors. We return to this issue in the conclusions.

There also appear to be gender differences in hours worked. Figure 2 examines the distribution of hours worked in nonagricultural traditional work for children that work. The questionnaires from the 1993 and 1998 VNLSS are virtually identical with respect to child labor except for a substantive change in the way hours worked in agriculture is collected. Consequently, we can only compare hours worked in wage work and work for the household business ("nonagricultural traditional work").

Figure 2: Distribution of Hours Worked in Nonagricultural Traditional Work

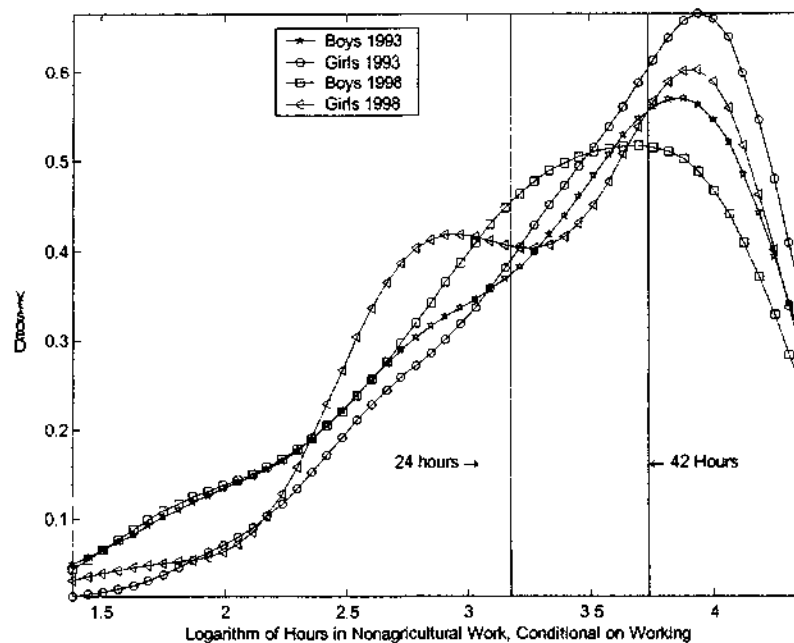


Figure 2 contains nonparametric estimates of the density of the logarithm of hours worked in the last week.⁸ We separately estimate the densities for 1993 and 1998 and boys and girls. Focusing first on the 1993 density estimates, we observe that the density of time spent working for girls is more concentrated than for boys. This is evident by the higher peak in excess of 42 hours of work in the last week. We find a greater mass of boys working less than 24 hours in 1993 and a greater fraction of girls working about 42 hours per week.

The distribution of hours worked changes significantly in 1998. For both boys and girls, we observe a drop in the mass of workers working in excess of 42 hours. We see an increase in the mass of boys who are working close to 24 hours per week. For girls, we see the emergence of two clear mass points in the 1998 distribution. The largest subset of girls work more than 42 hours per week (although the fraction of girls working 42 hours declines between the two years). However, in

⁸ Density estimates are kernel densities estimated with a Gaussian kernel and a bandwidth chosen by Silverman's rule of thumb (1986).

1998, we see a mass of girls working slightly less than 24 hours per week as well. We have not corrected the pictures in 1998 to reflect the fact that the probability of observing a child working in nonagricultural work is lower in 1998. Hence, the type of children pictured in the 1993 distribution might be different than the children remaining in the 1998 picture. Nevertheless, to the extent that the children working in nonagricultural work in 1993 and 1998 are comparable, the picture in figure 2 is consistent with many girls shifting their work from a large number of hours in 1993 to relatively few hours in 1998.

Figure 2 shows that a considerable number of those children, particularly girls, that work outside of agriculture are working hours above the legal limits set out in the Labor Code. 45% of these children are working in enterprises with five or less employees, but these legal limits are still relevant as indicators of what Vietnamese society and legislators have decided is acceptable within the specific social, cultural and economic context of Vietnam. The mean child who is working in nonagricultural traditional work in 1998 is still working 34 hours per week, above the legal maximum set by the Ministry of Labor, Invalids and Social Affairs (MOLISA) for children under the age of 15 years. These children could be described as vulnerable in the sense that their working arrangements might be restricting their wellbeing and interfering with their basic rights as identified in Article 32 of the International Convention of the Rights of the Child. The second peak at above 42 hours per week is especially worrying, since this exceeds by some margin the legal limits established for the 15-18 year age group and in our data, only 15% of the children who work more than 42 hours are even enrolled in school. A study of working children in Ho Chi Minh City (Viet Nam Youth Institute, 1999) corroborates this pattern, indicating that working hours for girls peaked at a higher level than for boys and at levels above the maximum limit set by law.

B. Residential Location

The distribution of improvements in living standards has been different across rural and urban areas of Vietnam (Glewwe and Nguyen 2000). For that reason alone, we might expect to see differences in the improvements in the child labor situation across rural and urban areas (or in even greater geographic detail). However, children also engage in different types of economic activities in rural and urban areas. Table 5 describes the types of activities undertaken by children of different gender and ages in Ho Chi Minh City, and table 6 considers the activities of children in rural Vietnam.

Table 5: Starting Age of Work of Children In Different Occupations (Ho Chi Minh City)

Children's Age											
6	7	8	9	10	11	12	13	14	15	16	17
Selling Lottery Tickets											
Peeling Onions (at home)											
Making Match Boxes (at home)											
Weaving Mats and Baskets (at home)											
Scavenging at the Dumpsite											
	Making shoes (support workers – local)										
		Bobbin Fillers (at weaving enterprises)									
		Catching Grasshoppers									
			Making Ball-Point Pens (boys)								
				Making Lanterns							
				Classifying Waste Plastic (at home)							
				Making Operating Parts of Lamps							
					Recycling Glass						
					Making Ball-Point Pens (girls)						
					Making Chains						
					Silk-Screen Printing						
					Making Bag Wheels						
					Selling Noodle Soup						
						Making Nem Chua (Fermented Pork)					
						Making Furniture & Wooden Art Products					
							Making Scales				
							Recycling Glue				
							Making Chalk				
							Recycling Plastic (boys)				
							Making Shoes (migrant support workers)				
								Making Plastic Sandals			
								Making Bicycle Tyres			
								Sorting/Recycling Plastic (at factories – girls)			
									Dyeing Materials		
										Catching Locusts	
6	7	8	9	10	11	12	13	14	15	16	17

Source: Save the Children (UK) (1999)

Table 6: Starting Age of Work of Children In Different Occupations (Rural North Central Region)

Children's Age												
4	5	6	7	8	9	10	11	12	13	14	15 ...	
Looking after younger siblings												
Sweep house and yard												
Watch house												
	Washes dishes											
	Feed chickens											
	Collect pig feed											
	Catch crabs, shrimp and snails											
	Dig up worms for ducks											
	Wash clothes											
	Cook food for humans											
	Cook food for pigs											
	Feed pigs											
		Fetch fuelwood										
			Boil water									
			Dry paddy									
			Process cassava									
				Tend cows and buffalos								
				Collect grass								
				Fetch water								
				Collect cattle manure								
				Harvest rice								
					Transplant rice							
						Weed and irrigate crops						
						Plough and harrow fields						
						Collect firewood from forest						
							Mill and husk paddy					
								Wage labor				
										Go fishing		
										Migrate		
4	5	6	7	8	9	10	11	12	13	14	15 ...	

Source: Save the Children (UK) (1997)

Both tables are taken from participatory research with working children in different locations of Vietnam. The scope of activities open to children in rural areas at earlier ages is much greater. Thus because of both the nature of the economic change in Vietnam and differences in the

activities of children between rural and urban areas, it is important to examine differences in child labor improvements by geographic area. We begin considering rural and urban differences. Then, we refine our discussion to consider differences across the ten main geographic regions in Vietnam.

Table 7: Participation in Child Labor (in last 7 days) by Residential Location for Children 6-15

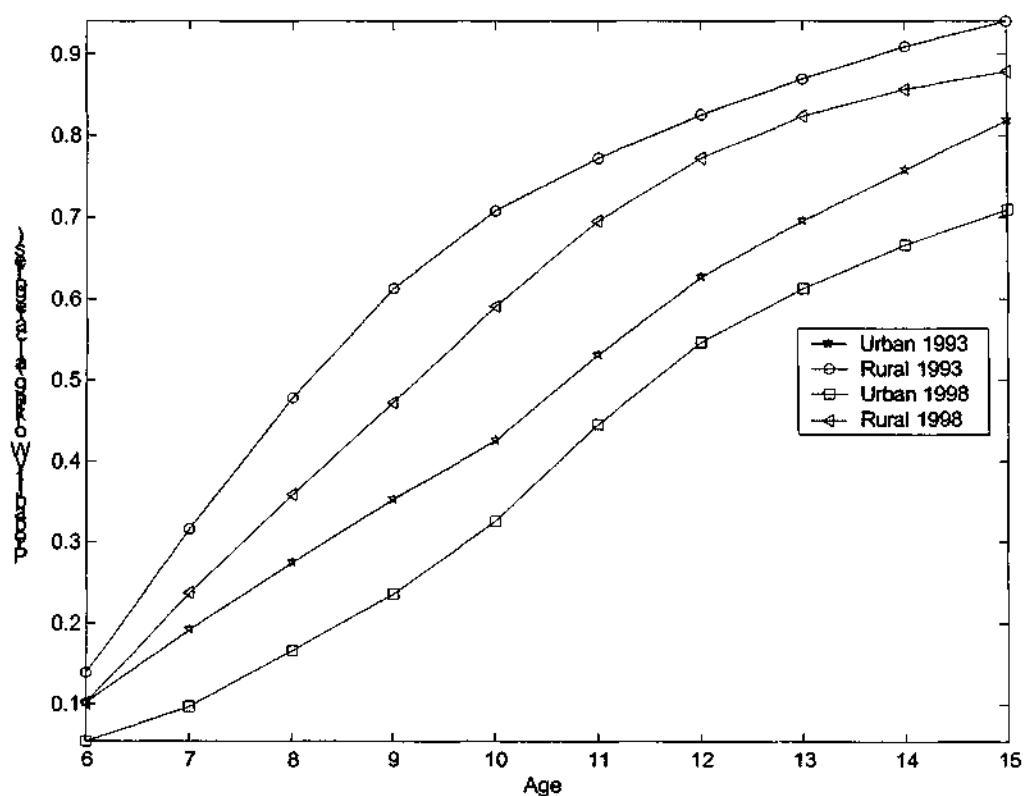
	<u>1992/93</u>		<u>1997/98</u>	
	Mean	S.E.	Mean	S.E.
Urban				
Works for wages outside of household	2.8	0.5	1.7	0.5
Works in Agr. in Hh	7.1	2.2	2.8	1.4
Works in Bus. in Hh	5.4	1.1	1.6	0.4
Works in Traditional Work	14.9	2.5	6.1	1.5
Works in Household Work	44.3	3.3	40.5	2.6
Works	48.7	3.4	42.2	2.6
Rural				
Works for wages outside of household	2.2	0.3	1.2	0.2
Works in Agr. in Hh	29.8	1.8	22.7	2.0
Works in Bus. in Hh	4.2	0.6	2.8	0.5
Works in Traditional Work	34.3	1.7	25.3	1.9
Works in Household Work	54.7	1.3	55.7	1.8
Works	65.1	1.4	59.8	1.8

Table 7 considers participation in each of the different work categories by geographic location. Participation rates are much higher in rural areas than in urban areas. This is true in both traditional work and household work. The extra participation in traditional work appears to be primarily in agriculture as children seem to have similar levels of participation in wage work or in household businesses in both urban and rural areas. The reduction in work participation rates through time is slightly greater in percentage terms in urban areas, although that appears to be largely because the probability that a child worked in urban areas in 1993 was smaller. One place where there is a notable difference in the changes in child labor through time between rural and urban areas is in the probability that a child works in a household business. Participation rates in a household business for a child in an urban area drops by 70% to 0.02 between 1993 and 1998. In rural areas, the incidence of working in a household business drops by 34%. This larger decline in

urban areas occurs despite generally higher participation rates in household businesses in urban areas in 1993. This may be the result of increases in rural, nonfarm enterprises⁹. We return to this issue below.

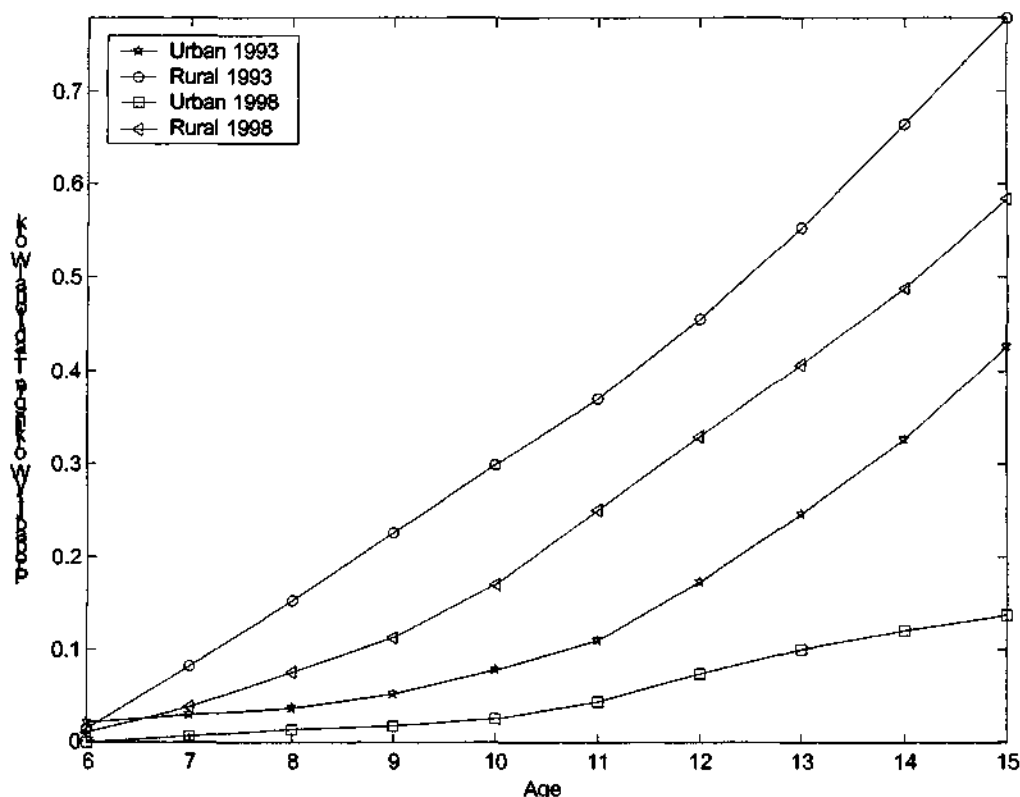
The description of child work in tables 5 and 6 suggest that there are important differences associated with age in the allocation of child time between urban and rural areas. Thus, we consider work participation rates by age. Figure 3 replicates the methodology that we employed in figure 1 (by age and gender pictures). Each line in figure 3 represents a separate regression for each urban and rural region as well as each round of the survey.

Figure 3: Participation in Work by Age and Location
A. All Work Categories



⁹ Vijverberg and Haughton (2001) examines the growth and survival of household enterprises in more depth.

B. Traditional Work



Children in rural areas are much more likely to work, at every age, than are children in urban areas. Considering all forms of work (figure 3A), urban-rural differences in work probabilities appear largest for children age 8 to 11. It is this same group where we observe the largest reductions in work probabilities for rural areas between the 1993 and 1998 rounds of the VNLSS. Urban areas appear to experience an approximately uniform reduction in work probabilities between 1993 and 1998. Consequently, for children ages 8 to 11, rural-urban differences appear to decrease between 1993 and 1998, while for older children they appear almost unchanged.

When we consider traditional work (figure 3B), the evidence looks different. Here, the probability of working appears to decline more for older children in both rural and urban areas. Older children are much more likely to engage in traditional work, so it is not surprising that they would experience greater reductions in the probability of working in traditional work. As with all

forms of work, children in rural households are more likely to engage in traditional work at every age past 6. However, the largest reductions in traditional work appear to take place among older, urban children. Recent work on poverty in Vietnam shows how per capita expenditures in urban areas have risen twice as fast (by 9.9 percent per annum) over the 1993-1998 period as per capita expenditures in rural areas which rose at 5.4 percent per annum (World Bank et al, 1999). Given the strong correlation between household economic status and child labor participation documented by Edmonds (2001), these large reductions in traditional work for older, urban children are likely the result of the relatively high economic growth rates in urban areas.

Comparing households in different settings is difficult, because it is not unreasonable to argue that households in rural areas are fundamentally different than households in urban settings. The consequences of improvements in standards of living may be very different in the two different environments. Nevertheless, we wish to be able to compare improvements in child labor in one geographic region to another or in cities to towns to the countryside. In order to make this comparison, we employ a linear regression framework where we can control for many of the differences across households in Vietnam. In each regression, our dependent variable is an indicator that is 1 if a child works (in all work or in traditional work) and 0 otherwise. We estimate each regression using the linear probability model and control for differences associated with a child's age, gender, and the year of observation in each regression.¹⁰

In table 8, we consider how changes in child labor vary across the 10 main administrative regions of Vietnam. In addition to the age, gender, and year controls, we also control for time invariant household characteristics by including household fixed effects. These household fixed effects control for factors such as the remoteness of a household's location, its ethnicity, the

¹⁰ Age and gender differences are controlled for by a quadratic in age and gender plus all interactions. Standard errors are corrected for commune (psu) / survey round clustering and arbitrary heteroskedasticity.

household's size (but not changes in household size), the education of the head of the household, or any other household traits that do not change over time. Throughout this study, our regression results aim to document differences in declines in child labor across observable household characteristics. Our results should not be interpreted as the impact of any given characteristic on child labor. For example, the largest declines in child labor are in the Mekong River Delta. If we picked up a household from the Central Highlands and moved it to the Mekong River Delta, we do not have any reason to believe that the Central Highlands household would experience the same decline in child labor as other households in the Mekong.

**Table 8: Regional Differences in the Decline in Child Labor
Linear Probability Model, Household Fixed Effects Results**

Dependent Variable:	All Work		Traditional Work	
	Coef.	s.e.	Coef.	s.e.
Change in Rural Mekong River Delta Changes Relative to the Rural Mekong	-0.250	(0.033)**	-0.181	(0.023)**
Urban Areas				
Major Urban	0.191	(0.078)**	-0.024	(0.034)
Minor Cities	0.029	(0.056)	-0.027	(0.050)
Provincial Towns	-0.023	(0.063)	-0.026	(0.036)
Rural Areas				
N. Mt & Midlands	0.077	(0.041)*	-0.020	(0.047)
Red River	0.143	(0.050)**	0.066	(0.041)
N Central Coast	0.048	(0.051)	0.131	(0.051)**
S Central Coast	0.207	(0.051)**	0.073	(0.061)
Central Highlands	0.287	(0.095)**	0.079	(0.074)
Southeast	0.038	(0.059)	0.083	(0.038)**
Adjusted R2	0.432		0.410	

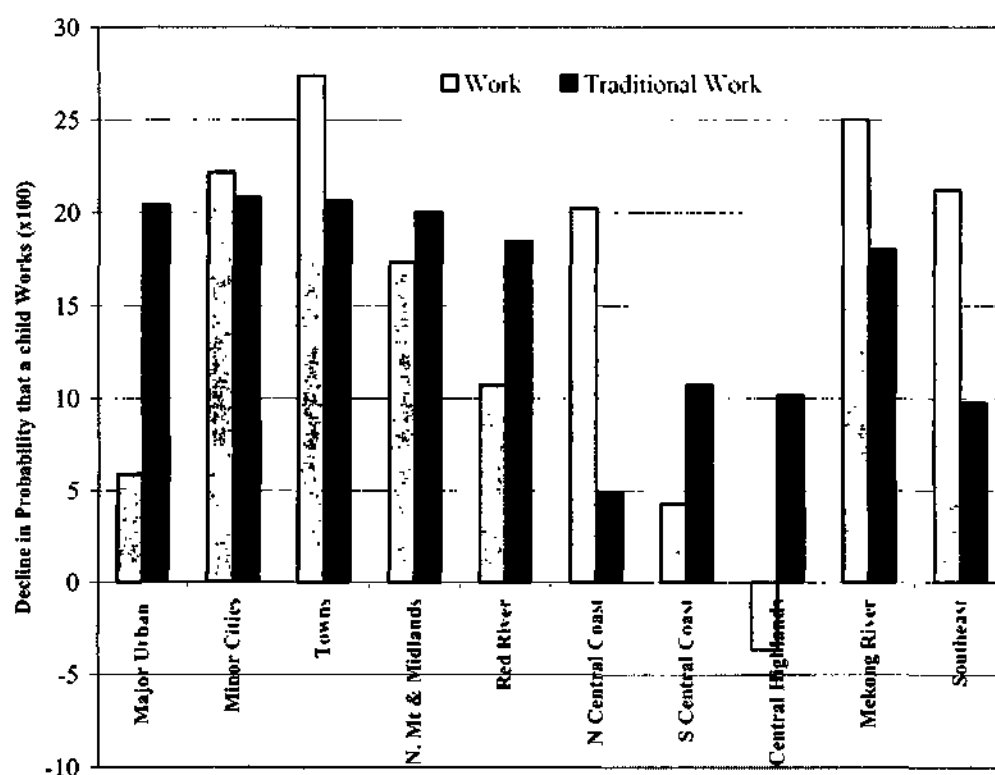
* is significant at 10%. ** is significant at 5%. Standard errors in parenthesis. All regressions include a quadratic in age and gender, a constant, a year effect, and household fixed effects. Standard errors are corrected for arbitrary heteroskedasticity and the cluster / time design of the survey.

In table 8, we show the change in child labor that occurs in the rural Mekong River Delta and the additional changes (relative to the Mekong) that occur in other administrative regions. Thus, in column 1, the probability that a child works in any type of work declines by .25 (or 25 percentage points) in the rural Mekong River Delta after controlling for household fixed effects and

child attributes. On the other hand, the probability in major urban areas that a child works in any type of work declines by only .059 (5.9 percentage points: $-.250 + .191$). For all forms of work (column 1), we find that most areas of Vietnam decrease their child labor by less than the rural Mekong River Delta. The particularly large declines in child labor in the rural Mekong may stem in part from Vietnam's integration into world rice markets (Edmonds and Pavcnik 2001). The only place that experiences larger reductions than the Mekong is in provincial towns. However, for traditional work, major urban areas, minor cities, and provincial towns all decrease the probability that their children work by more than the rural Mekong River Delta.

We can calculate the percentage point change for each of the regions in table 8 in both all work and traditional work for every region. We present these changes graphically in figure 4:

Figure 4: Reductions in the Probability that a Child Works (in last 7 days) by Region, Household Fixed Effects Results



Provincial towns have experienced the largest reductions in both categories of work. On the other hand, we find an increase in the probability that a child works in the rural Central Highlands. The Central Highlands is the second poorest region in Vietnam with more than half the population living below the poverty line in 1998¹¹. The incidence of “hunger poverty” barely fell at all in the period between the two surveys and the poverty gap index shows poverty to be deeper here than elsewhere in the country (Government of Vietnam, 1999; World Bank et al, 1999). School enrollment rates are lower in the Central Highlands than elsewhere in the country for all levels of education (Nga, forthcoming). The difference that we observe between traditional work and household work implies that this increase in work probabilities in the Central Highlands is driven by participation in household work, but there is an active labor market associated with the coffee plantations in the rural Central Highlands, and it is possible that this influences the results here. This could be the case if increased demand for adult labor shifts the burden of household work on to children. Also, the rural Central Highlands is a destination for migrant agricultural workers (including children) during the coffee harvest (SCF(UK), 1997) and this may also contribute to the unusual result here. There is also a concentration of ethnic minorities in the rural Central Highlands. Later, we find that the slight increase in children who work in the Central Highlands is not the result of the greater presence of minorities in the Central Highlands.

C. Other Household Characteristics

1. Living Standards

The effect of improvements in living standards on child labor has received substantial recent attention. Ample qualitative studies suggest that improvements in living standards in Vietnam have enabled children to work less. Interviews with working children in a range of different situations and locations identify the strong causal link between poverty and child labor. Though these studies

¹¹ The poverty headcount and the incidence of food poverty here are calculated based on VNLSS consumption data. 31

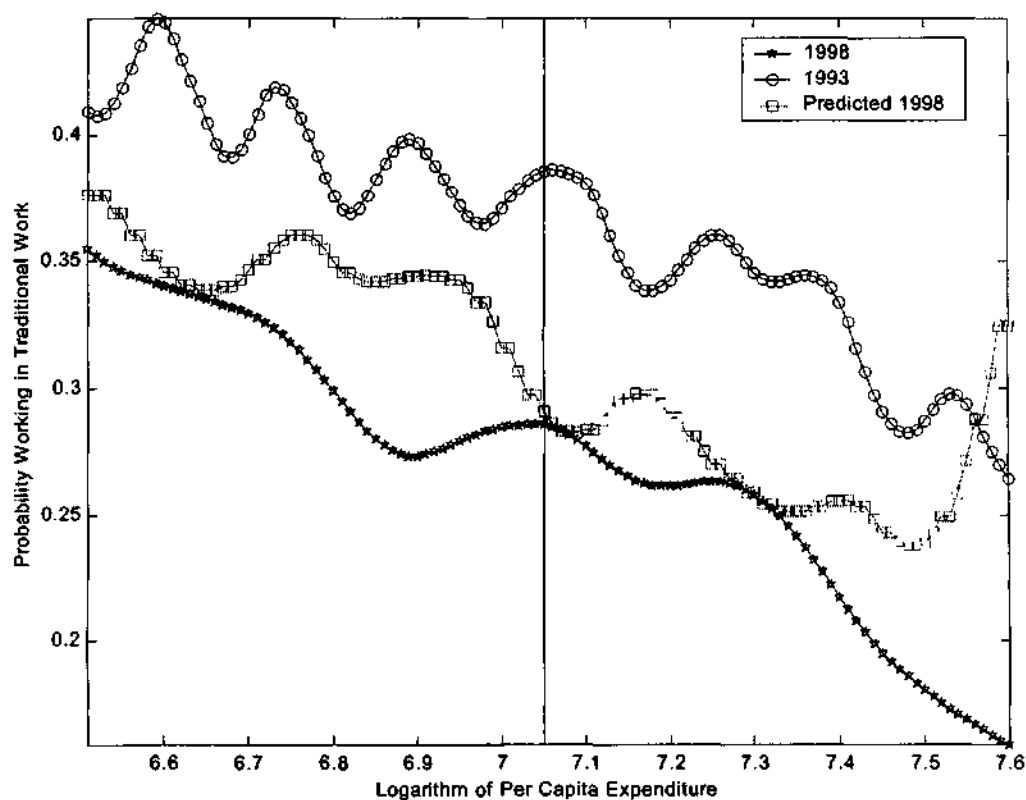
do not really permit authoritative quantification, they do indicate that the primary reason for leaving home to find work is grinding poverty for at least three quarters of the respondents. Very often this is tied in discussion to the need to assist families in paying of debts and servicing debt interest payments. These debts have often been acquired in response to a health crisis or other shock in the household (ILO/IPEC, 2000; Bond and Hayter, 1998) or to invest in housing (Youth Research Institute et al, 1999).

The experiences of households in the VNLSS appear consistent with this qualitative literature. In the VNLSS, we measure household living standards with the logarithm of per capita expenditure. There are two justifications for looking at expenditure rather than income. First, most households do not participate exclusively in formal labor markets. Hence, calculating income is very difficult. Second, while income is variable, households tend to try and smooth consumption through time, and the expenditure measure in the VNLSS is designed to approximate household consumption. In the extreme, the permanent income hypothesis suggests that households consume their permanent income so that consumption represents the household's information about the income path before it.

Edmonds (2001) studies the relationship between living standards and child labor in the VNLSS, and his results are reproduced here. First (using nonparametric regression techniques), he calculates participation rates in traditional work across the entire range of the per capita expenditure distribution. His estimates for children in rural (A) and urban (B) households are in figure 5. Actual participation rates in 1993 are at the top of each picture (marked with a 'o'), and 1998 participation rates are at the bottom of each picture (labeled with a '*'). Second, using the VNLSS, Edmonds calculates by how much living standards improve for each household between 1993 and 1998. He then uses the cross-sectional relationship between child labor and living standards from 1993 (the 'o' line) to predict what child labor should be in 1998 based only on improvements in

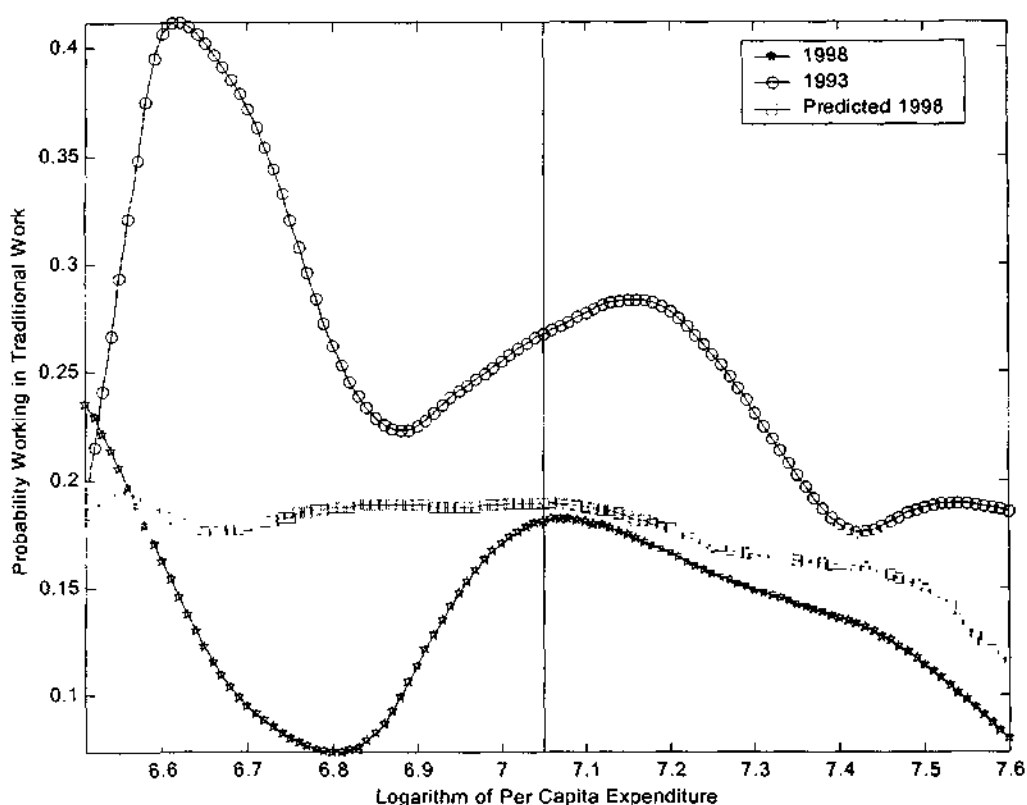
living standards. This prediction is the middle line in both graphs of figure 5 and is marked with a square. The vertical line in figure 5 is the 1993 poverty line.

Figure 5: Living Standards and the Decline in Child Labor
A. Rural Households



source: Edmonds(2001)

B. Urban Households



Generated for this study based on the methodology in Edmonds (2001)

Most of the decline in child labor experienced in Vietnam in the 1990s can be explained by improvements in living standards. For rural households at the poverty line, living standards can explain most (94%) of the drop in child labor. Improvements in living standards do less well for households below the poverty line in 1993. In urban households, living standards improvements can explain 91% of the decline in child labor in urban households at the poverty line in 1993, and they can account for 67% of the fall in child labor experienced in households that are within one standard deviation (of 1993 per capita expenditure) of the poverty line. Above the poverty line, living standards improvements also explain most of the drop in child labor in urban households. Improvements in living standards vary a great deal across households in Vietnam, and in the

remainder of this paper, we consider how improvements in child labor vary across different subgroups of the population.

2. Migration

Many case studies highlight migrants as a particularly vulnerable group in Vietnam. A participatory poverty assessment in Ho Chi Minh City (SCF (UK) 1999) illustrated the multiple disadvantages faced by migrants, particularly those who lack official registration. Official registration can be important in determining the access of migrant children to mainstream education and the access of migrant families to subsidized health care and credit facilities (World Bank et al 1999). Migrants are often moving as a result of economic circumstances, so we expect children in migrant households to be more apt to need to work. In addition, the process of migration itself may influence the likelihood that a child works because of the disruption in the child's life associated with the move.

Figure 6 considers the relationship between work participation and whether or not the household head has ever moved. We define a household where the head has ever moved as a "migrant" household.¹² Households that have moved are more likely to have children work in both traditional and all forms of work in both 1993 and 1998. When we consider work as traditional and household work (figure 6A), we find that participation rates in child work are very similar in-migrant and nonmigrant households for all ages in 1993. In fact, for children age ten and above, the probability that a child works appears virtually identical across migrant and non-migrant households. In 1998, however, we observe much larger differences between migrant and non-migrant households. This difference owes to large declines in the probability that a child works in

¹² In practice, most households that report the head having ever moved report doing so within the last 5 years. Hence, using a more narrow definition does not affect our conclusions.

non-migrant households. Further, the distinction between migrant and non-migrant households appears to increase especially for ages 11-14 (part of the group that looks identical in 1993).

Figure 6: Participation in Work by Age and Migration Status of Head
A. All Work Categories

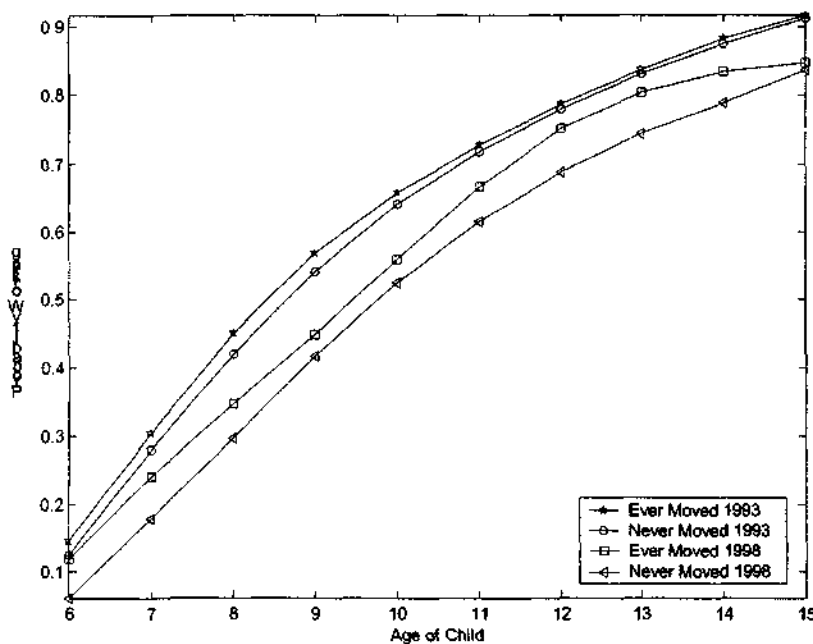
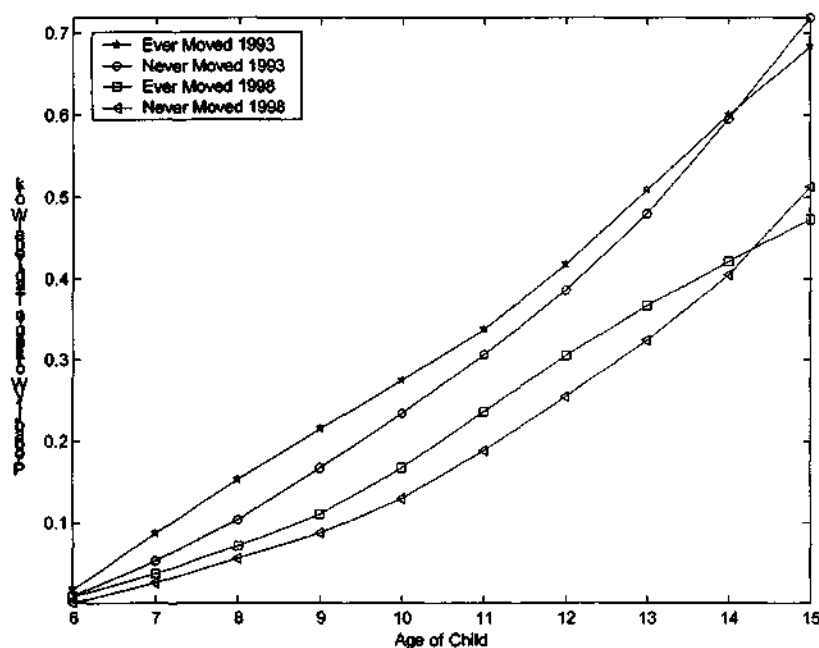


Figure 6B presents the probability that a child works in traditional work by age and migration. We observe declines in the probability that the child works in traditional for both types of households much as we have seen throughout this paper. In traditional work, we observe greater drops in participation in traditional work for non-migrant children between the ages of 10 and 13. Interestingly, for 15 year olds, migrant households actually have a slightly reduced probability of working in traditional work.

B. Traditional Work



Of course, heads that have moved are likely substantively different than heads who have never moved. Hence, we return to our regression methodology described in the context of table 8. These results are in table 9. Columns 1-4 focus on participation in all forms of work as in figure 6A and columns 5 and 6 are for participation in traditional work only. To gauge the relative changes in child labor for households who heads have ever moved in 1993, we include a variable that is the interaction of head ever moved before 1993 and a variable to indicate that an observation is from 1998. Hence, the interpretation of the first row in table 9 is the change in child labor participation experienced by a household where a head ever moved before 1993 relative to the change in child labor experience by households where the head has never moved. Thus a positive regression coefficient indicates smaller declines in child labor for households where the head moved and a negative coefficient indicates larger declines for ever-movers.

Table 9: Adult Migration History and Child Labor (in last 7 days)**Linear Probability Results**

Dependent Variable:	All Work			Traditional Work		
	(1)	(2)	(3)	(4)	(5)	(6)
Head Ever Moved*1998	0.017 (0.019)	-0.011 (0.013)	-0.003 (0.022)		-0.028 (0.020)	
Father Resident				0.028 (0.038)		-0.036 (0.028)
Mother Resident				-0.016 (0.046)		0.038 (0.037)
Head Move				0.059** (0.020)		0.034* (0.020)
Commune Effects	No	Yes	No	No	No	No
Household Effects	No	No	Yes	Yes	Yes	Yes
Region*Time Effects	No	Yes	Yes	Yes	Yes	Yes
Adjusted R2	0.260	0.372	0.431	0.432	0.410	0.410

* is significant at 10%. ** is significant at 5%. Standard errors in parenthesis. Standard errors are corrected for arbitrary heteroskedasticity and the cluster / time design of the survey. All regressions include a quadratic in age and gender, a constant, and a year effect. Head ever moved is an indicator for if the head in 1993 reported ever having moved. It is interacted with the year effect for 1998. Hence it has the interpretation of being the extra change in child labor in households where the head had moved before 1993 in addition to the general decline in the population.

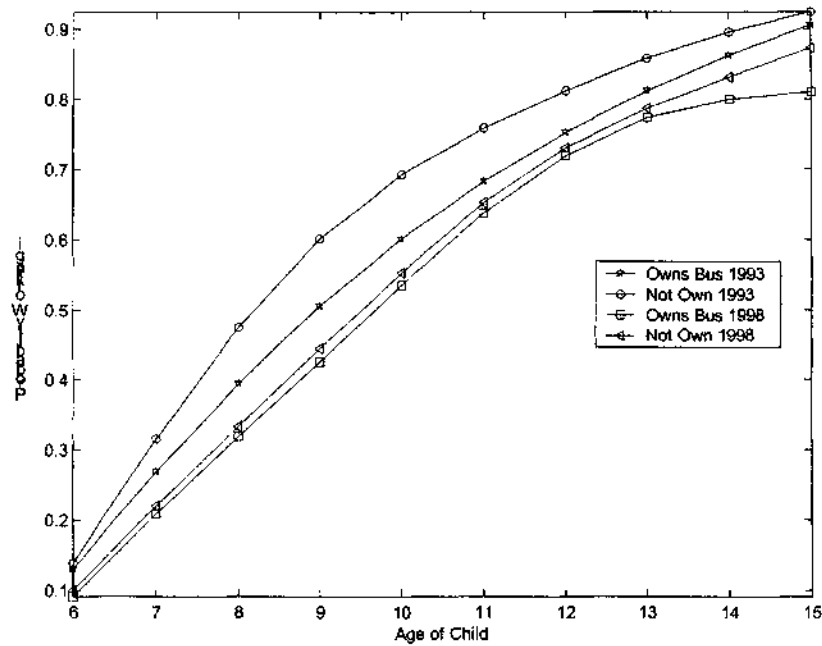
After controlling for child characteristics, we find in column 1 of table 9 that households where the head has ever moved experience smaller declines in child labor. However, households with a head who has moved may be located in different areas than households where the head has never moved. For example, there may be more people who have moved in cities than in remote rural areas. Hence, in column 2, we control for differences in the residential location of ever movers with commune fixed effects. We also control for differences across regions in the declines in child labor with region * time effects (these are the regression coefficients in table 8). After controlling for differences in the location of movers, our results change. In column 2, we observe greater reductions in ever-mover households. Controlling for household differences (in column 3), attenuates the relationship between ever movers and child labor further. Hence, most of the differences in figure 6 appear to owe more to differences in the location of households with heads who have moved rather than being something intrinsic about moving itself. We observe a similar result for traditional work in column 5.

In general, the VNLSS does not capture households that move between 1993 and 1998. However, we do observe households where 1 or more members have departed or returned. In columns 4 (all work) and 6 (traditional work), we examine the effect on child labor of having the residency patterns of parents or the household head change. We observe a substantially smaller decline in child labor in households where the head has changed between rounds of the VNLSS. This smaller decline in child labor appears to be in both household work and traditional work, because we observe a significant, but slightly smaller effect of changes in the head on traditional work. It is obviously not clear whether this additional work in households that have migrant heads is directly attributable to the departure of the head or if there are common factors that cause both.

3. Enterprise Ownership

Whether or not a household owns a business is likely to influence the economic activities of children. It is easier for a child to work inside its home than for an outside employer, so we might expect to see more child labor in households with home enterprises. Further, it is often easier for children to begin to contribute to home enterprises at an earlier age than it is for a child to perform the manual labor of agriculture. On the other hand, generally richer households can afford to start home enterprises. Wealthier households often enjoy better access to formal financial services and information, both of which are important in the establishment of household enterprises (World Bank, 1999). We consider three issues here. First, are households with home enterprises more likely to have children work? Second, are changes in child labor different in households with and without a home enterprise? Third, are changes in child labor associated with changes in home enterprises?

Figure 7: Participation in Work by Age and Household Enterprises
A. All Work Categories



B. Traditional Work

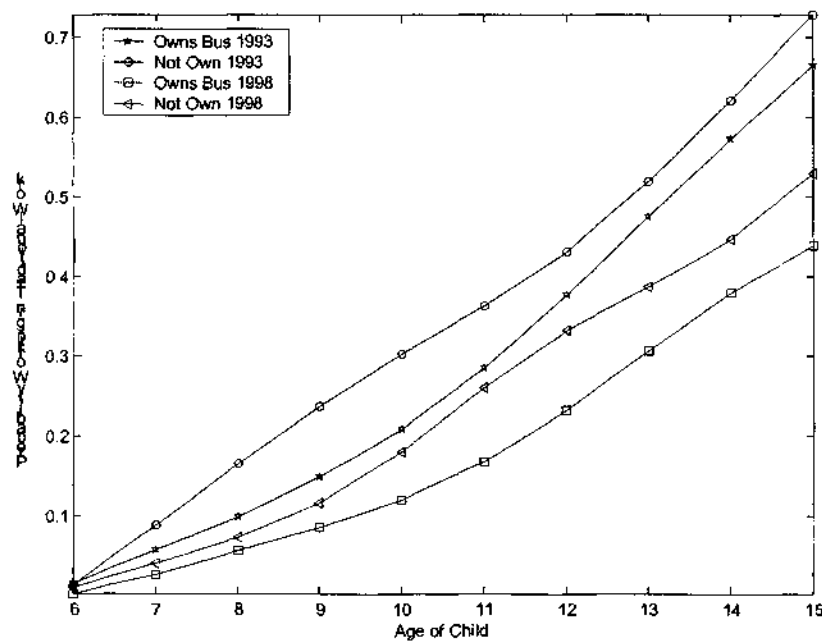


Figure seven considers the probability that a child works by whether the household operates its own enterprise. As we have seen in every picture, we see uniformly lower probabilities that a

child works in 1998 for both traditional and all work participation rates. There are two interesting characteristics that are unique to figure 7. First, in both work categories and years, children in households without a household business work more than children in households with a household business. This is difficult to explain, but we suspect (and find supporting evidence in the next paragraph) that this result is attributable to the fact that households with family businesses live in richer areas and are richer on average than households that do not operate a family business. Second, in 1998, the difference between households with and without a family business is greater in traditional work than in all work. This suggests that children that are performing generally less traditional work in households with a business must be contributing more household work in 1998 than are children in households without business. This extra household work in households with businesses in 1998 appears especially large for children between the ages of 9 and 13.

Much of the extra decline in child labor associated with the ownership of a household business appears to come from the location of household enterprises. In table 10, we return to the regression approach employed in table 9. In columns 1 and 4 for all work and traditional work respectively, we control for age, gender, and year of survey differences. We find greater declines in child labor in nonfarm, rural households and in households that own a business. In fact, the probability that a child works in all work categories is a statistically significant 6.6 percentage points lower in a rural, nonfarm household that own a business works than in a rural farm household. As in figure 7, the incidence of traditional work is even lower. However, once we control for commune differences and region*time differences, we actually observe slightly higher, but not significantly different than zero, rates of participation in both all work and traditional work.

Table 10: Enterprise Ownership and Child Labor (in last 7 days)
Linear Probability Results

Dependent Variable:	<u>All Work</u>			<u>Traditional Work</u>		
	(1)	(2)	(3)	(4)	(5)	(6)
Nonfarm, Rural HH	-0.031 (0.023)	-0.023 (0.015)		-0.074** (0.018)	-0.056** (0.016)	
Owens Business	-0.035** (0.014)	0.009 (0.010)	0.039** (0.017)	-0.040** (0.014)	0.005 (0.011)	0.036* (0.020)
Commune Effects	No	Yes	No	No	Yes	No
Household Effects	No	No	Yes	No	No	Yes
Region*Time Effects	No	Yes	Yes	No	Yes	Yes
Adjusted R2	0.263	0.372	0.432	0.199	0.353	0.410

* is significant at 10%. ** is significant at 5%. Standard errors in parenthesis. Standard errors are corrected for arbitrary heteroskedasticity and the cluster / time design of the survey. All regressions include a quadratic in age and gender, a constant, and a year effect.

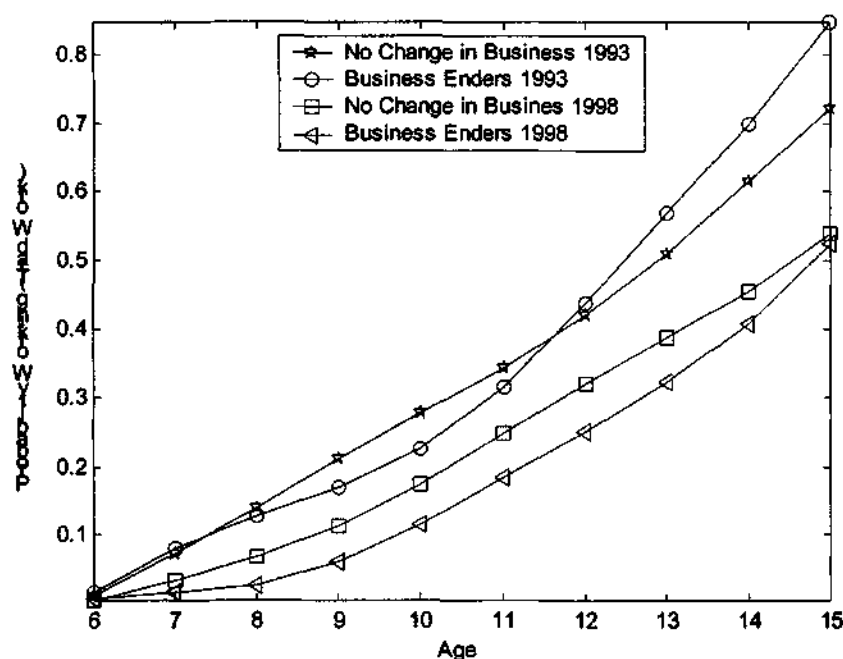
While we cannot reject the hypothesis that the differences in child labor associated with enterprise ownership observed in figure 7 stem from differences in the location of enterprises, we find strong evidence that changes in household enterprise status are associated with changes in the economic activities of children. In column 3 and 6 of table 10, we control for household differences with household fixed effects, and we also include a variable that indicates whether a household owns a business. With the household fixed effect, the coefficient on this variable is interpreted as how a change in whether the household owns a business is associated with changes in child labor. In both traditional work and household work, creating a new household business between rounds of the VNLSS is associated with smaller reductions in the probability that a child works. The effect of owning a household business is slightly larger for all work than for traditional work. Thus, the creation of a household business seems to lead to more work (relative to a child in a household that did not create a business) for children in both traditional and household work.

The changes in household businesses that take place between 1993 and 1998 involve both openings and closings. Thus, the finding that creating a household business leads to more work relative to a child in a household that did not open a business also implies that closing a household business is associated with a larger decline in the probability that a child works. In figure 8, we

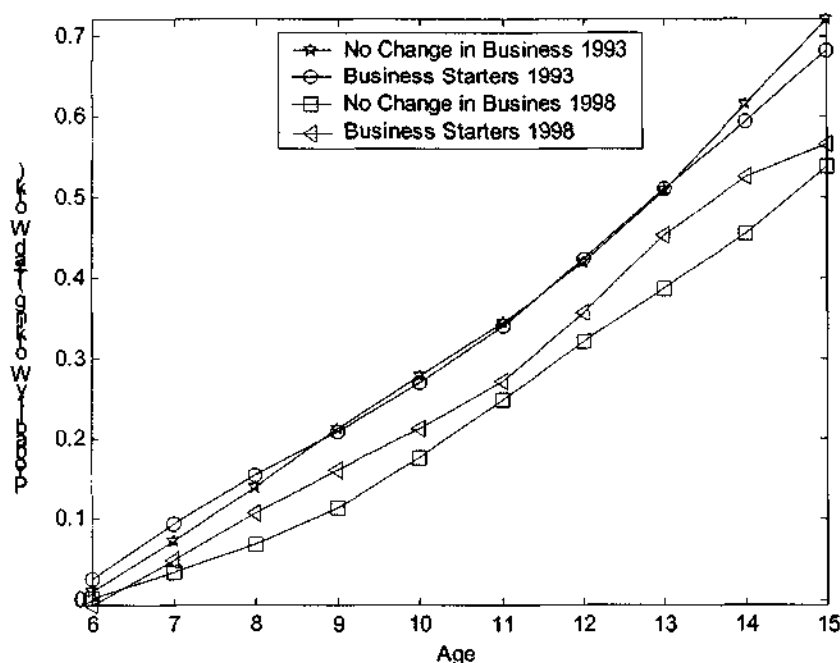
compare children in households that open and close a family business between the 1993 and 1998 rounds of the VNLSS to children in households that had no change in the family business.

Figure 8A compares children in households with businesses that closed between 1993 and 1998 (more precisely, the household reported at least one enterprise in 1993 and did not report any enterprises in 1998) to children in households that did not change their household enterprise status. Figure 8B compares children in households with businesses that opened (no enterprise reported in 1993; at least one enterprise reported in 1998) to children in households that did not change.

Figure 8: Participation in Traditional Work by Age and Household Enterprise Change
A. Close Business



B. Open Business



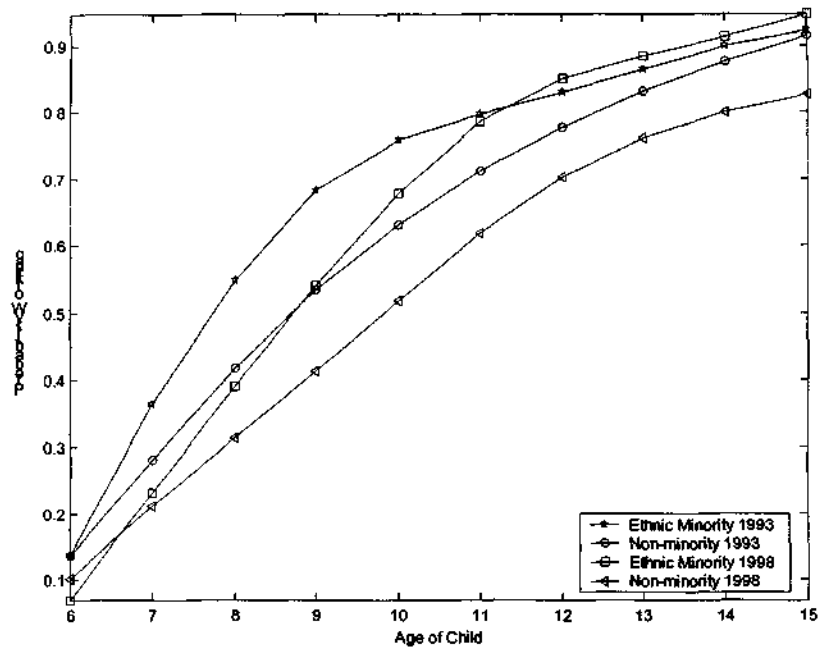
Two interesting trends emerge from figure 8. First, (in figure 8A) households whose businesses end between 1993 and 1998 experience larger reductions in the probability that children 12-15 participate in traditional work than households without a change in enterprise status. Younger children appear to experience approximately the same drop in households that close and do not close businesses. This large drop in child labor for older children in households that close their business appears to come from the fact that these older children in 1993 are more likely to be working in traditional work. We believe a potential explanation for this higher level of work is that these older children are working in order to help in the household business. We are surprised that children in households who closed businesses have lower work probabilities than the general population. Households owning businesses in 1993 are generally wealthier (in 1993 and 1998) than households who do not, and it is possible that this explains why they have lower work probabilities in 1998 than the general population. This would then imply that the closure of the household enterprise was not a permanent, negative shock to household well-being. Second, we observe (in

figure 8B) that children in households that open enterprises between 1998 and 1993 experience smaller drops in child labor between 1998 and 1993. In 1993, households that open enterprises between 1993 and 1998 and households that have no change in enterprises between 1993 and 1998 appear to have very similar probabilities of having a child work in 1993. However, children in households that open enterprises work more in 1998. This is true at every age but it appears largest for ages 12 and 13. This trend takes place despite the fact that households that create new enterprises are generally better-off than households who do not. Hence, households in new businesses appear to rely on family labor to help with the business.

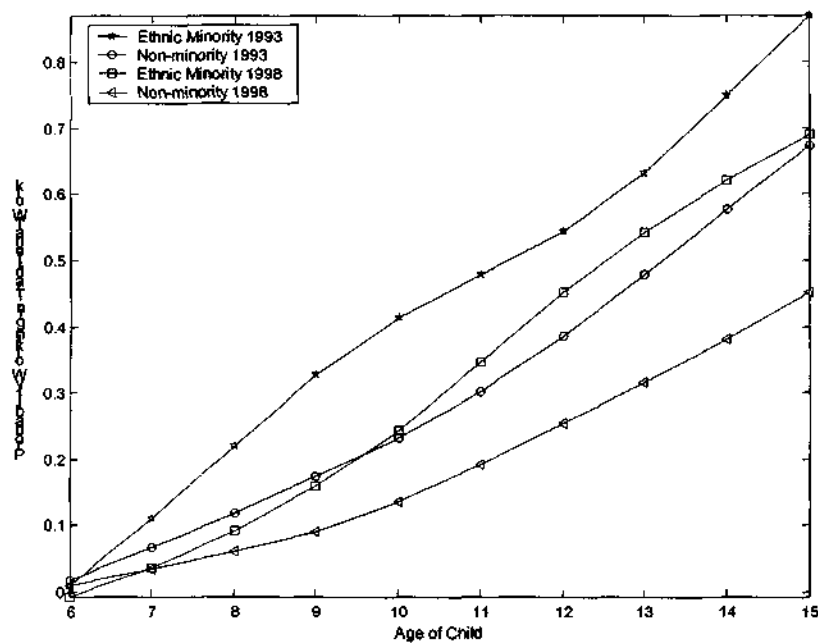
4. Ethnicity

Recent analysis of poverty in Vietnam illustrates that consumption poverty among ethnic minority groups is declining far more slowly than for the majority population (World Bank et al 1999, Baulch et al 2001). Social indicators for ethnic minority groups also lag behind. Because we know that reductions in child labor in general have been closely associated with improvements in per capita expenditures it is important to examine how child labor has moved for those groups whose poverty appears to be particularly intractable. The unusual trends observed in the rural Central Highlands (figure 4), where a concentration of ethnic minorities lives raise the possibility that child labor for ethnic minorities is not reducing as rapidly as for the majority. The question of this section is whether there is any evidence that children in minority households have reduced their child labor by less than the majority ethnic groups.

Figure 9: Participation in Work by Age and Ethnicity
A. All Work Categories



B. Traditional Work



In both traditional work and household work, ethnic minorities tend to work more than non-minority groups. In the "all work" category, we observe a slight increase in the probability that

ethnic minority children above age 11 work between 1993 and 1998. For traditional work in figure 9B, we see that ethnic minority children in 1998 work more than non-minority children in 1993. However, we do not observe an increase in the probability that children work between 1993 and 1998 in traditional work. Thus, part of the increase between 1998 and 1993 in "all work" must stem from increases in household work.

The differences between ethnic minorities and others in the 'all work' category appears to be largely the result of differences in the geographic location of ethnic minorities. However, in traditional work, we find differences between ethnic minorities and others even when we control for household fixed effects. Our linear regression results are in table 11.

Table 11: Ethnic Minorities and Child Labor (in last 7 days)
Linear Probability Results

Dependent Variable:	All Work			Traditional Work		
	(1)	(2)	(3)	(4)	(5)	(6)
Ethnic Minority*1998	0.117** (0.033)	0.028 (0.022)	0.017 (0.035)	0.124** (0.044)	0.063** (0.027)	0.084* (0.046)
1998	-0.100** (0.024)	-0.195** (0.028)	-0.252** (0.033)	-0.135** (0.024)	-0.163** (0.020)	-0.189** (0.024)
Commune Effects	No	Yes	No	No	Yes	No
Household Effects	No	No	Yes	No	No	Yes
Region*Time Effects	No	Yes	Yes	No	Yes	Yes
Adjusted R2	0.264	0.372	0.432	0.197	0.352	0.411

* is significant at 10%. ** is significant at 5%. Standard errors in parenthesis. Standard errors are corrected for arbitrary heteroskedasticity and the cluster / time design of the survey. All regressions include a quadratic in age and gender, a constant, and a year effect. Ethnic Minority is a dummy variable that is 1 if the household was identified as a minority household in the VNLSS in 1993. It is interacted (row 1) with the 1998 indicator so that the reported coefficient has the interpretation of being the extra change in the probability a child works in a minority household relative to the decline experienced by non-minority households.

We report two variables in table 11. The 1998 indicator reports the average decline in child labor across all households between 1993 and 1998. The coefficient on 'ethnic minority*1998' reports the extra increment experienced by ethnic minorities. In column 1, we control for child attributes and find that child labor appears to increase in "all work" for ethnic minorities between 1993 and 1998. In traditional work (column 4), we observe a 13.5 point decline in child labor in non-minority households between 1993 and 1998 but only a 1.1 point decline for minorities. In columns 2 and 5,

we control for community fixed effects and region * time effects. In all work, we are unable to reject the hypothesis that minorities experience the same decline as the rest of the population. However, we still observe a statistically significant, smaller decline in child labor in traditional work for minority households. In columns 3 and 6, we control for household fixed effects. This further attenuates minority and non-minority differences in all work. However, we still observe significantly smaller declines in traditional work for minority households. Interestingly, in the region * time effects (not pictured in table 11), for both traditional work and "all work", controlling for a household's minority status does not change the fact that households in the Central Highlands experience smaller improvements in child labor than do households in the rural Mekong.

IV. Conclusion

This paper demonstrates overwhelming evidence of a reduction in child labor over the 1990's. This holds true for rural and urban areas, for all regions of the country except the rural Central Highlands, for all kinds of work, for all age groups (except for ethnic minorities age 10 and above) and for both sexes. The survey of qualitative work presented here suggests that rising living standards have been important in driving this reduction in child labor, and the quantitative results of this and other studies are consistent with these qualitative findings. In 1998, girls are more likely to work than boys in all age groups and the difference between the sexes becomes slightly wider with age. Children in rural areas are much more likely to work than urban children and this difference is particularly remarkable for children participating in traditional work. Ethnic minority children are more likely than non-minority children to work at all ages and in all work categories.

The evidence from qualitative and quantitative work is that children still working are doing so because their families are too poor to support the basic needs of the family without the economic contribution of the children. This link between poverty and child labor is clearly very important in shaping appropriate policy responses and public action. It indicates, first, that a future development

path that puts equitable growth and poverty reduction at its core (such as the Government of Vietnam has recently articulated in its Socioeconomic Development Strategy 2001-2010) is likely to generate further reductions in child labor. Secondly, it demonstrates that at the household level, there should be concern surrounding the hardship that could confront poor families - including their children - if attempts are made to eliminate child labor without due consideration to the consequences for household income. This underscores the need for Government responses to child labor to be formulated in a participatory way which involves all stakeholders at appropriate times, including working children and their families. Mechanisms to involve vulnerable children in planning are not well developed within Government, though there have been some interesting innovations piloted by non-Governmental organizations.

These trends identified from the analysis of the VNLSS data are undeniably positive in terms of child welfare. But it would be misleading to suggest either that the problem of child labor will completely evaporate as the economy continues to grow over the next decade or that child labor has reduced to the extent of becoming a non-problem for policymakers. Economic growth over the 1990's has not delivered benefits evenly across all groups of children and households and there are a number of concerns remaining despite the general pattern of improvement.

First, though the trends indicate that working children have reduced the number of hours they work during the 1993-1998 period, there is clear evidence (Fig 1) that there is a group of child laborers, with many girls, involved in traditional work who are still working hours well in excess of the legal maximum set for their age group (24 hours per week). Indeed, these under-15 year olds are working hours well in excess of the legal maximum (42 hours) for an older category of 15-18 year olds. The fact that they are working outside legal limits suggests that enforcement of child labor regulations is not influencing their work patterns and must raise the question of whether other safeguards designed to protect young workers are effectively enforced. The VNLSS tells us little

about this, but other studies suggest that these safeguards may not be enforced (Institute of Labor Studies and University of Wollongong, 2000). As the environment for enterprise development improves and more competition is introduced, working conditions may become an issue of importance. Limited information on labor standards and working conditions is publicly available. MOLISA conducts regular Labor Force Surveys, but these alone may be unable to pick up potential problems of deteriorating labor standards – particularly for children – as industrial growth continues.

Secondly, at every age group girls are more likely to work than boys (fig 2). In particular, the evidence is that they bear a greater burden of household work at every age than do their male counterparts. The literature on women in Vietnam illustrates clearly that this is a pattern which continues into adulthood and which sees women shouldering heavy daily workloads (World Bank et al, 1999; Population Council, 1999). Although net enrollment rates in primary school are similar for boys and girls for the country as a whole, there is a disparity in the lowest expenditure quintile of the population (where 80% of girls are enrolled in school against 84% of boys). It appears that girls may be more vulnerable than boys under situations of economic stress.

Actions to address gender-based inequities in decision-making within the household are likely to be fundamental for reducing the domestic workload of girls. This, in turn, is likely to require longer-term attitudinal change by both men and women to overcome gender-based stereotyping of roles and responsibilities. More immediately, there is scope for further research into the vulnerabilities of girls in poor households and for an assessment of specific interventions that might reduce their work burden.

Thirdly, ethnic minority children work more than non-minority children at all ages. Qualitative studies suggest that concerns raised over differences in work patterns for boys and girls may be particularly acute in ethnic minority areas and that the burden of work inside the household

for girls is likely to be more onerous and more likely to interfere with education for girls than for boys (VN-Sweden MRDP, 1999; Duong Van Thanh, 1997). For traditional work, ethnic minority children have experienced smaller reductions in the likelihood of working than have non-minority children. Other work shows how ethnic minority children suffer multiple disadvantages. They are more likely to live in poverty, have less access to health and education services (World Bank et al, 1999 and World Bank, 1999), are more likely to be malnourished and are less likely to survive childhood (Ministry of Health, 2000). Their parents are less likely to have access to information and are more likely to be isolated from broader policy- and decision-making processes (World Bank et al, 1999). Addressing child labor among ethnic minority groups is unlikely to be effective if many other deprivations they face are not simultaneously addressed. These are critical areas for public action that should form part of the ethnic minority development plans that the Government of Vietnam has undertaken to formulate over coming years (Socialist Republic of Vietnam, 2001).

Fourthly, some of the patterns observed raise the question whether Government of Vietnam development strategies for the next 10 years might exacerbate some forms of child labor. The Government of Vietnam's Socioeconomic Development Strategy to the year 2010 implies that rural-urban migration is likely to increase (the urban population is predicted to increase to 30-33% by 2010, a rate of increase beyond natural population growth). Though VNLSS data is likely to exclude much of the unregistered migrant community in urban areas, we still find in this paper that children of migrants are more likely to work than average. This is strongly reinforced by other studies (SCF (UK), 1999; Caseley and Buom, no date). Children of migrants demand particular attention in the future if a concerted program of support to child laborers is to be developed as Vietnam becomes more urbanized. In particular it will be important to ensure that children of migrants are not denied access to basic services on account of their residential status (as SCF (UK) 1999 documents).

Fifthly, government strategies (MARD, 2000; Communist Party of Vietnam, 2000) envisage a shift in the rural economy that places far greater emphasis on off-farm activities and employment generation. This is widely accepted as being an important step in raising agricultural productivity and incomes and reducing rural poverty (World Bank, 2000) and, by extension, child wellbeing. Our analysis shows that children in households that start new enterprises work more than do children in households without enterprises or with stable, long-term enterprises. It is necessary that agencies concerned with child welfare remain vigilant to possible changes in the profile of child labor as rural livelihoods become more dependent on off-farm sources of income.

A sixth area of concern relates to education. Though enrollment rates in primary education are high for a country of this level of per capita GDP and are good for both non-working and most categories of working children (table 3), children who work outside the household emerge very clearly as a group who are educationally at risk. These children need to be targeted carefully under the Government of Vietnam's Education For All initiative. Children's ability to combine work and education may be undermined as full-day primary schooling is introduced over the next few years. Education may well become less compatible with working while simultaneously becoming more expensive if the costs of extending the hours of education are borne privately. It is too early to anticipate what the impact of this change might be on child labor, but careful monitoring will be important.

Finally, there are categories of child labor which defy easy monitoring but which are both harmful – falling within the ILO description of the “worst forms of child labor” – and, reportedly on the rise. Though there are no clear estimates for example of the number of children involved in the commercial sex industry, some studies indicate that the sex industry is expanding rapidly and as

many as one third of commercial sex workers are children¹³ (ILO/IPEC, 2000). Street children and underage domestic workers are vulnerable to abuse because of the nature of their work and are likely to be neglected or underrepresented in current data collection. The scale of child labor in these areas is really very difficult to assess given current information but reports suggest that it is on the rise (Bond and Hayter, 1998; Youth Research Institute et al, 1999; Swedish SCF et al, 2000). There have also been reports that children working in gold mines are both unregistered (and unenumerated) and “forced” to stay through practices of withholding wages (SCF (UK) 1997). It will be important to generate more reliable indications of the extent of these very harmful and exploitative forms of child labor if effective action is to be designed and implemented.

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¹³ “Children” here are defined as people under 18 since Vietnam’s laws expressly forbid the involvement of those under the age of 18 in the sex industry. One study calculates that nearly 90% of sex workers are children (quoted in Bond and Hayter, 1998).

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International
Labour
Office

Forced labour and human trafficking

**A toolkit for
trade unions
in Zambia**

**Special Action
Programme
to combat
Forced Labour**

Forced labour and human trafficking

A toolkit for trade unions in Zambia

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First published 2008

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978-92-2-121708-4 (print)
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Designed by Glenn Shaw
Printed in France

NOU

Foreword

The crimes of forced labour and human trafficking trap at least 12.3 million women, men and children in appalling working conditions across the world. No country is immune. Far from disappearing, new forms are emerging in response to the new challenges and opportunities presented by modern day globalization. They represent the very antithesis of decent work.

The International Labour Organization is at the forefront of efforts to combat forced labour and human trafficking, collaborating with many partners at international and national levels. We are working to build and support a global alliance against forced labour that brings together the ILO's tripartite constituents - governments, employers' and workers' organizations - in concerted action to end these abhorrent practices. The Special Action Programme to combat Forced Labour (SAP-FL) spearheads this work, as part of broader efforts to ensure that all the principles of the ILO Declaration on Fundamental Principles and Rights at Work - freedom of association and the right to collective bargaining, and the elimination of forced labour, child labour and discrimination at work - are respected everywhere.

This toolkit for trade unions was developed as part of a project on forced labour and trafficking in Zambia, involving the ILO constituents. The project was initiated at the request of the Ministry of Labour and Social Security, and started with research in 2007 to assess whether and what sort of forced labour problems exist in the country. Earlier ILO research by the International Programme on the Elimination of Child Labour (IPEC) in 2006 confirmed the occurrence of child trafficking, both internally and cross-border. The SAP-FL research further confirmed the existence of trafficking, forced labour and severe labour exploitation of youths and adults, in various economic sectors both within and outside Zambia.

While the main responsibility for ensuring freedom from forced labour and trafficking lies with governments, trade unions have a crucial role to play. Trade unions are in the front line, defending and protecting the rights of workers, and hold a unique position with regard to identifying where forced labour and trafficking problems occur and in pushing for, and taking, action to address them.

This toolkit was developed in collaboration with trade unions in Zambia. It aims to provide practical guidance and suggestions that will allow trade union officers and members to recognize forced labour and to take action to prevent it and assist its victims.

Our intention is to develop the toolkit further in subsequent editions, making it widely available for use in other countries and regions where trade unions are committed to being active partners in the urgent global fight against forced labour and human trafficking.



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Acknowledgements

This toolkit for trade unions was developed through a consultative process involving representatives of the following trade unions in Zambia:

Free Federation of Trade Unions of Zambia
National Union of Agriculture and Plantation Workers
United House and Domestic Workers Union of Zambia
Zambia Congress of Trade Unions
Zambia National Union of Teachers

The Zambia Federation of Employers and the Ministry of Labour and Social Security were also part of the consultative process.

The main author was Carron Fox, an ILO consultant in Lusaka, working with Caroline O'Reilly of the ILO Special Action Programme to combat Forced Labour (SAP-FL) in Geneva. Additional comments and assistance were provided by Birgitte Poulsen (International Programme for the Elimination of Child Labour (IPEC), Lusaka), Christina Holmgren (International Labour Standards Specialist, Addis Ababa), Claude Akpokavie (ILO Bureau for Workers' Activities (ACTRAV), Geneva), Hans van de Glind (IPEC, Geneva) and Philip Hunter (SAP-FL). Jeroen Beirnaert, the Brussels-based coordinator of the International Trade Union Confederation (ITUC) global programme against forced labour and human trafficking also provided helpful comments on the draft toolkit. The hard work of the author and all other contributors is gratefully acknowledged, as is the continued support of the representative of the ILO in Zambia, Gerry Finnegan and his staff in ILO-Lusaka. SAP-FL remains responsible for the content.

A number of existing ILO resources and publications were drawn on. Particular recognition is given to the ILO/ACTRAV training kit: *"Trade unions and child labour"* (ILO, 2000) from which much of the content of section five is adapted. Extensive use is made of the findings of recent research commissioned by ILO, in collaboration with the Ministry of Labour and Social Security, and documented in the report *"Investigating forced labour and trafficking: Do they exist in Zambia?"* (Carron Fox, 2008).

The research and toolkit production was possible thanks to financial support provided by the governments of Ireland, Sweden and the United Kingdom (DFID) to SAP-FL. Additional contributions were generously made by IPEC, through funding from the United States Department of Labor and by the ILO-Lusaka office's regular budget for Technical Co-operation.

This is the first edition of the toolkit. Suggestions from readers and users for improving it are very welcome, and should be sent by email to SAP-FL in Geneva, at: forcedlabour@ilo.org.

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Acronyms

C29	ILO Forced Labour Convention, 1930 (No.29)
C105	ILO Abolition of Forced Labour Convention, 1957 (No.105)
CEACR	Committee of Experts on the Application of Conventions and Recommendations
DR Congo or Congo	Democratic Republic of Congo
FNDP	Fifth National Development Plan
GUF	Global Union Federation
HRC	Human Rights Commission
IFA	International Framework Agreement
ICFTU	International Confederation of Free Trade Unions
ILO	International Labour Organization/Office
ILO/ACTRAV	ILO Bureau of Workers' Activities
ILO/IPEC	ILO International Programme on the Elimination of Child Labour
ILO/SAP-FL	ILO Special Action Programme to Combat Forced Labour
IMF	International Metalworkers' Federation
IOM	International Organization for Migration
ITUC	International Trade Union Confederation
MLSS	Zambian Ministry of Labour and Social Security
NGO	Non-Governmental Organization
NRC	National Registration Card
SSOs	Solidarity Support Organizations
TCLC	Tripartite Consultative Labour Council
TU	Trade Union
TUC	Trade Union Congress
UNICEF	United Nations Children's Fund

The exchange rate used throughout this publication is approximately Zambian Kwacha (K)4000 to USD1.

Part 1:

Forced labour and human trafficking: Understanding the problems



This young girl in Tanzania is a domestic worker and works for no salary. She does all the housework, from dawn to dusk, and takes care of the children. © ILO/ M. Crozet

Part I: Forced labour and human trafficking: Understanding the problems

Introduction

The problems of forced labour and human trafficking are increasingly recognized the world over, with trafficking often referred to as a modern form of slavery. The terms 'forced' and 'slave' labour conjure up images of shackled workers, bonded to an employer under inhuman working conditions. However, forced labour nowadays can be much more subtle, with the worker's freedom of movement restricted not by shackles but by the withholding of wages or identity documents, yet still in complete violation of his or her human rights. These new forms of slavery must be abolished to ensure that all workers enjoy decent work in conditions which respect their human rights and their dignity. Research in Zambia, including by the ILO, has found that forced labour and trafficking exist in the country, and, like elsewhere in the world, urgent preventive and protective action must be taken to put an end to these abuses.

Trade unions secure workers' rights and ensure decent working conditions, so they are key partners in combating forced labour and trafficking. Trade unions have many important priorities to tackle, often with limited resources, but forced labour and trafficking, when they are uncovered, are abuses which no-one should ignore or fail to

act against. This toolkit provides background information to trade unions and their members on the problems of forced labour and trafficking, how they apply to Zambia and what international and national legislation exists to combat them. The toolkit also outlines why trade unions should become involved in tackling these problems, and suggests various practical activities that trade unions can carry out against them.

How to use the toolkit

The toolkit is both an information resource for those readers who simply want to know more about forced labour and trafficking in Zambia (Part 1); and a guide to action for those who wish to become partners in the fight against these problems (Part 2). Trade union leaders and officials at headquarters or provincial secretariats can use the toolkit to reach their members and the communities in which they live. The sections in Part 1 can be adapted for use in, for example, newsletters or worker education programmes, so that trade union members become more knowledgeable and aware. Part 2 provides specific activities that can be undertaken by officers or members to join the fight against forced labour and trafficking.

Section one: Definitions and background

What is forced labour?

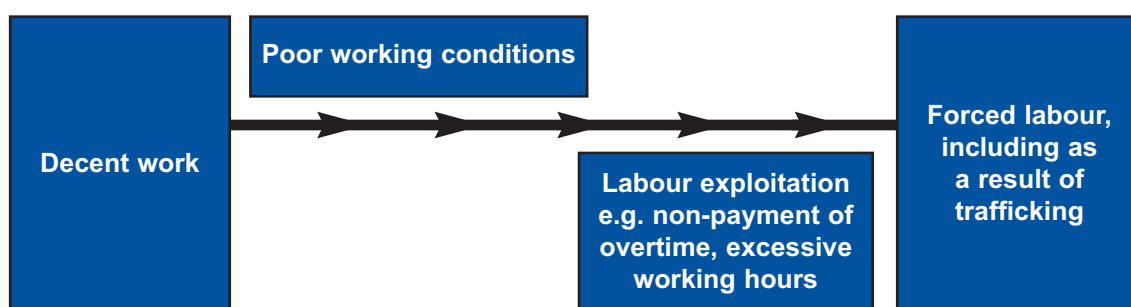
The definition of forced labour comes from the ILO Forced Labour Convention, 1930 (No.29), ratified by Zambia in 1964. Article 2 (1) of the Convention defines forced labour as:

"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."

This definition can cover a range of circumstances in which a person is forced to work against his or her will. For example, someone who voluntarily accepts a job only to find that the job is not what was promised and who is unable to leave because they are threatened by the employer, is in a situation of forced labour. The definition may also

apply to a worker who is unable to leave a job because they have not been paid for an extended period, or whose identity documents are withheld by an employer. However, workers who have to remain in a job out of economic necessity (but would be free to leave if they found another job) would not be regarded as being in a forced labour situation.

The following diagram illustrates the continuum from decent work to forced labour. In between these two points, workers may be subjected to poor working conditions and labour exploitation which rarely contravene criminal laws but are illegal under employment laws. Forced labour and trafficking however, constitute criminal acts and are among the most extreme forms of labour abuse that workers can be subjected to.



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Section one: Definitions and background

The following box, adapted from the ILO Global Report of 2005 entitled "*A global alliance against forced labour*", further illustrates the practices which may give rise to a forced labour situation.

Lack of consent to work (the 'route' into forced labour)	Menace of a penalty (the means of keeping someone in forced labour)
• Birth/descent into 'slave' or bonded status • Physical abduction or kidnapping • Sale of person into the ownership of another • Physical confinement in the work location • Induced indebtedness and debt bondage • Deception or false promises about types and terms of work • Withholding and non-payment of wages • Retention of identity documents or other personal possessions • Human trafficking (usually involves a combination of the above)	• Physical violence against worker or family or close associates • Sexual violence • (Threat of) supernatural retaliation • Deprivation of food, shelter and other necessities • Denunciation to authorities (police, immigration, etc.) and deportation • Dismissal from current employment or exclusion from future employment • Financial penalties, including non-payment of wages • Exclusion from community and social life • Removal of rights and privileges • Shift to even worse job or working conditions

Convention 29 provides for certain exemptions, as follows:

- any work or service under compulsory military service that is of a purely military character;
- any work or service that forms part of the normal civic obligations of the citizens;
- any work or service exacted from a person as a consequence of a conviction, as long as the person is fully supervised and under the control of the supervisory body, and the said person is not hired to or placed at the disposal of private individuals, companies or associations
- any work or service exacted in response to an emergency that may endanger the existence or the well-being of the whole or part of the population;
- minor communal services which can be considered normal civic obligations, 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.

Section one: Definitions and background

According to the ILO², a minimum of 12.3 million people are victims of forced labour worldwide.

Of them:

- 7,810,000 (64%) are in forced economic exploitation imposed by private agents
- 2,490,000 (20%) are victims of state or military imposed forced labour
- 1,390,000 (11%) are victims of forced commercial sexual exploitation, and
- 610,000 (5%) are in mixed forms of exploitation.

By region:	Victims
Asia and Pacific	9,490,000
Latin America and Caribbean	1,320,000
Sub-Saharan Africa	660,000
Industrialized countries	360,000
Middle East and North Africa	260,000
Transition countries	210,000

In Sub-Saharan Africa, 80% of forced labour is for economic exploitation, 11% is state-imposed and 8% is forced commercial sexual exploitation.

Type of forced labour	Men and boys (%)	Women and girls (%)
Forced economic exploitation	44	56
Forced sexual exploitation	2	98

What is human trafficking?³

The definition of trafficking is contained in the United Nations Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention on Trans-national Organized Crime, 2000 (commonly referred to as the "Palermo Protocol"). Zambia acceded to the Protocol in 2005.

“Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

“The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth.”

2. ILO: *A global alliance against forced labour* (Geneva, 2005).

3. For ease of communication, the term human trafficking is often abbreviated to trafficking.

Section one: Definitions and background

Thus, trafficking involves the **act** of moving someone, the **means** of deception or coercion and the **end** result of putting them into forced labour or similar forms of exploitation. The definition relies on being able to prove the intention of the 'trafficker' to exploit the person as an end result of the trafficking process. However, where children aged less than 18 years old are concerned, there is no need to prove the use of deception or coercion

in this process. The mere fact of moving a child into prostitution or forced labour exploitation constitutes a trafficking offence, even if the child was aware of the fate that awaited them. Child trafficking is a worst form of child labour under ILO Convention 182 (see later section).

The definition is rather complex but can be broken down into the following elements:

Trafficking of adults⁴

Process/ Activities	+	Ways/ Means	+	Goal/ Purpose
Recruitment or Transportation or Transfer or Harbouring or Receiving	A N D	Threat or Coercion or Abduction or Fraud or Deception or Abuse of power or vulnerability	A N D	Prostitution or Pornography or Sexual exploitation or Forced labour or Involuntary servitude or Debt bondage or Slavery/similar practices

Trafficking of children, aged less than 18 years

Process/ Activities	+	Ways/ Means	+	Goal/ Purpose
Recruitment or Transportation or Transfer or Harbouring or Receiving	A N D	Not applicable, but must involve an intention by a third party to exploit the child's labour	A N D	Exploitative child labour, including: • All forms of slavery and practices similar to slavery, • Prostitution and pornography; • Illicit activities • Hazardous child labour; • Other child labour that contravenes national minimum age legislation

4. Based on a diagram taken from the International Trade Union Confederation: *Mini-action guide on forced labour* (Brussels, forthcoming).

Section one: Definitions and background

Not all forced labour is a result of human trafficking. However, almost all cases of human trafficking result in forced labour (an exception being trafficking for the removal of organs). From an ILO point of view, it is important to distinguish between, on the one hand, forced labour where forms of coercion and deception are used to recruit and retain a worker against their free will, and, on the other, sub-standard working conditions. The lack of viable economic alternatives can oblige people to stay in an exploitative work situation but does not in itself constitute forced labour. However, if a recruiter or employer deliberately takes advantage of a lack of alternatives to exploit the worker, this may constitute abuse of a position of vulnerability as specified in the Palermo Protocol. External constraints that can have an impact on free consent by the worker should therefore be taken into account when assessing whether or not a situation amounts to trafficking for forced labour.

According to the ILO, at least 2.45 million people are in forced labour as a result of trafficking. In Asia, Latin America and Sub-Saharan Africa, only 20% of those in forced labour are victims of trafficking. However, in industrialized countries, the Middle East and North Africa, trafficking accounts for 75% of those in forced labour. Of those trafficked into forced labour, 43% are trafficked for commercial sexual exploitation, 32% for economic exploitation and 25% for mixed or undetermined reasons.⁵

According to IOM⁶, in relation to trafficking for sexual exploitation only, the problem is significant in southern Africa. Angola, Botswana, Democratic Republic of Congo, Lesotho, Mozambique, Malawi, South Africa, Swaziland, Tanzania, Zimbabwe and Zambia are source countries for trafficking, while Botswana, Malawi, Mozambique, South Africa, Tanzania, Zambia and Zimbabwe are transit countries. South Africa is a destination country for regional and extra-regional trafficking. Victims leaving southern Africa are trafficked to Thailand, China and Eastern Europe.

The worst forms of child labour, including forced labour⁷

Forced labour, trafficking and prostitution of children qualify as 'worst forms' of child labour, under the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).⁸ This Convention sets out forms of child labour that under no circumstances should be tolerated, and which should immediately be abolished. This applies to all children under 18 years of age. The forms of child labour covered are (Article 1):

- (a) All forms of slavery and 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;
- (b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

5. ILO: *A global alliance against forced labour* (Geneva, 2005).

6. International Organization for Migration: *A counter-trafficking handbook for law enforcement officers in southern Africa* (Pretoria, 2005).

7. This toolkit does not focus in detail on child labour, forced child labour and child trafficking, which are dealt with in other available ILO resources.

8. This Convention was ratified by Zambia in 2001.

Section one: Definitions and background

The first three categories are 'unconditional' worst forms, meaning that under no circumstances should children ever be engaged in them. For the fourth category, 'hazardous work', it is up to national governments to determine what types of work are qualified as hazardous. Forced labour and trafficking of children is thus clearly outlawed in subparagraph (a).

Not all work performed by children constitutes 'child labour' in violation of ILO Conventions on the subject. Some work by children is acceptable if it is appropriate for their age and stage of development, and does not interfere with their education, well-being and physical and emotional development.

The ILO Minimum Age Convention, 1973 (No.138) sets out the parameters for determining what type of work a child should be allowed to undertake and at what age. This Convention was ratified by Zambia in 1976.

Convention 138 states:

Article 2: The minimum age for admission to employment specified by the Member country should not be less than the age of completion of compulsory schooling and not less than 15 years of age. However, under certain circumstances, a minimum age of 14 years may be applied.

Article 3: The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons ('hazardous work') shall not be less than 18 years.

Article 7: A child is allowed to carry out 'light work' if they are aged 13 years or above. Light work constitutes work that is not harmful to the child's

health or development and does not stop them attending school or a vocational training programme.

It is very important to recognize that not all child labour is forced labour. Some children undertake work of their own free choice. For it to qualify as forced (child) labour, there must normally be evidence of involuntariness and menace of a penalty, the same as with adults. The 'unconditional worst forms' of child labour are likely, in many or indeed most cases, to involve an element of force and coercion. For hazardous work, the situation may be less clear cut and require further investigation. And as mentioned above, there is in any case no need to show that force, deception etc are used in a case of child trafficking.

ILO estimates that between 40 and 50% of all forced labour involves children aged less than 18 years.

Migration, smuggling and trafficking

Migrants move from their place of origin for various reasons. Some are forced to move in order to survive conflicts or natural disasters⁹, while others move to find better lives and economic opportunities. Regular (legal) and irregular (illegal) channels are used. People migrating for economic reasons often require help to arrange their journey or to find work at their destination. For many, finding ways to enter another country is difficult and assistance is sought from intermediaries. Some intermediaries or agents are legitimate, providing the migrant, in return for a fee, with the necessary documentation to cross the border legally. Smugglers, on the other hand, facilitate illegal border crossing. They may simply take payment for the services provided and leave the migrants to their own devices. But in other cases the smuggler may then place the migrants in a forced labour situation (demanding, for example, the repayment of inflated travel and related costs through excessive wage deductions), or be part of a network that intends to exploit the migrants' labour at the point of destination. In such circumstances, we can talk of trafficking. In yet other scenarios, migrants may travel independently to look for work but, desperate for employment, end up accepting work that amounts to forced labour. This would not (necessarily) be classified as a case of trafficking as there was no deception, coercion or abuse during the movement process.



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9. These migrants are often refugees or internally displaced persons.

Section one: Definitions and background

Further reading:

Anti-Slavery International. 2003. *"The migration-trafficking nexus: Combating trafficking through the protection of migrants' human rights"* (London).

Andrees, B. 2008. *"Forced labour and human trafficking: A handbook for labour inspectors"* (Geneva, ILO/ Special Action Programme to combat Forced Labour).

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International Organization for Migration. 2003. *"Seduction, sale and slavery: Trafficking in women and children for sexual exploitation in southern Africa"* (Pretoria).

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United Nations Office on Drugs and Crime. 2006. *"Toolkit to combat trafficking in persons"* (Vienna).

US State Department. 2008. *"The annual trafficking in persons report - 2008"*, <http://www.state.gov/g/tip/rls/tiprpt/2008>



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Section two: Forced labour and trafficking in Zambia



Human trafficking in Zambia

Trafficking of humans for sexual and labour exploitation is acknowledged to be taking place in Zambia. Zambia is recognised as a country of origin, transit and destination for women and children trafficked for forced labour and sexual exploitation by the US Department of State.^{10/11} It is bordered by seven countries and this makes it a target for traffickers wishing to move people easily through and between neighbouring countries. Research carried out by the International Organization for Migration into trafficking in southern Africa, also found that Zambia is a country of destination.¹²

There is evidence that Zambian women and children are trafficked for sexual exploitation from Zambia to Malawi and then on to Europe.¹³ Zambia is also a destination country for labour trafficking, as the following two newspaper reports illustrate. In the first report, a Zambian national was arrested taking six children and two elderly Malawians into Zambia. The man told the authorities that he was taking them to his farm

where they would work as peasants. The man was fined Malawian Kwacha 50,000 (US\$400) but remained in prison charged with the attempted kidnapping of the children.¹⁴ In the second report, another Zambian national was arrested trying to take 15 children - boys aged between nine and 15 years - from Malawi into Zambia. The man was fined Malawian Kwacha 24,000 (US\$200).¹⁵

As a transit country, Zambia is implicated in the onward trafficking of refugees and other vulnerable people from Angola, the Great Lakes region and Democratic Republic of Congo to South Africa.¹⁶ Furthermore, there is evidence to suggest that children are trafficked on from South Africa or Botswana to third countries such as USA, Israel and Russia.¹⁷

“In 2004 a Congolese woman was stopped at the Zambian border bringing in 14 Congolese girls on the way to South Africa with the promises of jobs.¹⁸ The International Organization for Migration, along with non-governmental organizations, provided support to the children and the principal trafficker was arrested. She was later released after being fined two million Kwacha.”¹⁹

10. Zambia is classified in 2008 as a Tier 2 Watch List country. Tier 2 countries are countries whose governments do not fully comply with the US Government's minimum standards for the elimination of trafficking but are making significant efforts to bring themselves into compliance with those standards. Zambia was placed on the watch list in 2008 because, according to the US State Department, it failed to provide evidence of increasing its efforts to combat severe forms of trafficking over the previous year.

11. US State Department: *The annual trafficking in persons report - 2008*, <http://www.state.gov/g/tip>

12. International Organization for Migration: *Seduction, sale and slavery: Trafficking in women and children for sexual exploitation in southern Africa* (Pretoria, 2003).

13. Research conducted in the United Kingdom by the Child Exploitation and Online Protection Centre found at least one case of a Zambian child trafficked to the UK.

14. *Another Zambian in child trafficking scam*, Nation Malawi (date unknown).

15. *Outrage over lenient fine for trafficking boys* (24 August 2005) <http://www.irinnews.org>

16. International Organization for Migration: *Seduction, sale and slavery: Trafficking in women and children for sexual exploitation in southern Africa* (Pretoria, 2003).

Section two: Forced labour and trafficking in Zambia

In March 2008 the media reported a case of 42 Congolese nationals who were thought to be victims of traffickers, or even traffickers themselves. They were all intercepted going to South Africa by the Immigration Department in Lusaka. Twenty-six of the offenders were found in Lusaka and repatriated back to the Congo, while 16 were held in detention in Kabwe (Central Province).

"We could not detain the Congolese nationals who were arrested in Lusaka because most of them were women with children as young as six month old" Ms Mbangweta [the immigration officer] said. "From the interviews we have conducted so far, they look like they were being trafficked to South Africa. When people are trafficked, they do not know where they are going and where they are", she said. Immigration officers arrested 16 Congolese nationals in Kabwe last week and picked up leads from them that another larger group had proceeded to Lusaka. An unknown group of human traffickers is behind the scheme to move the Congolese nationals to South Africa."²⁰

Child trafficking in Zambia

Evidence from research conducted by the International Labour Organization²¹ in 2007 and from media reports shows that internal trafficking is also rife in Zambia. Internal trafficking appears to be the most dominant form of trafficking in Zambia. The ILO research on child trafficking found that children were trafficked for a number of purposes, including domestic work, agricultural work, street hawking and prostitution. The 2007 TIP report supports this, stating that: "Child prostitution exists in Zambia's urban centres, often encouraged or facilitated by relatives and acquaintances of the victim. Many Zambian child labourers, particularly those in agriculture, domestic service, and fishing sectors, are also victims of human trafficking".²² The ILO research found that anybody could be a trafficker - for example, members of the church, truck drivers, would-be

husbands, business people and cross-border traders, in addition to relatives, acquaintances and friends. The means of recruitment vary from deceiving families and children to children voluntarily offering to help strangers, such as truck drivers, in the belief that they will earn some money. "Some recruiters offered money or gifts in exchange for children or promises of returning wealth, other children were trafficked through arrangements between guardians and family members or third parties."²³

The placing of children within the extended family, sometimes known as 'cultural placements', is predominantly used to give a child from a less advantaged background the chance to receive an education, training or better prospects. Cultural placements are often crucial in providing support to orphans and other children whose families are unable to support them. Placing children in extended families, often far from their home can, however, sometimes lead to child labour exploitation. This was one form of trafficking identified by the ILO research which found that relatives, and sometimes strangers, travel to rural villages to recruit children, in particular child domestic workers. The relative often promises the child's parents that the child will be sent to school and will be better off living with them. UNICEF Innocenti Research Centre found that there are two types of recruitment. The first involves the traffickers contacting the potential victim "... or his or her family - in many cases traffickers know their victim or the victim's family and are likely to take advantage of a condition of vulnerability e.g. illiteracy, poverty, lack of information".²⁴ The second is where the victim or his or her family contact the trafficker to seek assistance to leave a difficult situation at home. This latter situation, UNICEF states: "... can lead to a possible link between smuggling and trafficking".²⁵

17. *Child trafficking: Does it exist in Zambia?*, (15 March 2005) <http://www.allafrica.com>

18. US Department of State: *The annual trafficking in persons report - 2005*, <http://www.state.gov/g/tip>

19. *Permanent Secretary condemns ZMK2m fine on human trafficker*, (15 June 2005) <http://allafrica.com>

20. *42 nabbed over human trafficking*, Daily Mail (5 March 2008).

21. ILO/IPEC & RuralNet Associates: *Working paper on the nature and extent of child trafficking in Zambia* (Lusaka, 2007).

22. US State Department: *The annual trafficking in persons report - 2007*, <http://www.state.gov/t/tip>

23. ILO/IPEC & RuralNet Associates: *Working paper on the nature and extent of child trafficking in Zambia* (Lusaka, 2007).

Section two: Forced labour and trafficking in Zambia

Many factors make a child more vulnerable to trafficking. Within Zambia the following were found by the ILO/IPEC research²⁶ on children:

- Poverty is often cited as the main cause of trafficking, usually linked to other factors. It can push children to accept offers of work so that they can either contribute money to their families or simply provide for themselves.
- The HIV and AIDS pandemic has created a large number of orphans.²⁷ Orphans are often vulnerable as they lack support networks to protect them.
- Cultural factors contribute to internal trafficking especially. It is accepted that children can be sent to live with extended family members or friends to work as domestic workers, often with the promise of an education. Cultural acceptance of early marriage for girls can result in trafficking for forced marriage.
- Out-of-school children and orphans might accept offers to earn money to enable them to go to school or false promises of being sent to school.
- Due to high rates of poverty, HIV and AIDS and adult unemployment, children may become victims of neglect and abuse in the family, heightening their vulnerability to offers of outside help.

Forced labour, trafficking and migration in Zambia

The following information is taken from research carried out by ILO in Zambia during 2007/2008 into migration, forced labour and trafficking, and the links between the three.²⁸ Three pieces of research were carried out as part of the study. The first looked at the practices of recruitment agencies in Zambia, the second studied labour complaints collected by four provincial labour officers and the Human Rights Commission, and the third field-researched migration, forced labour and trafficking. The findings of the third piece of research are summarised below.

Who are the victims and traffickers?

The victims of trafficking are women and children, although some felt that men, due to being strong and able to work on farms, were also potential victims. This was largely supported by case studies. A number of cases of male victims were also recorded. The traffickers were considered to come from a cross-section of society (family members, relatives, friends, church organizations, truck drivers, owners of bars and tourism enterprises); they can be male and female; Zambian and non-Zambian.

Reasons for migration and trafficking

The main reasons for migrating or becoming vulnerable to trafficking were: search for better economic or employment opportunities; better living conditions; lack of local economic opportunities; poverty; looking for a better life; ignorance; education/ studies, and joining family members who have already migrated abroad. The following reasons for migration into Zambia were given: investment and job opportunities; trading; tourism; prevailing peace; relaxed laws, and running away from a bad economic situation in neighbouring countries.

Means of transportation, routes and documentation

Migrants and/or trafficked victims travel by air, rail or land to their point of destination; although in a small number of cases migrants were known to have walked. Land transport was more common than flying for people migrating within the region. Not only is road transport cheaper, it is also easier for irregular migrants and traffickers because of comparatively lax border controls. Truck drivers were repeatedly referred to as transporters of migrants, and traffickers of women for prostitution. Because Zambia is landlocked and borders seven different countries, migrants use various means to cross borders. Some use legal immigration routes, while others use bush paths that circumvent immigration.

24. UNICEF Innocenti Insight: *Trafficking in human beings, especially women and children, in Africa* (Italy, 2003).

25. Ibid.

26. ILO/IPEC & RuralNet Associates: *Working paper on the nature and extent of child trafficking in Zambia* (Lusaka, 2007).

27. UNAIDS estimated that in 2006 there were 710,000 children in Zambia orphaned directly due to AIDS related deaths of either one or both parents. (UNAIDS: *Report on the global AIDS epidemic* (Geneva and New York, 2006).

28. Fox, C: *Investigating forced labour and trafficking: Do they exist in Zambia?* (Lusaka, ILO, 2008).

Section two: Forced labour and trafficking in Zambia

Zambians were thought to travel with genuine passports whereas the Congolese, for example, often travel on fraudulent documents because it can be difficult to obtain genuine documents in the Democratic Republic of Congo. Professional migrants often obtain work permits before travelling, while non-skilled workers travel without work permits with the intention of finding work at their destination.

"Something must be done here in Zambia because most of the Zambian ladies have a bad reputation for prostitution and there are a lot that side [South Africa]. So if something can be done because we will not have a good reputation if this continues, because most of them are taken there by people who lie to them."

South Africa was repeatedly cited as the most common destination for Zambian migrants and victims of trafficking. A number of victims confirmed this.

Tanzania was also cited as a destination, particularly for women involved in prostitution. Other neighbouring countries such as Botswana were also mentioned. Immigration officers find it difficult to apprehend traffickers because of weak legislation. In cases where the potential victims are in transit through Zambia, immigration officers find it difficult to stop onward movement.

Types of work undertaken by migrants and victims of trafficking and forced labour

For Zambians migrating out of Zambia, professionals leave to work as nurses, doctors, and teachers, while non-professionals leave and find work as babysitters, cleaners, carers, waitresses and prostitutes. For those migrating within Zambia, domestic work is the predominant form of work, along with agriculture, mining and other labour intensive work. For non-Zambians migrating into Zambia, it was thought that Zimbabwean women work mainly as traders and prostitutes; the Congolese as traders and smugglers of essential

goods; Malawians as agricultural workers, and West Africans as gemstone miners. Prostitution was cited as a form of exploitation resulting from trafficking, as were agricultural work, construction and retail.

The conditions faced by migrant workers are often deemed exploitative and poor. Examples cited include cases of many Malawians who, having worked an agricultural season were not paid, despite promises. Domestic workers are also vulnerable to exploitation with long working

A young lady was in college doing her first year. She had an aunt in Italy with whom she communicated. Her aunt lured her with a picture of a good life in Italy, stating that she was well off and had a good job. The aunt talked to the girl's mother and was given consent to come and collect the girl after promising her parents that she would take her to a very good university.

After three days in Italy, the girl's aunt asked her whether she knew what she did for a living. The girl said "no". The girl reminded the aunt that she had promised to take her to university. Instead the aunt introduced the girl to prostitution. The girl was given fancy clothes for prostitution and was told that if she did not do it, she would starve. When the men started visiting her she resisted. The aunt started to beat her and threatened that she would die. The girl managed to escape to the embassy and was brought back to Zambia.

Section two: Forced labour and trafficking in Zambia

In Livingstone, a 21 year old lady and her friend living in one of the compounds were trafficked to Namibia along the Zambezi River where they laboured under slave-like conditions in the fishing industry.

She had to run away from the situation after enduring it for nearly a year. She was paid K50,000 per month. She said: "Sometimes we would not be given food.

Sometimes you come from the bush where we were sent to do some work, you would find that they already had food and nothing would be left for us.

hours, low pay, and often cases of sexual harassment. The position of the migrant away from home and desperate for work, places them in a position where they can easily be exploited by their employers. The forms of exploitation (long hours, unpaid wages and poor working conditions) were similar to cases recorded by Ministry of Labour and Social Security (MLSS) officers (see next section).

Contractors to a mine in Congo were employing Zambians under poor working conditions. An informant said: "People employed here were promised housing allowances, transport allowance as well as a salary. There were no houses at the mines. They moved to the mine area and put up small shelters. After three months, workers came to HQ to get their dues and were only given a salary. Other allowances were not given. There was no signed contract. The employer changed, saying that he only offered them salary and transport allowance, not housing allowance. Seven people were affected.

Problems within the domestic work sector also became apparent in the forced labour, trafficking and migration research. Children were often cited as victims of trafficking for domestic work - friends and family convince young girls to come to work for them in return for schooling that is rarely provided. However, the child has to work long

hours in the house and is often not allowed to go to school. The majority of adult domestic sector cases related to migrants who had travelled independently and found exploitative jobs. It should be noted, however, that the lack of cases of adults being trafficked for domestic work may be due to these victims being inaccessible to the project researchers and MLSS labour officers.

The boy was 17 years old when he came from Chipangalia area and agreed to look after a man's cattle.

When questioned about the arrangement an informant said: "The agreement was there. Yes. The man who took him said, let's go. I'll employ you. I'll be giving you a certain amount of money. But when they reached, the man changed. He was just using the boy. The boy was not paid for a year."

A 25 year old man was deceived into going to work in his mother's cousin's ('uncle') store in another part of the same province. The man was promised K400,000 a month. He worked from 06.30 to 19.30 with a break of one hour at lunch. Despite promises of pay, he never received any salary or benefits.

Labour exploitation and forced labour

Research conducted by ILO in Zambia in 2007/2008²⁹ examined labour-related complaints filed at the MLSS and Human Rights Commission, in order to assess whether there was evidence of labour exploitation and forced labour. It is often very difficult to tell whether a case is one of forced labour or one of severe labour

29. Fox, C: *Investigating forced labour and trafficking: Do they exist in Zambia?* (Lusaka, ILO, 2008).

Section two: Forced labour and trafficking in Zambia

An 18 year old woman, Beatrice, was recruited as a domestic worker by a doctor who was looking for a domestic servant for her partially blind and diabetic brother. An intermediary was sent to find the girl. The girl's mother knew the intermediary and believed that because the doctor was a good person, her brother would be too. So Beatrice was sent from Chipata to Lusaka by bus and was met by her employer.

Beatrice remained with the employer for one year. During that time she was mistreated by the man. He would deny her food and beat her whenever she made a mistake. Beatrice wasn't paid, was unable to communicate with her mother and was not allowed out to meet other people in the area. If she went out she was beaten. The man lived in a flat and the maids from the other flats helped the girl with food and clothes. It took the courage of these maids to report the matter to the police.

Beatrice was removed from the man's flat and taken to a centre while efforts were made to contact her parents in Chipata. After a month, her mother came to take her home. The man was arrested by police, but maintained that he was simply disciplining her.

exploitation. While there are indicators to assist in this identification, lack of detailed information sometimes makes it impossible to be certain.

The information on exploitative and forced labour practices in Zambia was collected by five research assistants: four based within MLSS offices³¹ and one in the Human Rights Commission. The four researchers in the MLSS offices were all labour officers. A total of 1542 cases were recorded. Of these, 65% of the complainants to the MLSS and HRC were individual males. Eleven per cent of complainants to MLSS and 19% to HRC were female. Groups also complained, but these were recorded as one complaint although in one case the group consisted of 80 people. The large discrepancy between the number of males and females complaining cannot be explained by the data but may be due to men feeling more confident about being able to complain.

Thirty-two per cent of the HRC complainants³² were aged between 30 - 39 years, 19% aged between 40 - 49 and 17% between 20 - 29 years. The majority of the complainants were Zambians. Fewer than ten cases concerned other nationalities (British, Ethiopian, Indian, Malawian and Zimbabwean for example). The labour office in Chipata believes that many of the agricultural complaints originate from Malawians who, fearing deportation, state that they are Zambian. The nationality of the employer was rarely recorded.

31. The labour officers were based in Chipata, Kitwe, Livingstone and Lusaka. Each researcher collected approximately 300 cases and recorded the details of the case. In each office, labour officers were employed for 15 days to examine the complaints registered in that office between 2003 and 2008, and to fill out a data sheet for each case considered to represent an instance of labour exploitation, forced labour or trafficking.

32. The MLSS does not systematically record the age of the complainant. However, since 2008 a form has been developed to enable systematic recording of all data.

Section two: Forced labour and trafficking in Zambia

The public sector

In total, 27% of all complaints (87) collected by the HRC³³ involved the government. These complaints related to a wide range of government departments, with the Ministry of Education being the target of the highest number of complaints (20%). The military, including the army and air force, received nine complaints or 10 % of all complaints. These complaints predominantly related to unfair dismissal for various reasons.

Reasons for public sector complaints are not as varied as those recorded in the private sector. While exploitation takes place - notably unpaid wages and non-payment of terminal benefits - this does not appear to be vindictive, but a result of administrative breakdown.

Each complainant may have multiple problems, accounting for there being more complaints than the number of complainants. In total, 105 separate incidents were recorded. Fifty-two of these (50%) stemmed from unpaid dues. The second highest number of complaints, 15%, related to unfair dismissal, followed by non-payment of wages at 8%.

The public official moved between various stations but never received a settling-in allowance, subsistence, or other allowances. His property was lost and damaged during moves. He is now retired and wants his retirement package. He started work in 1977 and retired in 2004.

The employee claimed that he was suspended from a publicly-owned company and put on half pay without being given the opportunity to be heard. Before his suspension, he was forced to work overtime against his will for very long hours because of manpower shortages. He was not paid for these hours. He felt exploited and was arbitrarily suspended.

The private sector

In total, complaints were recorded in 21 employment sectors, with the highest number of complaints received by sector found below. The research found that some provinces recorded high numbers of complaints for a particular sector

predominant in that region. For example, Kitwe recorded 35% of its cases in the mining sector, while Chipata recorded no cases for mining but both domestic work and agricultural work accounted for 17% of cases.

Sector	MLSS		Sector	MLSS	
Hospitality & tourism	172	14%	Security	40	17%
Retail & trading	153	13%	Transport	24	10%
Construction	129	11%	Agriculture	20	8%

Reasons for complaints

The top three reasons for complaints were as follows:

Reason	MLSS		Reason	HRC ³⁴	
Non-payment of wages	525	34%	Non-payment of dues	121	28%
Non-payment of dues	460	29%	Non-payment wages	67	16%
Poor working conditions	103	7%	Unfair/unlawful dismissal	50	12%

33. The MLSS does not regularly receive complaints from the public sector as public sector workers are advised to complain to their union. A total of 23 public sector complaints were received by MLSS, reflecting similar complaints to those received by the HRC.

34. The types of complaints received by HRC differ slightly to those received by MLSS as they tend to be from workers who feel that their human rights have been violated, or who have already been to MLSS and having received no response, take their complaint to HRC.

Section two: Forced labour and trafficking in Zambia

While the majority of the cases certainly demonstrated exploitation, and in many instances severe exploitation, a number contained indicators that pointed to forced labour and trafficking. These cases tended to be related to unpaid wages; threats of dismissal, or dismissal after complaining; deception about the nature of the work; withholding of documentation; low wages; transportation; non-repatriation and trafficking, and poor conditions of service. In the example of unpaid wages some workers were not paid for months, and in a few instances, years. Workers whose wages are not paid are pushed into having to decide whether to stay with the company in the hope of being paid or to leave to try to find paying work elsewhere. They are often forced to stay in a job they no longer wish to do because leaving would result in the forfeiture of wages. This dilemma is used by employers to extract free labour from their workers.

A worker was contracted by two foreign nationals and a Zambian to undertake a construction job. It was agreed that he would be paid K450,000 per month, plus night allowance and K15,000 for every Sunday worked. He worked for three months and when he completed he asked for his payment. He was told there was no money for him. When he pushed further, he was beaten and tortured.

A worker was employed as a shop assistant. He alleged that his employer had not paid him for four months on the grounds of shortages. He also said that the employer constantly threatened him with dismissal if he reported the matter.

The withholding of identity documentation can be an indicator of forced labour. In the research, it was found to be common for domestic workers in particular, to have their National Registration Cards (NRC) withheld by their employers as a means to ensure that the worker did not steal. In a few cases the worker was unable to retrieve his/her NRC but in the majority of cases the card was freely available and therefore did not give rise to a forced labour situation. However, forced labour could be taking place in relation to the withholding of miners' health certificates. Mine workers are only allowed to work in a mine if they have a valid certificate of health, which is paid for by the employer. In a number of cases, the contractor hiring the worker withheld the certificate to stop the worker finding work elsewhere. This occurs even in cases where the contractor is not currently providing the worker with work but retains the certificate, and therefore the worker, until a new contract is secured. Rather paradoxically, this appears to amount to a case of 'forced unemployment' rather than 'forced labour'.

A group of male workers reported that upon returning to work after an industrial break, their employer informed them they no longer had tender in the mines and refused to give them their silicosis certificates. This meant that they could not find jobs elsewhere so that the employer could take them back on when he obtained another tender. The workers also had to wait one year for their unpaid leave days.

Section two: Forced labour and trafficking in Zambia

The recording of complaints revealed three sectors whose workers are particularly vulnerable to exploitation due either to the informal nature of the work or to the 'triangular' nature of the employee-employer relationship. In the latter case, workers hired by mining contractors are vulnerable to exploitation as they are not directly hired by the company they are working for. Numerous complaints were made about contractors not paying workers. This evidence backed up initial MLSS concerns that 'labour brokers' are in fact exploiting workers. Domestic and agricultural workers were also shown to be suffering exploitation, very often in the form of unpaid wages.

A group of workers had not been paid for four months. When the employer was brought to task, he accepted the claims but claimed that he had himself not been paid by the principal employer. When the employees insisted that the matter be followed up, labour office enquiries showed that the principal employer had indeed been paid for the work.

An Ethiopian woman worked as a domestic servant for 11 years in Addis Ababa, before moving with her employer to Egypt and then Lusaka. The employer's wife died after giving birth and the servant continued looking after the four children. When they came to Zambia, she was promised it would only be for one year and that she would be paid \$250 per month. When she lodged her complaint, she had in fact been in Lusaka for five years and had never received any salary. Each time she questioned the employer, she was promised her salary. The nationality of the employer is unknown.

A male gardener working at a private residence in Kitwe complained that he had not been paid for 18 months. He claimed that every time he asked his employer for his wages, his employer told him to wait, especially as he had provided food and second-hand clothes.



Section two: Forced labour and trafficking in Zambia

The research also found that Malawian workers coming to Zambia for seasonal work in agriculture were not being paid at the end of the season. Their illegal working status in Zambia was thought to be behind this as the migrants were often too scared to complain to the labour office for fear of deportation.

Further reading:

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Section three: National legislation and policies

Forced Labour

A number of Zambian laws address the issue of forced labour. Article 14 of the 1991 Constitution protects individuals against slavery and slavery-like practices, and states that no person shall be required to perform forced labour. There is, though, no definition of forced labour in the Constitution, although Article 14 does list the exemptions made under C29.

Under the Penal Code the following are criminal offences:

- **Section 261:** a person who trades, accepts, receives or detains a person as a slave is guilty of a felony and is liable to imprisonment for seven years.
- **Section 262:** any person who habitually trades in slaves is guilty of a felony and is liable to imprisonment for 10 years.
- **Section 263:** a person who unlawfully compels any person to labour against the will of that person is guilty of a misdemeanour.³⁵

The penal code also refers to the government's option to use hard labour as a form of punishment for convicted felons. The courts will "... take into account the severity of the offence, its prevalence and whether the accused is a first offender or not. Hard labour will not be imposed on a person who is physically challenged". In the Prisons Act, reference is made to the use of prisoners' labour in government institutions such as parastatal organizations and public companies, but says that this should only take place under the supervision of a prison officer or public officer. When a prisoner is hired out, s/he is eligible for wages.

Trafficking

The Penal Code (Amendment) Act of 2005 specifies the following as a criminal offence:

- Section 143: Any person who sells or trafficks in a child or other person for any purpose or in any form commits an offence and is liable, upon conviction, to imprisonment for a term of not less than 20 years.

Provided that where it is proved during the trial of the accused person that the sale or trafficking in a child or other person was for the purpose of causing the child or person to be

unlawfully and carnally known by any other person, whether such carnal knowledge was intended to be with any particular person or generally, the person is liable, upon conviction, to imprisonment for life.

This legislation has resulted in at least three prosecutions (see below), but is widely considered weak, particularly as no definition of trafficking is given. A consultative process began in 2006 to develop an anti-trafficking policy and new legislation. The policy and legislation are still under consideration by the Government of Zambia, but there are indications that comprehensive legislation should be passed by the end of 2008.

Father jailed for selling son

"A 43-year old Serenje man has been sentenced to 20 years imprisonment with hard labour for attempting to sell his 10 year old son last year. The man, Christopher Malama, was arrested in March 2006 when he tried to sell his son for K850,000 to a local businessman. Malama, a farmer, appeared before Kabwe High Court judge, Reuben Mwape, yesterday.

He was committed to the High Court by the subordinate court in Serenje for the offence of selling or trafficking in children contrary to section 143 of the Penal Code, Chapter 87 of the Laws of Zambia.

Particulars of the offence were that between March 13 and 17, 2006, in Serenje, Malama did traffic in Boyd Malama (his son) by way of selling him to a local businessman. Malama offered his son for sale at K850,000 cash or goods worth that amount"³⁶

The judge, when handing down the sentence, indicated that by not exceeding 20 years, he had given a lenient sentence because of the defendant's mitigating circumstances. This case was the first prosecution under trafficking legislation introduced under the Penal Code in 2005. Prior to this, there was no trafficking legislation in Zambia.

35. The penalty for a misdemeanour is imprisonment for a term not exceeding two years or with a fine or with both.

36. *Father jailed for selling his son*, *Zambian Daily Mail*, available at www.zamnet.zm

Section three: National legislation and policies

The first recognised trafficking case took place in 2000, involving an Australian national arrested at the Zambia/Zimbabwe border taking out five Zambian girls aged between 14 and 16. The girls were destined for Australia where they were told they would be 'dancing queens'.³⁷ Despite some evidence, including a video of the girls naked, that the Australian was trafficking them, weak legislation and a strong defence resulted in an acquittal. The five girls were hostile witnesses as they still wished to go to Australia and earn the US\$500 per week that they had been promised.³⁸

Child labour

The Employment of Young Persons and Children Act 2004 closely follows the definition contained in the ILO Convention on the Worst Forms of Child Labour, 1999 (No.182). The Act also states that: "A child between 13 and 15 years may be engaged in light work which is not likely to harm that child's health, or development; or which is not prejudicial to that child's attendance at an institution of learning or participation in vocational orientation". A child under 13 years of age cannot work under any circumstances. This closely reflects the ILO Minimum Age for Admission into Employment Convention (No. 138 of 1973).³⁹ Under this legislation, the penalty for employing children in the said activities is a fine of not less than two hundred thousand penalty units, but not exceeding one million penalty units, or imprisonment for a term not less than five years but not more than 25 years, or to both.⁴⁰

National employment law

Zambian labour conditions are legislated under the Employment Act, Chapter 268 of the Law of Zambia. The legislation provides cover to all workers to a varying degree often dependent on their time in employment. This Act sets out the minimum contractual age as 16 years; stipulates that an employer must pay for repatriation of workers who have been moved from their home to work by an employer; must provide paid leave to employees who have worked for them for six continuous months and maternity leave to women who have been in continuous service for two years from the date of first engagement, or since their last maternity leave. The Act also sets out the rights and responsibilities of labour officers, laws governing recruitment agencies and lawful procedures for oral and written contracts.

In relation to forced labour, the Act states in Section 75 that:

Any person who:

- (a) induces or attempts to induce any person to engage himself for employment or engages or attempts to engage any person by means of any force, threat, intimidation, misrepresentation or false pretence; or



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37. The girls had been told they would be doing traditional African dancing in Australia. The defence in the court case said that the videos of the naked girls were of them doing traditional African dancing.

38. *Blind cry from human trafficking*, <http://www.changemakers.net>

39. Zambia ratified C138 in 1976 and C182 in 2001.

40. The Ministry of Sport, Youth and Child Development published the National Child Policy 2006, which includes laying down various objectives to prevent economic exploitation and child labour and prevent child sale, trafficking and abduction.

Section three: National legislation and policies

(b) by force, in any way prevents or endeavours to prevent any person from hiring himself as an employee or from accepting work from any employer; shall be guilty of an offence.

And in Section 77 that:

Any person guilty of an offence under this Act for which no penalty is provided shall be liable to a fine not exceeding two thousand penalty units or to imprisonment for a period of not exceeding six months, or to both and, in the case of a continuing offence, to an additional fine not exceeding two hundred penalty units in respect of each day during which such offence continues.

This demonstrates that while forced labour does indeed constitute an offence under the Employment Act, the penalties are weak and do not reflect the criminal nature of the deed.

Alongside the Employment Act is the Minimum Wages and Conditions of Employment Act (Chapter 276). The statutory instruments for the Minimum Wages Act were revised in 2006 to update the level of the minimum wage. This Act sets out eligibility for the minimum wage, the level of the minimum wage and what allowances must be paid. Wages and allowances differ according to the type of job. Some confusion is caused by the fact that not all jobs are categorised. There is also confusion over eligibility of casual workers for the minimum wage. Casual workers are non-permanent workers who have contracts of less than six months duration.⁴¹

The minimum wage does not apply to the following categories of workers:

- Employees of the Government of the Republic of Zambia
- Employees of a District, Municipal or City Council
- Employees engaged in domestic service
- Employees who undergo collective bargaining (unionised workers)
- Employees with specific employment contracts attested by the Ministry of Labour
- Employees in management positions (as defined under the Industrial Relations Act).

The Government of Zambia is currently reviewing the statutory instruments for the minimum wage, the Employment Act and the Industrial and Labour Relations Act. Furthermore, the Ministry of Labour and Social Security intends to introduce regulations for private recruitment agencies.

National Registration Act

The issue of the withholding of National Registration Cards (NRC) is often raised in relation to some workers, in particular domestic workers, as employers often hold onto the original cards so as to prevent theft by the worker. It is, however, illegal to hold onto another person's NRC. The National Registration Act, Chapter 126 of the Law of Zambia, article 8 (3) states: "Any person who finds or unlawfully comes into possession of a national registration card which is not issued to him shall, without undue delay, return it to the person to whom it was issued or forward it to the nearest registrar." Article 13 dealing with offences and penalties, states that any person who (e) "wilfully destroys or mutilates any national registration card"; (g) "unlawfully deprives any person of a national registration card issued to him under this Act", and (h) "is in unlawful possession of or makes use of a national registration card issued to any other person under this Act"; "shall be guilty of an offence and be liable to a fine not exceeding three thousand penalty units, or to imprisonment for a term not exceeding six months, or to both".

41. Petrauskis, C: *Employee vulnerability in Zambia: A policy guide to casualisation, minimum wage and the dignity of work* (Lusaka, Jesuit Centre for Theological Reflection, 2006).

Part 2:

Action by trade unions against forced labour and trafficking



Section four: Role of trade unions in combating forced labour and trafficking

Governments have the responsibility to ensure that national legislation reflects the international commitments that they have entered into, and that these laws are fully and effectively implemented in practice.

Trade unions have an important complementary role to play, to ensure that the government lives up to its commitments, and to defend all workers whose rights have been violated. Trade unions can achieve this through actions like policy advocacy and development, organizing workers, raising awareness and monitoring and reporting violations.

Trade unions have a large collective voice, which can be used to help sensitize and mobilize communities and governments to take action against forced labour and trafficking. As Zambia has ratified all the eight ILO fundamental Conventions, including Conventions 29 and 105, trade unions should also work to make certain that the government meets its obligations to ensure respect for all the fundamental Conventions in law and practice.⁴²

These fundamental Conventions concern the four principles that are covered under the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998. These principles are:

- The right to form and join a trade union, or employers' organization, and to bargain collectively;
- freedom from forced or compulsory labour;
- freedom from child labour;
- freedom from discrimination at work.

Fighting forced labour and trafficking should be a priority for all trade unionists. Not only do these practices represent terrible violations of workers' human rights, but they can also negatively affect unions' bargaining power. Workers in forced labour and trafficking situations are a source of cheap labour, which may make it difficult for unions to bargain with employers for a decent wage for other, 'free', unionised workers. It is thus in the interests of trade unions and their members

also to help create the social climate - a broad-based consensus that forced labour and trafficking are intolerable practices wherever they occur - which will ensure that these problems can be sustainably eliminated in the long term.

The problems of forced labour and trafficking can affect any worker, whether they are employed in the formal or informal economy. However, it is recognised that most workers affected by forced labour are likely to be working in the informal economy, where trade unions often encounter challenges to recruit members and operate effectively. But this should not deter trade unions from action, as they have a responsibility to defend the rights of all workers, irrespective of their status or sector.

Trade union leaders, members and other non-unionised workers can be categorized into the following groups:

- those with the ability to be 'change agents' at the workplace or community level;
- those who are knowingly or unwittingly employers of trafficked or forced labour victims, particularly of domestic workers;
- those who are actual or potential trafficking or forced labour victims themselves, and
- those who may become part of a vigilance network to detect and take appropriate action in cases of forced labour and trafficking.

Workers can fall into one or several of the categories listed above. All trade unionists have the ability to be both 'change agents' and part of a vigilance network against forced labour and trafficking, as they are uniquely well-placed to have access to workplaces and workers, and to detect where violations of workers' rights are occurring.

42. The ILO Fundamental Conventions are the following: Freedom of Association and Protection of the Right to Organize Convention, 1948 (No.87); Right to Organize and Collective Bargaining Convention, 1949 (No.98); Forced Labour Convention, 1930 (No.29); Abolition of Forced Labour Convention, 1957 (No.105); Minimum Age Convention, 1973 (No.138); Worst Forms of Child Labour Convention, 1999 (No.182); Equal Remuneration Convention, 1951 (No.100) and Discrimination (Employment and Occupation) Convention, 1958 (No.111).

Section four: Role of trade unions

What can trade unions do?

Trade union leaders, officials and members can undertake many different activities to tackle forced labour and trafficking, which are explained further in the following section.

These include:

- drawing up trade union policies and action plans to combat forced labour and trafficking;
- awareness raising campaigns, including producing leaflets and posters to raise awareness among members and the general public;
- organizing victims of forced labour and women and men workers who are particularly vulnerable to forced labour and trafficking, such as young women and migrant workers;
- providing legal assistance and support services to victims of forced labour and trafficking;
- mobilizing members and networking with others in the labour movement;
- integrating forced labour and trafficking concerns into workers' education programmes;
- developing model agreements with employers on an industry-wide basis;
- approaching employers to take joint action against forced labour and trafficking;
- building networks and alliances with civil society and other stakeholders;
- ensuring that government legislation is in conformity with Conventions 29 and 105 and that this legislation is enforced;
- identifying, documenting and reporting forced labour and trafficking abuses to appropriate national or local authorities;
- contributing to trade union reports and complaints to the ILO;
- fighting against forced labour on the shop floor.

What resources are needed for trade unions to fight forced labour and trafficking?

Activities to combat forced labour and trafficking do not have to be expensive, but what can be done will obviously depend on the resources available. Trade unions should always look for opportunities to combine or integrate activities related to forced labour and trafficking with other on-going programmes or initiatives. Trade union staff or leaders appointed to look at human rights issues could be trained to take on forced labour and trafficking along with other concerns.

However, before any specific activity can be carried out, there must be an assurance that the necessary human and financial resources are available. Some of the questions that should be asked are:

- Does the union have staff to implement the particular activity?
- If not, do activists need to be recruited to help or are other partners required? If so, which ones?
- Does the union have all the other resources it needs to tackle the problem?
- Are additional resources needed? If so, how and where can they be found?

The following sections describe various things trade union leaders and members can do to work towards the elimination of forced labour and trafficking. The types of activity undertaken will depend in large part on the size and scope of the trade union and on how involved it wants to become in the fight against these abuses.

The activities cover action against both forced labour and trafficking. Unions may choose to focus on one or both issues, but as the two are so closely linked, it would make most sense to tackle both together.

Section five: What can trade unions do?

Activity 1: Developing a policy and an action plan

Aim: To develop a trade union policy and an action plan to guide its implementation.

Policy development

To start working on an issue such as forced labour and trafficking, a union must develop a policy statement stating why it is working on the issue, and how it intends to proceed. Such a policy statement should help trade unionists inform members and non-members of their intention to combat forced labour and trafficking.

Before unions can develop a policy, they should think about:

- the relative importance of the issues of forced labour and trafficking compared to other union priorities;
- the major headings which should be included in the policy;
- the kind of campaign the union would launch;
- the other areas of union work which could incorporate forced labour and trafficking activities.

It is often the case that an organization's policy is developed at the top of the organization and stays at that level. To get a commitment from members and to mobilize them around the issue, there has to be wider membership involvement in policy-making through a process of consultation and information sharing. Once the policy is developed, it is important that it is immediately communicated to the membership.

What is a policy?

A policy provides the trade union with a public statement of what it is committed to work towards. It provides a framework for setting objectives and priorities, and helps determine what kind of activities are undertaken to achieve these objectives. Policy and action are very closely linked: a policy must be implemented for it to be effective and have an impact on the issue it sets out to address. So the development of a policy and action plan should go hand-in-hand.

Development of action plans

With a policy in hand, the union then needs to outline a plan of action designed to implement the policy and achieve its objectives. Why a plan of action? Forced labour and trafficking are difficult, mostly hidden, problems that are not easy to solve. Some practices, particularly in relation to domestic workers, are culturally deeply entrenched. Changing the situation could take many years. A plan should therefore include activities for the longer-term as well as short-term.

Activity 1: Developing a policy and an action plan

This **checklist** may help with the development of an action plan:

- What are the objectives of the plan? Are they clearly stated?
- What actions will be required to achieve the objectives?
- Who will benefit from the different activities planned?
- What resources are needed to implement the plan? What materials and finances will be required and how will these be secured?
- Who within the union will have responsibility for implementing the plan?
- Who will actually carry out the activities? (This need not always be the person who is responsible for the plan).
- What is timeframe for implementing different elements of the plan?

- Does the plan fit in with other union activities?
- Is the planned action aimed at the right level to be successful and to make an impact? For example, a plan which involves action at a local level might be successful, but will it have an impact outside the area?
- What other action is required before the plan can be carried out (for example, information gathering, forming an alliance or committee, appointing a focal point for dealing with forced labour and trafficking issues)?

Implementation

Plans should be reviewed regularly during implementation and strategies adjusted on the basis of experience. A review timetable should be built into the plan and there should be mechanisms in place for monitoring and evaluating its success.



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What can trade unions do?

Activity 1: Developing a policy and an action plan

The ITUC is working closely with the ILO Special Action Programme to combat Forced Labour to build a **Global Trade Union Alliance to Combat Forced Labour and Trafficking** as part of a broader Global Alliance led by the ILO, which involves many other partners as well. The Global Trade Union Alliance aims to build capacity among trade unionists to fight forced labour and human trafficking in a structured and coordinated way. The ITUC is identifying focal points in all regions so as to build a network of trade unionists committed and able to fight forced labour and human trafficking everywhere.

All national centres and trade unions are encouraged by ITUC to become active members of the Global Trade Union Alliance. Its secretariat at the ITUC in Brussels can be contacted for further information and assistance. The ITUC-African Regional Organisation in Nairobi can also provide information.⁴⁴

The International Trade Union Confederation Plan of Action against Forced Labour and Trafficking

In December 2007, the ITUC General Council endorsed a plan of action for campaigning on forced labour and trafficking. This was a fundamental step in forming the Global Trade Union Alliance against Forced Labour and Trafficking. The action points that form the basis of the Global Trade Union Alliance against Forced Labour and Trafficking are:

- the promotion of ratification and effective implementation of ILO Conventions 29 and 105, 81 and 129, 97 and 143, and 181;⁴³
- awareness-raising on forced labour and trafficking issues aimed at trade union members and officials, and the wider public;
- addressing forced labour and trafficking issues in bipartite and tripartite negotiations and agreements;
- promoting political and material support within trade union organizations for the development of policies against forced labour;
- monitoring employment agencies as well as companies and their supply chains to detect and combat forced labour and trafficking practices;
- identification, documentation and public exposure of forced labour issues and cases;
- bilateral, sectoral and regional trade union cooperation agreements and appropriate alliances or coalitions with civil society organizations that have recognised expertise and experience;
- cooperation with labour inspection services, law enforcement and other relevant national, regional or international authorities or interagency working groups;
- outreach and direct support to informal, unprotected and migrant workers at risk to address their specific situation and needs, including through their integration into trade union ranks;
- ensuring that proper attention is paid to all aspects of racism and discrimination, including in particular its gender dimension, as women and girls are especially at risk;
- working closely with Global Union Federations to target sectors where forced labour and trafficking are most likely to occur.

44. Contact details can be found in Annex 1.

43. Forced Labour Convention, 1930 (No.29), Abolition of Forced Labour Convention, 1957 (No.105), Labour Inspection Convention, 1947 (No.81), Labour Inspection (Agriculture) Convention, 1969 (No.129), Private Employment Agencies Convention, 1997 (No.181), Migration for Employment Convention (Revised), 1949 (No.97), Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143).

Activity 2: Fact-finding, investigation and information

Aim: To provide ideas on how to gather information on forced labour and trafficking; where to find such information and how the information can be used.

The issues of forced labour and trafficking in Zambia have only recently started to be addressed and researched, and there is a constant need for new and up-to-date information and knowledge. Trade unions are in an ideal position to collect information on forced labour and trafficking in both the formal and informal sectors. Without such information that allows a comprehensive understanding of the problems, it is difficult to develop policies and know what action to take to address them.

What information is needed?

Gaps in information

Collecting secondary data will help trade unions identify who is vulnerable to forced labour and trafficking, whether men, women, boys or girls; the sectors that are particularly affected; where the workers come from; what the working conditions are like and what means of coercion are used; and what action has already taken place, if any, to address the problems. Significant knowledge gaps remain about these problems in Zambia. Trade unions can help fill these gaps by carrying out their own primary research and gathering information to build-up sector-specific information which, when collated with the work of other trade unions, will help build a bigger and better picture of the problems.

Sources of information

The first step is to identify which institutions and organizations already have information on forced labour and trafficking in Zambia and southern Africa as a whole. These sources could include:

- International organizations such as ILO, UNICEF, IOM;
- government departments such as the Ministry of Labour, Ministry of Home Affairs, other ministries, Central Statistical Office;
- workers' and employers' organizations locally, nationally, and internationally;
- media organizations;
- academic institutions and teachers' organizations;
- local, national and international NGOs.

What has already been done?

It is also useful to find out what action has already been taken to combat forced labour and trafficking: this could include government activities, the work of United Nations' (UN) agencies, the development agencies of different donor countries, and national and international agencies working on relevant issues. By learning from what has already been done, trade unions are able to learn from good practice and successful strategies, and avoid repeating the same mistakes or reinventing the wheel.



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What can trade unions do?

Activity 2: Fact-finding, investigation and information

How to collect information

Information can be sought at different levels, from different sources and using different methods. It is important to determine at the outset which methods are most appropriate for obtaining the information needed. When a union investigates forced labour and trafficking, it is searching for facts, gathering existing information and collecting new information, so that it builds a bank of data relevant to the problem which it can use as the basis for its action.

Using union structures and members

The union can get its members and workers in local communities to help identify areas where there might be forced labour and trafficking by asking them to document their observations and personal experiences. The union could also gather and compile photographs and video footage which, together with the individual stories of forced labour and trafficking victims, could be very effective mobilization tools and essential evidence.

Qualitative studies

Small-scale surveys can be carried out by unions alone, or in cooperation with NGOs or local researchers. When trade union activists work alongside professional researchers, both sides can benefit. The trade unionist is trained in research methodology and the researcher gains better access to workplaces and workers. Surveys can be used to collect baseline data such as numbers, age, sex, type of work and working conditions, as well as more in-depth personal stories.

Sharing information

Once collected, the information gathered can be put into a report and distributed to partner organizations and other institutions working on forced labour and trafficking. By systematically storing information, unions will be more able to access and share the data so that everyone involved is kept up-to-date. The sharing of data is also important in building relationships with other organizations that may be able to assist the union with future work.

Unions may also be required to share information when referring cases on to other organizations, such as victim support units or labour officers, for assistance and possible prosecution.

Special issue 1: Identification of victims

As they carry out research or go about their day-to-day work, trade union members may come across possible forced labour and trafficking cases. The following questions⁴⁵ may help with identification, but a 'yes' to one question does not necessarily mean that the person is in a situation of forced labour. Positive responses to a number of the questions however might well indicate this. Remember, if someone is unable to leave their job because of a threat or menace of a penalty and they have not freely consented to do the job then they are in a forced labour situation.

Physical violence, including sexual violence

- Does the worker have any signs of maltreatment, such as bruises?
- Does the worker show signs of anxiety?
- Is there any other sign of mental confusion or traces of violence?
- Do supervisors/employers demonstrate violent behaviour?
- Has the worker been deprived of food, water, sleep, medical care or other necessities?

Restriction of freedom of movement

- Is the worker locked up at the workplace?⁴⁶
- Is the worker forced to sleep at the workplace?
- Are there visible signs which indicate that the worker is not free to leave, such as barbed wire or the presence of armed guards or other such constraints?
- Is the worker under threat not to leave the workplace?
- Is the worker allowed to communicate freely with friends and family?

Threats

- Does the worker make statements which are incoherent or show indoctrination by the employer?
- Does the worker report any threat against her/himself, co-workers or family members?

- Is there any sign that the worker is subject to racketeering or blackmail (with or without the complicity of the employer)?
- Are workers forced to work excessive (unpaid) overtime or to carry out tasks that they prefer not to do, and are they threatened if they refuse?
- Is the worker in an irregular situation (e.g. migrant worker) and threatened with denunciation to the authorities?

Debt and other forms of debt bondage

- Does the worker have to repay high recruitment or transportation fees? If so, are these deducted from the salary?
- Is the worker forced to pay excessive fees for accommodation, food or working tools that are directly deducted from the salary?
- Has any other loan or advance been paid that makes it impossible to leave the employer? What rate of interest is charged on the loan?
- Are work permits bound to a specific employer?

Withholding of wages or non-payment of wages

- Does the worker have a written employment contract?
- Are wages paid on a regular basis?
- Is there any illegal wage deduction?
- What is the amount of the wage in relation to the minimum wage?
- Does the worker have access to their earnings?
- Has the worker been deceived about the amount of her/his wages?
- Are wages withheld with the promise of future payment?
- Is the worker paid in-kind?
- Is the worker threatened with dismissal if she/he complains about non-payment of wages?

45. Based on Andrees, B: *Forced labour and human trafficking: A handbook for labour inspectors* (Geneva, ILO/SAP-FL, 2008) and International Trade Union Confederation: *Mini-action guide on forced labour for trade unions* (Brussels, forthcoming).

46. It should be noted that a worker who is locked in the work premises during a shift but allowed home afterwards and returns voluntarily to the workplace, is not necessarily a victim of forced labour. However, if the worker always returns, for example, because wages have not been received, then the two together would indicate forced labour.

What can trade unions do?

Special issue 1: Identification of victims

Retention of identity and travel documents

- Does the worker possess identity documents?
- Are they kept by the employer or supervisor? If so, why?
- Does the worker have access to the documents at any time?

General

- Is the worker younger than 18 years?
- Does the worker depend on the employer for basic needs such as food and shelter?
- Is the worker a migrant or a local? A national or a non-national?
- Is the worker free to leave the employment if she/he wants to?
- Is the workplace in an isolated location?
- Has the worker been recruited for one job and then employed in another?
- Have there been any prior complaints about the employer?

Possible responses

If forced labour and trafficking are suspected, the trade union has various options to consider in resolving the situation. To force someone to work, or to traffic someone, is a criminal offence and the police should be quickly informed and involved.

It may also be worth contacting a labour officer to discuss the problem before deciding on what action to take. Employers may be difficult to work with and may try to harm the victims or abscond to avoid arrest. However, the trade union may feel reluctant to contact law enforcement officers, particularly if the victim is a migrant, or if the trade union has not had a good response from the police/labour officers in the past. If the trade union is unsure, it is advisable to contact an NGO or international organization for advice.

In some cases the worker may be reluctant to leave for fear of the consequences, or may have nowhere else to go. In such cases the trade union should also contact the social welfare department, local NGOs that provide support to vulnerable people, the International Organization for Migration if the worker is a migrant or requires assistance to return home (either within Zambia or elsewhere), or phone the trafficking helpline on 990 for further support. There is a list of relevant organizations and their contact details at Annex 1.

(See also Special Issue 2 on page 5 for additional ideas on supporting victims of forced labour and trafficking).



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Identifying cases of forced labour and trafficking: Zambian cases for discussion

The following cases are all genuine and took place in Zambia. Some of the cases relate to labour exploitation, while others are of forced labour and trafficking. The first three cases are clearly labelled. For the remaining three cases, discuss with colleagues to see whether they are cases of labour exploitation, forced labour and/ or trafficking and how the trade union could deal with them.⁴⁷ Remember, not all cases are clearly forced labour situations. The union's response should be appropriate to the situation.

Case one

My job [as a maid] is bad because I have no public holiday. I only rest on Sunday because that is the day my boss is at home. As a maid, there are no benefits. We are hired and fired at will. I work from 07.00 to 18.00. Even when I am not feeling okay, I have to report for work because if I don't, that means my salary will be cut for the days I was sick.

This case is one of labour exploitation, but not forced labour. The maid is free to leave the job, and she is apparently being paid, but she is not getting the holiday or sick days she is due.

Case two

The workers were contracted to carry out three months of piecework for which they would receive K350,000 upon completion. Two days before completion, the employer increased the volume of work and extended the period to four months without telling the workers anything or renegotiating the wages. At the end of the four months, the employer said he was going to pay only the agreed K350,000 and nothing extra. He accused the workers of being lazy and failing to meet their deadline. The workers felt exploited.

This is probably a case of forced labour because the workers had agreed to a specific job and salary but were deceived about the length of the contract. The employees had agreed to work for a set period of three months but were made to work an extra month for no extra money. This was done without their agreement. They had no choice but to continue working the extra month as they had not received the wages they were due. However, it

is not clear whether they were physically prevented from leaving, for example by threats or because they were in a distant place.

Case three

Landilani is 22 years old. When Landilani was 19, his father arranged for his employment by a businesswoman he knew in Chipata who would come to their village buying gemstones. He travelled to Chipata by open van, paid for by his prospective employer.

When he got to Chipata, Landilani and the employer agreed a salary of K150,000 per month. He lived at a restaurant where he also had his meals. He worked as a guard at the restaurant. His duties also included sweeping, cleaning, washing plates, watering flowers, working at the farm, moulding and burning bricks. He worked for three months in Chipata without receiving his salary, only an occasional K10,000 to buy clothes.

He was then enticed to leave this employment by the nephew of the employer and promised a job in Katete in charge of pool tables at a salary of K350,000 per month. He ran away from his Chipata employer to work for the nephew at the night club. For the first two weeks after arrival, Landilani had to work at his new employer's gemstone mine, digging in the mine and collecting food from Chipata for the miners. Then he was moved to the night club. His employer provided him a rented room but said food was Landilani's responsibility. He worked at the night club for two years without receiving a salary. When he started to ask his employer about his salary, he was told to stop work as another person had been recruited in his place. The employer offered Landilani transport back to the village. To survive, Landilani began doing piece work and getting food from friends. He also paid a bailiff to collect his outstanding dues. The bailiff and employer were friends, however, and the case was stalled. Landilani only received K100,000 of what he was owed.

47. A discussion of case studies four, five and six can be found at Annex 2.

What can trade unions do?

Identifying cases of forced labour and trafficking: Zambian cases for discussion

This case is one of forced labour, as Landilani was not paid his promised salary over an extended period, which kept him in the jobs against his will. When Landilani started to complain, he was dismissed and replaced by another victim. It may also be a case of trafficking, as both cases involved movement, but it is not entirely clear if Landilani moved of his own free will or not. It does seem likely, however, that both employers were abusing his vulnerability, insofar as he was a young man and, on the second occasion, also away from home and in a difficult situation.

Case four

A group of men were employed as shop assistants at a supermarket. They had been working for five months without being paid their monthly wages, supposedly on the grounds that the shop was facing liquidity problems. When their employment was terminated, they were not paid their wages or their terminal benefits.

Case five

A male security guard in Kitwe claimed his company's client was forcing him to do gardening on top of his contracted duties for no extra money. He alleged that when he told the company, they promised to talk to the client but never did. The guard believes they never will as this client is one of the biggest they have.

Case six

The employer found the employee working at a bakery in Mufulira. He promised her a higher pay if she came to work at his shop in Kitwe. When they reached Kitwe, the employer told her that he was still preparing her position at the shop but that in the meantime she should help out with the housework as a small token, especially as his wife was nursing accident injuries. After helping out for more than six months, the employee's services were terminated without reason and she was not given any transport money to return to Mufulira.

Activity 3: Awareness raising and campaigning

Aim: To learn about different awareness-raising techniques and how to plan and implement an awareness campaign.

There are many reasons why the abuse of workers in forced labour and trafficking situations continues to take place. But in general, the problem is underpinned and sustained by a general lack of awareness which results in victims not being identified and in employers being able to abuse workers without the risk of being caught. Through raised awareness, members of trade unions and the general public will learn more about the problem and be able to assist in identifying victims and abusive employers, and to prevent either themselves, or someone they know, becoming a victim. Awareness and knowledge will enable workers and their communities to mobilize to take action and campaign against forced labour and trafficking.

Trade unions in Zambia already run raising awareness activities among workers and communities on issues such as HIV and AIDS. Campaigns on forced labour and trafficking could target:

- general information and awareness-raising of the risk of forced labour and trafficking to workers and the general public;
- specific vulnerable sectors and groups e.g. domestic workers, agricultural workers, migrants leaving Zambia, migrant workers in Zambia and child labourers;
- ratification and implementation of relevant international Conventions and national legislation and policies;
- provision of information on basic workers' rights and minimum wages;
- membership drives in the informal economy;
- policy advocacy on poverty reduction, education, decent job creation and other relevant areas.

Levels of campaigning and action

The trade union movement as a whole can campaign on three levels - locally, nationally and internationally. Here are some examples of what can be done at those different levels.

Locally

- Mobilizing members;
- mobilizing the unorganized and marginal workforce;
- lobbying local authorities over law enforcement and respect for workers' rights.

Nationally

- Mobilizing members to eliminate forced labour and trafficking abuses;
- pressing for policy and action on employment creation and decent work, training and apprenticeship opportunities for disadvantaged groups, minimum wage implementation, etc.;
- pressing for economic reform and poverty alleviation;
- lobbying for legislative and enforcement measures;
- supporting national implementation of international standards.

Internationally

- Organizing industry and sector campaigns;
- undertaking global campaigns in support of ILO Conventions;
- participating in the Global Trade Union Alliance to Combat Forced Labour and Trafficking.

What can trade unions do?

Activity 3: Awareness raising and campaigning

Organizing a campaign

There are many different types of trade union campaigns. It is important to remember that a campaign is not one single event or task. It is composed of several different activities and tasks that contribute to an overall goal. Campaigns should aim at changing an existing situation or behaviour. If the union decides to run a campaign, it must think about its goals and how best to organize the campaign to achieve those goals. The form the campaign takes will depend on these objectives, the resources available and the team responsible.

A plan should be formulated to:

- determine the objectives of the campaign;
- determine who the campaign will target (there may be more than one target group);
- determine how best to spread the message using the most appropriate means, materials and methods;
- decide who will be responsible for coordination;
- decide how many people will be needed to run the campaign and what skills they should possess (human resources);
- devise a budget and ensure that the money is available (financial resources);
- decide how best to use the mass media (radio, TV, newspapers) to implement and publicize the campaign and contribute to achieving the objective.

Thought should also be given to whether the campaign can be sustained long-term both in terms of human and financial resources and a timescale developed. Drawing up a detailed schedule of what needs to be done, by whom and when is always very helpful.

Setting up a campaign committee or task force

It is important to set up a dedicated team (campaign committee or task force) to work on forced labour and trafficking issues. If the union asks its members to become involved, it should be clear about the time and effort expected.

Once the task force is established, it is essential to ensure that all its members have a good understanding of forced labour and trafficking and the campaign's objectives. It is important that task force members are able to answer questions about the campaign. Run a training session for task force members and ensure that task force members are accountable and recognized for their work.

Publicizing the campaign

To make sure that everyone knows about the campaign, information should be circulated about its objectives and planned activities. Information about the campaign could be included in circulars to district/branch offices and articles carried in the union magazine or newsletter. Additionally, the union will want to win support from the community and the general public. Radio and television are good ways of doing this, as is recruiting a national celebrity (a cultural artist, footballer or a well-known community leader for example) to endorse the campaign. Unions may also consider launching campaigns on forced labour and trafficking on pertinent special days, such as Labour Day or dates when conventions come into force or other national and local celebration days.

Union officials should also receive information which can be used when they go to speak to workers or other groups. No matter what other activity the union is involved in, the opportunity should be taken to link the forced labour and trafficking campaign with that activity. Integrating the campaign into the union's wider activities will generate more support from members and the union's structures.

Activity 3: Awareness raising and campaigning

Using the mass media

Using the mass media to generate information about and for the union's campaign reaches not only the general public but also the union's own members and lets them know that their union is actively campaigning. To achieve media coverage, unions must build a good relationship with the media.

Before starting to work with the media, the union should:

- be clear about what it wants from the media;
- research and prepare an article or press release;
- think about the best media to use and how the chosen media likes to receive its information;
- think about what it wants readers, listeners or viewers to do as a result of hearing about the campaign;
- ensure that enough copies of the articles or press release are available for distribution;
- ensure that there is a contact point for the media who will be available to provide follow-up information.

Training

As well as campaigning, awareness can also be raised through training. Training is more targeted and specific and need not be expensive. Unions can train senior members who in turn provide information to other members. Brief guidelines can be circulated to all members detailing key points about forced labour and trafficking and telling members how they can get involved in campaigning. By including the issue of forced labour and trafficking in general induction programmes, new members will be involved from the start and can raise awareness amongst existing members.

Writing a press release

A press release is a short statement sent to the media to encourage them to write a story about an event or a particular problem concerning forced labour and trafficking. It should go to newspapers, magazines, and television and radio journalists. Press releases should include new information, be relevant to the chosen media and sent out in time to meet any deadlines for the radio or TV programme targeted.

When writing a press release:

- check that the information is given in clear and precise language. Use short sentences;
- ensure that the most important information is in the first paragraph. This is aimed at catching the reader's attention immediately;
- check that the release answers the questions: who, what, when, and why;
- illustrate issues with a local or human interest angle.

What can trade unions do?

Activity 3: Awareness raising and campaigning

Other ways to raise awareness and carry out training

- **Workplace discussion groups** could be held during work breaks or in time allotted for union activities.
- In **union meetings** during or after work where sections of the toolkit could be copied and distributed.
- In **communities** where workers live, where there are social, cultural or other activities supported by the union or union members; the toolkit or campaign materials could also be used in informal adult education.
- Organize an **exhibition** on forced labour and trafficking, or on the work of the trade union in the fight against forced labour and trafficking. It may be that a stand could be set up at exhibitions or gatherings organized by others.
- The trade union could also organize **petitions** against the use of forced labour or trafficking victims in the workplace.
- Invite a **panel of speakers** on forced labour and trafficking to a union meeting. Panel members should be carefully chosen for their knowledge of the issues and for their ability to speak clearly to a trade union audience. Panels should include a trade union officer.
- Look for **case studies/examples** of good practice. Some unions or workplaces may have already tackled the issue and lessons can be learnt on what methods have proved successful or not. It may help to prepare a checklist to record findings.
- Organize a **role play**, which requires a small group to act out a situation. The group selects who will play each part, and a short brief is available for each 'actor'. A role play could involve a union activist and a member who employs a worker who has been trafficked. These plays could be acted out in the workplace or in the community.

Campaign materials

There are all sorts of campaign materials that can be used to illustrate the campaign and spread the message to members and the general public: stickers, leaflets, posters, banners, T-shirts, videos, handouts, postcards, cartoons, drama and songs for example.



A children's theatre group raise awareness on HIV/AIDs through drama

© ILO/ M. Crozet

Activity 4: Working with employers to combat forced labour and trafficking

Aim: To provide ideas on ways in which trade unions can become involved in developing and implementing initiatives with employers on preventing forced labour and trafficking.

As emphasized throughout this toolkit, forced labour and trafficking are prohibited under international law, which is reflected in Zambia's national legislation. Therefore, no employer or business should ever make use of forced labour or employ victims of trafficking. If they do, they should be subject to prosecution and conviction in a court of law.

Because the practice is illegal, trade unions do not normally include forced labour clauses as part of collective agreements negotiated with employers at the national, sectoral or enterprise level. Nevertheless, with some creative thinking specific clauses on forced labour and trafficking could help target specific areas or groups of people or protect workers who blow the whistle on abuses.⁴⁸

Employers and businesses, for their part, should undertake initiatives to ensure respect for workers' rights in their own operations and in their supply chains. While being no substitute for the binding force of national law and collective agreements, such initiatives have a useful role to play in ensuring freedom from forced labour and trafficking; they should always include a specific provision to this effect and must be properly implemented and monitored. Trade union involvement is an important way to enhance the transparency and credibility of such monitoring mechanisms.

International Framework Agreements

An International Framework Agreement (IFA) is similar to a Collective Bargaining Agreement, but is negotiated at global level between a multinational corporation and a Global Union Federation (GUF), to cover the operations of that company throughout the world. The prohibition on forced labour (along with other fundamental rights) is invariably included in IFAs. For example, the International Framework Agreement between Volkswagen AG, the Group Global Works Council of Volkswagen AG and the International Metalworkers' Federation states:

"Basic goals:

1.3 Free Choice of Employment

Volkswagen rejects any knowing use of forced labour and indentured as well as debtor servitude or involuntary prison labour."⁴⁹

However, just like other agreements, IFAs will be effective only if they are properly implemented and monitored. Whereas voluntary company codes of conduct (see below) are usually monitored unilaterally by the company that has developed the code, IFAs should be implemented and monitored jointly by the company and the GUF that is co-signatory to the IFA, through its global and regional structures and national affiliates.

48. NUWHRAIN, a major hotel union in the Philippines, has included clauses in its collective agreement with hotel owners that require hotel employees to report any requests made by hotel guests in relation to child prostitution. The report is made to either the personnel manager, hotel manager or trade union delegate. *Filipino workers want to discourage paedophile tourists* (4.9.2001), International Confederation of Free Trade Unions, <http://www.icftu.org>

49. *Declaration on social rights and industrial relationships at Volkswagen*, International Metalworkers' Federation, (6 June 2002) <http://www.imfmetal.org>

What can trade unions do?

Activity 4: Working with employers to combat forced labour and trafficking

Below is an example of recommendations for implementing an IFA:

"International Metalworkers' Federation (IMF)

Recommendations of the International Framework Agreement (IFA) Conference

This conference proposes the following measures to realise effective implementation of IFAs:

- 3.1 The overall co-ordination of implementation of IFAs is the role of the IMF, but it is the responsibility of all;
- 3.2 Implementation work should be planned far in advance of signing an IFA and should begin immediately upon signing;
- 3.3 Establishing union networks is of primary importance and should be prioritised;
- 3.4 Education and training, and improved communication methods must be developed to ensure affiliates are equipped to genuinely implement IFAs;
- 3.5 IMF Regional Offices should play a central role in assisting affiliates with training on the use of IFAs and with their implementation;
- 3.6 Where appropriate, contact should be made with NGOs to assist with implementation efforts;
- 3.7 Affiliates should develop plans to organise plants of the IFA company where there is currently no union;
- 3.8 When requested, IMF will co-ordinate country specific organising campaigns in which the IFA can be used and which require solidarity from affiliates around the world;
- 3.9 Suppliers and sub-contractors account for many IFA violations and affiliates should develop specific strategies for organising in these workplaces and for enforcing the IFA;
- 3.10 Affiliates should report on progress with IFA implementation to the IMF;
- 3.11 Regular progress report on IFA implementation must be made by the IMF Secretariat to the IMF Executive Committee."⁵⁰

Trade unions in Zambia can work on the issue of IFAs by:

- finding out which companies in Zambia have signed IFAs with a GUF;
- contacting the relevant GUFs to learn about the IFAs and what activities can be undertaken in Zambia to support their effective implementation;
- contacting trade unions in other countries who are already involved in the implementation of IFAs or targeting specific multinational companies, and learning more about their activities or campaigning together;
- in more general terms, engage with union counterparts in other countries to raise awareness and share 'lessons learned' in relation to engaging employers on both IFAs and on voluntary corporate social responsibility initiatives (see below).

50. *Recommendations of the International Framework Agreement (IFA) Conference*, International Metalworkers' Federation, <http://www.imfmetal.org>

Activity 4: Working with employers to combat forced labour and trafficking

Developing codes of conduct

In recent years, public attention has focussed on the human rights and labour practices of multinational corporations operating in developing countries. Attention has been drawn in particular to the use of child labour in the production of consumer goods but increasingly, issues of severe labour exploitation and forced labour of adults are coming to light. Although some cases have been exposed by the media, it has most often been human rights and workers' organizations that have denounced the intolerable conditions in factories supplying some brand-name companies. In order to protect their reputations and in response to such pressures, many companies have adopted voluntary codes of conduct. Voluntary codes are often not negotiated with trade unions, but rather decided unilaterally by the company.

These codes of conduct state the company's position on human rights issues such as child labour, forced labour, freedom of association and non-discrimination, as well as other workplace issues such as occupational safety and health, and access to training. There are some codes of conduct that have been negotiated with trade unions. An example is the Code of Labour Practice for Production of Goods licensed by the Sydney Organising Committee for the Olympic Games and signed with the Australian Council of Trade Unions (ACTU). The code includes the commitment that:

"There shall be no exploitation of child labour. Workers shall only be employed in accordance with relevant State and Federal legislation, in line with appropriate ILO standards..."⁵¹

Some examples of forced labour provisions in company codes, taken from Gap Inc. - a clothing firm, Marks and Spencer - a UK chain of department stores and Triumph International - a textile and clothing company are provided.

The Marks and Spencer Code is derived from a basic model code put forward by the ITUC and the GUFs.

Gap Inc.

"Factories shall not use any prison, indentured or forced labour.

- (A) The factory does not use involuntary labour of any kind, including prison labour, debt bondage or forced labour by governments.
- (B) If the factory recruits foreign contract workers, the factory pays agency recruitment commission and does not require any worker to remain in employment for any period of time against his or her will."

Marks and Spencer Group Plc

"There is no forced, bonded, or involuntary prison labour; workers are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after reasonable notice."⁵²

"Triumph International

Commits itself to follow the minimum standards and recommendations listed below:

1. Working Voluntarily - Illegal Forced Labour

Employment within Triumph International companies is exclusively on the basis of voluntary agreement. Any kind of forced labour, carried out in servitude/ bondage or through imprisonment is prohibited (ILO-Agreement [sic] 29 and 105)."⁵³

51. ILO: *Trade unions and child labour* (Geneva, 2000).

52. Both examples taken from Business for Social Responsibility, *Forced labour issue brief*, <http://www.bsr.org>

53. *Triumph Code of Conduct*, International Textile, Garment and Leather Workers' Federation, <http://www.itglwf.org>

What can trade unions do?

Activity 4: Working with employers to combat forced labour and trafficking

Trade unions could work with employers in Zambia to introduce and implement codes stating clearly that the company will not tolerate the use of forced labour, either directly or within its supply chain. This could be particularly important and useful in the case of principal employers who use subcontractors in certain parts of the production process, or who rely on private recruitment agents for sourcing and supplying labour.

Implementing codes of conduct

A code is only as good as its implementation in practice; otherwise it can legitimately be criticised for being nothing more than a list of good intentions. Monitoring is therefore vital. Large companies and multinational enterprises often hire professional social auditors to undertake this role, without any involvement of the trade union. Such systems lack transparency and credibility. While 'multi-stakeholder initiatives', such as the UK-based Ethical Trading Initiative and the US Fair Labor Association, often promote TU involvement in monitoring codes, this is still the exception rather than the rule. Therefore, trade unions must push to be involved in this wherever they can, through dialogue with employers and their representative organizations at different levels.

As a trade union official or member, you should be aware of the different roles that can be played

by trade unions at different levels, regarding implementation of codes of conduct.

For example, at the **enterprise level**, each member should be vigilant as to the treatment and behaviour of fellow workers (members and non-members alike), particularly if they are migrant workers and unfamiliar with local rules and norms, or show visible signs of discomfort or unease. Monitoring of codes can also be included as one of the functions of existing union structures or bipartite committees at the workplace. Enterprise level unions should also cooperate closely with labour inspectors in the fulfilment of their duties.

The **sectoral trade union** can work with the sectoral employers' association to ensure that any codes adopted at sector/industry level incorporate adequate provisions to outlaw forced labour, trafficking and related practices, and similarly be part of the monitoring mechanisms established. It can also publicize codes, through newsletters, posters or other means, so that workers become aware of their existence and provisions.

The **national trade union centre** can likewise negotiate with the national employers' organization to ensure adequate provisions on forced labour and trafficking are included in any 'model'

When thinking about working on codes of conduct, trades unions in Zambia should:

- find out which companies in Zambia don't have codes of conduct and target them;
- focus on multi-national enterprises with codes of conduct that have operations in Zambia and ensure they are honouring the code;
- target sectoral associations and chambers of commerce, as well as individual companies. This can help raise standards across the industry, as those without codes, or performing poorly, may feel under pressure to develop or improve them.

When working with employers on development of codes, trade unions should:

- insist that ILO Core Conventions are referred to;
- include relevant national laws;
- include promotion of social dialogue and workplace cooperation;
- include a clause on the implementation and monitoring;
- include a clause on reporting procedures and transparency.

Activity 4: Working with employers to combat forced labour and trafficking

codes adopted at this level. The national centre should also engage with the private recruitment industry/private employment agencies, especially if they establish their own representative organization. The national centre could work with such a newly-formed organization to ensure adoption of a comprehensive code of practice governing recruitment and placement practices, in collaboration with the Ministry of Labour, as well as be involved in its implementation and monitoring.

In general terms, monitoring mechanisms should:

- be objective and transparent, using clear and verifiable criteria for each component of the code. Such criteria should be agreed between the appropriate employers' and workers' representatives;
- in relation to possible forced labour and trafficking, include a range of indicators to pick up both overt and more subtle forms of coercion;
- involve representatives of workers and employers, and both men and women, in order to minimize bias;
- have some relationship with the public labour inspection system, or direct involvement of labour inspectors;
- use proven methods to increase the reliability of the data gathered, such as ensuring an element of unpredictability in the time scheduling of monitoring exercises, and interviewing workers both on- and off-site, away from the management;
- have an established and agreed system for reporting and dissemination of the results.

Other voluntary initiatives

There are other, quite widely known voluntary initiatives such as social labelling and fair trade. Unions are rarely involved in such initiatives, largely because of the difficulty to be 100% sure that any particular product is really 'child labour' or 'forced labour'-free, or that it has been produced by workers receiving the minimum wage or other basic rights.

Nonetheless, union officials and members in Zambia should be alert to the existence of any such schemes in the country. If such schemes are being used by companies as part of social marketing strategies, unions can play a role in raising public awareness of their potential strengths and weaknesses.

What can trade unions do?

Activity 5: Using ILO standards to combat forced labour and trafficking

Aim: To enable trade unions to better understand ILO Conventions, how they work and how they can be used to enforce the protection of workers against forced labour and trafficking.

Zambia has ratified the standards relating to forced labour and has acceded to the UN Optional Protocol on Trafficking. Once they have ratified, ILO Member States are obliged to put the Convention into effect. Trade unions should continually monitor to ensure that government legislation is in conformity with its ratified Conventions and is effectively implemented and enforced in practice.

While Zambia has ratified all eight ILO fundamental Conventions, it has not ratified a number of other ILO Conventions that could be instrumental in combating forced labour and trafficking. These include:

- Labour Inspection in Industry and Commerce, 1947 (No.81)
- Labour Inspection (Agriculture) Convention, 1969 (No.129)
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143)
- Private Employment Agencies Convention, 1997 (No.181)

In light of the above, it is recommended that trade unions contact the relevant government departments to find out whether the government intends to ratify a specific Convention, and if not, why not. Trade unions can be instrumental in pushing a government to ratify a Convention, and should then monitor to ensure new legislation is enacted that is in line with the Convention. This may take a number of years and requires a trade union to maintain pressure throughout.

ILO Conventions

Procedures are laid down in the ILO Constitution to supervise and monitor the actions of Member States with regard to the Conventions they have ratified. The ILO depends on two main types of procedure to supervise the application of Conventions by states. These are:

1. Regular supervision via regular reports and examination of these reports by the ILO Committee of Experts.
2. Examination of specific allegations, through:
 - representations and
 - complaints

Reporting

Governments must submit reports to the ILO on each ratified Convention. Reports must address a list of questions prepared by the Governing Body, concerning:

- the arrangements made to achieve the goals of a convention;
- how to overcome any obstacles to its full application, and
- how it is applied in law and practice.

Under Article 23 of the ILO Constitution, trade unions - together with employers' organizations - are entitled to receive copies of these reports and to comment on them.



International Labour Conference, 2008

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Activity 5: Using ILO standards to combat forced labour and trafficking

The reports are then sent to, and examined, by the ILO Supervisory Body - the Committee of Experts on the Application of Conventions and Recommendations. Government reports should include relevant laws and regulations contained in official gazettes and similar publications.

Comments made by trade unions on government reports are of great importance as they give complementary views on the conditions that prevail in the country concerned and provide the Committee of Experts with a fuller picture of the situation. Reporting procedures also allow workers to participate fully in ILO supervisory systems in conformity with its tripartite character. The Committee is not limited to the information supplied by governments but may also make use of information found in official reports prepared by United Nations institutions. If the Committee finds that a government is not fully applying a ratified Convention, it formulates its comments and suggestions either under:

- a 'direct request', usually made in the case of minor failures; or
- an 'observation', usually used for more serious or long-standing offences.

Each year the Committee of Experts publishes the *"Report of the Committee of Experts on the Application of Conventions and Recommendations"*, which is studied during the International Labour Conference by the Tripartite Committee on the Application of Conventions and Recommendations. The Report contains all Observations formulated to all ILO Member States, and serves as a basis for discussions between the Conference Committee and selected Governments on how to address particularly serious problems that have been identified.

Many problems concerning individual cases can be sorted out at this forum, and it is here that trade union representatives can play what is perhaps their major role. Moreover, given the public nature of the observations, journalists and NGOs have access to the comments of the Committee of Experts. The publicity sometimes given to Government failures to uphold labour rights in certain countries constitutes an additional means of pressure on them to improve their performance.

The Committee of Experts also publishes an annual report on a special topic proposed by the ILO

Governing Body. This is called the General Survey and describes and analyses the situation in all countries, whether or not they have ratified the Conventions concerned. The 2007 General Survey dealt with the issue of forced labour, paying special attention to the issue of trafficking.

In 2006, an 'individual direct request' came from the ILO Committee to Zambia relating to C29. Zambia was requested to clarify its legislation with regard to national service or compulsory enlistment. Zambia had previously stated that neither national service nor enlistment was compulsory. The Committee requested that Zambia review its laws to reflect this. The Committee also asked for clarification on the question of schemes for the encouragement of and participation in community development. Although Zambian legislation says that such schemes are carried out after consultation with the community, the Committee requested more detailed information.⁵⁴



ILO Governing Body © ILO

54. Committee of Experts on the Application of Conventions and Recommendations (CEACR): *Individual Direct Request concerning Forced Labour Convention, 1930 (No.29) Zambia* (ratification: 1964) Submitted: 2006.

What can trade unions do?

Activity 5: Using ILO standards to combat forced labour and trafficking

Representations

Any trade union, whether national or international, can make representation under Article 24 of the ILO Constitution to the ILO to the effect that a Member State has violated a particular ratified Convention. Representations are received by the Governing Body if they are presented by:

- a national union directly interested in the matter;
- an international workers' organization having consultative status with the ILO; or
- an international federation where the allegations relate to matters directly affecting its affiliates.

The submission must be in writing, signed and as fully documented as possible with proof in support of the allegations. It is examined by a committee of three members of the Governing Body, one from each of the employer, government and worker groups. The Governing Body presents the representation to the government concerned. If it is not satisfied with the response or if no reply is forthcoming, then it publishes the representation along with the government's reply, if any, and its own conclusions for further action.

Complaints

Making a complaint to the ILO is a more formal procedure and can be taken by one Member State against another if the former is not satisfied that the latter is observing a Convention they have both ratified. A complaint can also be initiated by the Governing Body or by delegates to the International Labour Conference.

When a complaint has been received, the Governing Body may appoint a commission of inquiry to examine the case in detail. The commission prepares a report of its findings and recommendations for the Governing Body and gives it to each of the governments concerned in the complaint. If a government does not accept the recommendations, it may refer the complaint to the International Court of Justice, whose decision on the matter is binding. No country has yet found it necessary to take this final step.

One of the most notorious cases to be dealt with in this way by the International Labour Organization is that of forced labour in Myanmar (Burma). A Commission of Enquiry reported on this case in 1998, but the government of Myanmar has still not complied with its recommendations to the satisfaction of the ILO. The international trade union movement has been extremely active in this case, relentlessly campaigning for the rights of workers in Myanmar to be free from forced labour.

ILO supervision checklist

- As Zambia has ratified ILO Conventions 29, 105, and 182, get copies of reports submitted by the Government to the ILO, as well as the reports under the other relevant ILO Conventions, and examine them carefully. Examine also any trade union submissions.
- If you think any aspects of the law and/or practice do not conform to these Conventions, consider reporting this to the ILO. Contact ILO in Lusaka and it can put you in touch with ACTRAV (ILO's Bureau for Workers' Activities) which should help by explaining the procedure, or contact the ITUC.⁵⁵

You are strongly advised to discuss this first with any national and/or international organization to which you are affiliated.

- If regular and repeated reporting has not yielded results, consider making a representation to the ILO.

55. Contact details can be found in Annex 1.

Activity 6: Working with the ILO tripartite structure and partners

Aim: To provide information on the tripartite structure and encourage trade unions to work with employers, the government, labour officers and other trade unions on the issue of forced labour and trafficking.

Tripartism refers to the unique way in which workers, employers and governments work together through the ILO structure to set labour standards, to protect and promote workers' and employers' rights throughout the world and to achieve the other objectives of the ILO, particularly decent work for all. Tripartism is central not only to social stability, but also to sustained economic growth and development.

To achieve their aims, trade unions need to work with other social partners in democratic structures. Working through these tripartite structures at industry and national level and of course at international level, trade unions can promote their own policies and plans for tackling forced labour and trafficking, and also influence the policies and plans of governments and employers.

Beyond the tripartite structure, trade unions can also collaborate with other like-minded groups and agencies in order to translate their policies into effective action against forced labour and trafficking.

Working with employers

Employers have a strong stake in fighting forced labour and trafficking (see Activity 4 - Working with employers to combat forced labour and trafficking). The majority of employers who do not use forced or trafficked labour risk facing unfair competition from those few who do. The publicity and headlines given to a few 'bad apples' who do not respect workers' rights and resort to forced labour practices risk tarnishing the reputation of whole industries, sectors or even countries. Trade unions therefore share a common interest with law-abiding employers in ensuring that forced labour and trafficking are stamped out.

Trade unions should approach employers' organizations to see if they and their members will join with them to take action against forced and trafficked labour. At a national level, employers and trade unions can work together to push government for the implementation of ratified Conventions and national laws in order to prevent the exploitation of workers and to remove victims from forced labour situations.

Before starting work with employers it may be useful to develop a work plan to assist with preparations. If and when work commences with the employer and a joint working committee is set up, a new work plan may then be developed jointly.

Forced labour and trafficking action plan: working with employers

In what areas can unions cooperate with employers?	Who should be responsible for it?	What is the timetable?	What preparations need to be made before approaching employers?	Opportunities and risks

What can trade unions do?

Activity 6: Working with the ILO tripartite structure and partners

Working with governments

Ending forced labour is primarily a government responsibility. While attention in Zambia is now being given to combating trafficking, and work is starting on forced labour, this may not always be the case. Trade unions need to maintain continuous pressure to ensure that, in the future, these issues will not be sidelined.

How can unions influence and work with governments? The first task is to assess the status of the relevant conventions in law and practice in Zambia and to take stock of where they are not working or are weak. Where this is the case, unions need to push the government to strengthen the law. Trade unions should work closely with governments and other stakeholders in drafting legislation and policy to ensure that they meet the needs of their constituents.

Secondly, trade unions should maintain contact with the relevant officials in the Ministry of Labour and Social Security (dealing with forced labour), and the Ministry of Home Affairs (dealing with trafficking).

To work with governments and be prepared, trade unions should:

- make a list of all officials dealing with forced labour and trafficking and any existing task forces;
- find out which officials attend the ILO Conferences;
- visit these officials regularly. Keep asking what the government is doing and whether there is anything the union can do;
- identify and approach Members of Parliament.

A work plan may help unions as they start to work with government. For example:

Working with labour officers

Trade unions should specifically target the labour office/inspectorate. Labour officers are charged with the enforcement of national employment legislation and ensuring that workers enjoy decent working conditions.

There are two important International Labour Conventions concerning labour inspection.

- Labour Inspection Convention, 1947 (No.81) deals with industry and commerce
- Labour Inspection in Agriculture Convention, 1969 (No.129) deals with agricultural enterprises.

Labour Inspection Convention No.81 lays down standards for cooperation between inspectors and trade unions. Zambia has not ratified either Convention. Nevertheless, trade unions should attempt to build up good relationships with their local labour office so that they can work together. When a trade union official or member identifies possible cases of forced labour or trafficking, the complaint is often made to the labour office. With an already established working relationship, action is likely to be taken faster than if the labour officer is not familiar with the trade union.

Working with trade unions

It is recognized that within the tripartite structure, trade unions have to collaborate with the other social partners - employers and government - but trade unions sometimes overlook the fact that they should also strengthen cooperation amongst themselves. This is one of the most effective ways of advancing the positive profile of trade unions as well as strengthening the trade union contribution to the fight against forced labour and trafficking.

Forced labour and trafficking: working with government

In what areas can unions cooperate with the government?	Who should be responsible for it?	What is the timetable?	What preparations need to be made before approaching the government?	Opportunities and risks

Activity 6: Working with the ILO tripartite structure and partners

To assist with building relationships and learning more about how other trade unions have dealt with forced labour and trafficking issues, trade unions can arrange meetings or exchanges with other trade unions in other parts of the country or in other countries. Information can be collected and exchanged on national legislation relating to labour standards and trafficking (which usually falls outside labour laws) and how others have worked towards eliminating forced labour and trafficking.

Building alliances and networks to combat forced labour and trafficking

As well as working closely with tripartite partners, trade unions can also work closely with ministry departments, friendly NGOs and civil society organizations. The wider the network that the trade union has, the better chance there is of combating forced labour and trafficking. While ministry departments may be partners in the fight, there may be times when it is more appropriate to work with friendly NGOs that are independent from government and therefore often more flexible to work with. There may be NGOs that specialise in human rights, forced labour, trafficking and issues such as the provision of support services to vulnerable people.

Before working with NGOs or other civil society organizations such as faith/community based groups, unions should ask themselves the following questions:

- What kind of NGO can we collaborate with?
- Does the NGO share the same vision as the trade union on the issue of forced labour?
- Do the interests of the NGO and the trade union coincide on this issue or is there a conflict of interests? Is there likely to be a conflict of interests in the future?
- Which activities could benefit from collaboration with an NGO?
- Does the NGO have access to information or resources which the union can benefit from if a relationship is established?
- Does the NGO respect the role of the trade union?

What can trade unions do?

Special issue 2: Supporting victims of forced labour and trafficking, including children and migrant workers

One of the aims of this toolkit is to raise awareness among members of trade unions and their communities about the problem of forced labour and trafficking in the hope that increased knowledge will stop potential victims becoming victims. However, prevention is not always possible, and trade unions may come across cases of forced labour and trafficking and have to respond to the victims' needs (see Special issue 1: Identification of victims).

In some cases this response may be fairly straightforward. A trade union member may, through education, become aware that they had inadvertently trafficked their domestic worker. The member could, for example, have taken a girl from the village to work as a domestic in their home and instead of putting the child into school, made them look after their children, cook and perform all the household chores. For many this is a cultural issue without any consequences. They argue that children employed as domestic workers have better living conditions than they would have had staying in the village - meals with the family, access to TV, for example. However this does not mean it is right. When a child is moved and exploited, they have been trafficked. In this situation, general awareness should enable an appropriate response such as ensuring the child, if over 13 years of age, is only working a maximum of four hours a day and is going to school. Any child under 13 should not be employed. The same can be said of adult domestic workers who are made

to work long hours without being paid at the end of the month and whose identity cards are withheld to prevent them stealing or leaving.

Many employers of forced and trafficked labour are, however, fully conscious of their actions. In these cases, trade unions must be sensitive to the worker's (victim's) needs. The victim may not wish to leave the situation suddenly, but may instead request intervention from the labour office. In other cases, the appropriate response may be for police, including the Victim Support Unit, to be brought in to investigate.

Once out of the situation, victims of forced labour and trafficking may require various types of assistance, for example, help to return home, to claim lost wages or identification documents, to find accommodation or help with legal issues such as immigration offences. In some cases victims may also require health care, including psychological counselling or an HIV test. The action of the trade union should be determined by the wishes and needs of the victim and, in most cases, a government department or NGO will be able to provide the assistance. It must be remembered that forced labour and trafficking is a serious crime and the perpetrators are likely to do everything they can to avoid being brought to justice. Therefore, in the majority of cases, once the trade union has identified a victim, the case should be handled by experts including police officers who have been trained to handle such cases. However, there may be situations where the victim may request that the trade union act as a mediator between themselves and their 'employer'. This may be the case if the victim is seeking compensation in the form of back salaries, but is unwilling to take the case to court.

Trade unions are able to assist in some instances, particularly after the victim has been assisted by the appropriate agency. For example, a number of trade unions in Zambia operate micro-credit schemes to enable workers to start their own small business. This type of assistance may be



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This centre is run by the Conservation, Hotels, Domestic and Allied Workers Union in Tanzania in conjunction with ILO/IPEC. The prevention programme works with employers, trade unions, local chiefs, NGOs, teachers and parents to break the recruitment chain and reintegrate children into families and school. The centre provides schooling and the facilities for clients to learn a trade.

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appropriate to a former forced/trafficked worker to help them start earning again. Additionally, the provision of micro-credit can also be useful to families whose children are involved in child labour, or have been victims of trafficking. It can enable the adults in the family to start earning themselves rather than relying on the children to provide an income. Trade unions may already be doing many of the things that will help in victim rehabilitation but some adaptation may be needed to make the activities appropriate to the needs of victims of forced labour and trafficking.

Support to child victims of trafficking

Child victims of trafficking need to be dealt with sensitively and by the appropriate, specialised services. Trade unions may become involved in such cases as a result of having identified victims or received information from a member concerned that their child may have been trafficked. In such cases, it is the role of the trade union in the first instance to refer the case to the appropriate authority and monitor that it is being dealt with. The union might also consider whether it should become involved at a later stage in supporting the family of the possible victim.

Teachers have a crucial role to play in the prevention and detection of trafficking. Teachers are central to communities and know which children attend school and which are vulnerable. Teachers can be vigilant about absent children from school, or children who show signs of abuse or fear. Teachers may be able to prevent a child being trafficked or put into a forced labour situation by making the parents and the child aware of the dangers of accepting seemingly tempting job offers without careful consideration and research. Teachers may also be able to persuade parents to send their children to school and thus give them a better chance of securing decent work in the future. Teachers may even sometimes themselves be implicated in forcing children into work or, wittingly or unwittingly, assisting a trafficker. It is therefore the role of the union to monitor such activities and take action when cases are discovered. If a union ignores such cases, it is itself complicit in the crime.

Migrant workers

Migrant workers may move independently within their own country, or travel to another country to find work. Many Zambian workers travel from home to find work in other parts of Zambia and many leave to find work outside the country. There are also non-Zambians who migrate into Zambia to work.

Zambian migrants

Zambians have the right to work anywhere in the country. However, such internal migrants are still at risk of exploitation. The very fact that they are moving in search of work often shows that they are desperate to secure a job. Some may find decent work, many will be exploited, and some will be forced to work. Due to their transient nature, migrant workers may not be members of trade unions and yet trade unions still have an important role to play. Members may know of migrants working in their communities or of migrants being exploited or forced to work for subcontractors who supply services to a company. By being aware that migrants are at risk of exploitation and are sometimes forced to work, members will become more sensitive to the needs of other workers. Additionally, a migrant worker whose rights have been defended by a trade union or sees that the union has secured decent wages for its members will see the advantage of joining and may end up becoming a member themselves.



A vocational training school.

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What can trade unions do?

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Non-Zambian migrants

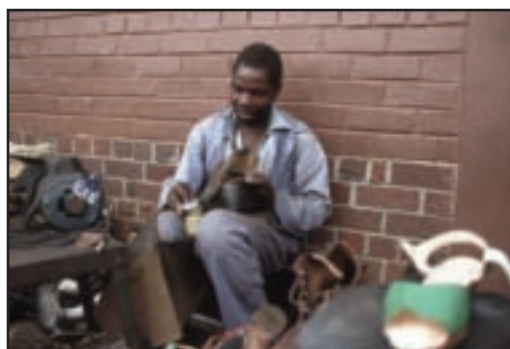
Non-Zambian migrants, who travel to Zambia in search of work or for a job that has been promised to them, may travel illegally or legally. Work permits are required to work in Zambia but because permits are expensive and difficult to secure, many workers resort to working illegally. Employers often exploit the worker's illegal status or force them to work knowing that the worker is unlikely to go to the police or labour office to complain when it may result in their deportation or arrest. Research in Eastern Province found that some migrant workers, Malawians in particular, are employed for an agricultural season and at the end of the season, when the employer refuses to pay, return home without their wages. In some cases, they reported to the labour office but claimed that they were Zambians.

A man was not paid his dues after carrying out smallholder agricultural work. The dues amounted to K1,500,000 for cultivating maize and tobacco. He was thought to be a migrant worker. In a similar case, the migrant labourer was owed K8.9 million.

As well as reporting cases of exploitation or forced labour to the labour office, police or an NGO, trade unions can:

- offer legal assistance to migrants to help secure better working conditions;
- set up help-lines for migrants seeking advice;
- develop bilateral cooperation agreements with fellow trade unions in source and destination countries;
- supply information to migrant workers on living and working in Zambia;
- provide legal information on securing work permits and workers' rights;
- distribute information to Zambian migrants travelling outside Zambia to find work.

Like migrant Zambians, non-Zambian migrants are unlikely to be members of trade unions. Trade union members may however know of migrants working near them who are being exploited, or may know of employers who regularly promise work for a season but never pay. By working to secure migrant workers' rights, trade unions may benefit through increased membership as the migrants are more likely to join the union as a result.



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TUC Senegal and TUC Mauritania herewith;

Based on the special action programmes proposed as innovative measures aimed at increasing the impact of the ITUC certain priority fields approved by the 123rd meeting of the Executive Committee (of the ICFTU at that time),⁵⁶ and in particular the programme relating to migrant workers;

Conscious of the challenges faced by the working class in Africa in general, and in these two countries in particular, which is linked to globalisation and its consequences in countries such as ours;

Taking into account that the geographic position of both Senegal and Mauritania making them transit countries for migrant workers;

Wishing to share experience and reinforce bilateral solidarity and co-operation between the people and workers of the two countries;

Commit to implement all actions necessary to:

- Provide ITUC members in Senegal and Mauritania with the capacity to provide services and appropriate help to migrant workers (male and female), to organize them and to carry out campaigns in support of their union rights, where these are restricted;
- To develop a partnership which allows the national centres to play a role in the management of migratory flows and the flows of clandestine workers between the two countries or across their borders;
- Assisting union organisations in their work relating to migratory workers, both in their home countries and their host countries;
- Promote, protect and defend the rights of migratory workers;
- Ensure equal rights for migratory women, with a particular emphasis on the particular problems they encounter;
- Reinforce bilateral relations and union solidarity.

Our two organisations will start working on:

- Regularly exchanging information on the situation in the labour market between our two countries and the countries of the North;
- Favour the promotion of the social partnership at the national, regional and international level;
- Establish greater co-operation between employers' organisations of our two countries and those in Northern countries, in the aim of improving working conditions;
- Harmonise working conditions in our two countries in order to fight the exploitation of migrant labour;

continued on next page

56. The ICFTU (International Confederation of Free Trade Unions) later became the ITUC.

What can trade unions do?

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continued from last page

- Include the organisation of seminars and conferences on themes specifically related to migration in the global agenda of our organisations;
- Encourage members to start co-operating in their respective sectors;
- Engage in awareness-raising campaigns to fight racism and xenophobia, and provide union members and the general public with information on the positive contribution made by migrant workers on the host countries in the North;
- Provide support to migrant workers to organise themselves in unions;
- Initiate tripartite consultations and bilateral agreements within the two countries;
- Actively promote the ratification and effective implementation of the pertinent ILO conventions, being Convention No.97 (migrant workers) and Convention No.143 (migration in illegal conditions, and promotion of equal opportunities and treatment of migrant workers), as well as adoption of the ILO's multi-lateral framework for migration of work.

For fruitful co-operation, our organisations decide to programme:

- Mutual visits;
- The setting-up of an information office on immigration in our two countries;
- Bi-lateral consultations on the questions at hand;
- An exchange of know-how and experience between the two union organisations at all levels.⁵⁷

57. This statement was provided by the ITUC. The programme and partnership between TUC Senegal and TUC Mauritania is still ongoing and integrated into a new special action programme of the ITUC. Trafficking will be integrated into this programme as a specific area of work as of 2009.

Special issue 3: Organizing workers in the informal economy

"Organizing the informal economy should be a priority for unions in view of the ever increasing number of workers in the sector, both in developing and industrialized countries. Strategies are needed to defend and promote the rights of the ever-growing number of informal sector workers - the majority of whom are women - and to get them to become members of and fully integrated into the trade unions."⁵⁸ This was the call made by the ITUC nearly 10 years ago, but it is still just as relevant, if not more so, today.

The informal economy refers to that part of a country's economic activity which is not fully regulated, and whose workers are therefore not recognized or protected under the legal or regulatory frameworks. The term 'informal economy' is used to denote the expanding and increasingly diverse group of enterprises and workers operating informally in both urban and rural areas in all parts of the world. "They include own account workers in survival-type activities, such as street vendors, shoe shiners, garbage collectors and scrap-and-rag pickers; paid domestic workers employed by households; homeworkers and workers in sweatshops who are 'disguised wage workers' in production chains; and the self-employed in micro-enterprises operating on their own or with contributing family workers or sometimes apprentices/employees."⁵⁹ Workers in the informal economy - lacking legal and social protections - are characterised by a high degree of vulnerability which makes them particularly susceptible to forced labour and trafficking and other forms of exploitation. However, enterprises operating in the informal economy most often produce goods and services that are legal, so should not be confused with criminal or underground activities.⁶⁰

The 2005 Zambian Labour Force Survey found that 88% of the total labour force is employed in the informal economy. Ninety eight per cent of those employed in rural areas are in the informal economy compared to 65% of those employed in urban areas.⁶¹ Many of the sectors in which forced labour and trafficking are known to exist in Zambia are informal, in part at least - domestic work, agriculture and construction are examples.

However, trade unions in Zambia, as elsewhere, confront particular challenges when seeking to organize such vulnerable workers in the informal economy due to the following factors:

- Such workers are not a uniform group and may have obvious differences of interests and priorities;
- They may not share common interests with the bulk of current union members. For example, ethnic, family and kinship ties may be stronger among such workers than working class solidarity;
- They are often so caught up in the daily struggle for survival that they are not inclined to join in collective action, especially if they cannot see how such action or membership in a union can help them solve their practical problems and basic needs;
- The highly precarious nature of their work may mean they fear losing their jobs if they join a union;
- They are often excluded from labour legislation and therefore from the right to form and join trade unions;
- Informal workers, especially home-based workers and those in micro-enterprises, may be hard for unions to contact and to mobilize. Organizing drives can be costly, difficult and time and resource consuming given that the workplaces and workers are highly dispersed and not concentrated in a single location;

58. International Confederation of Free Trade Unions, *Conclusions and Recommendations of the 7th World Women's Conference, Rio de Janeiro, Brazil, 18-21 May 1999*, in ILO: *Promoting gender equality - A resource kit for trade unions*. Booklet 4. *Organizing the unorganized: informal economy and other unprotected workers* (Geneva, ILO/Gender Promotion Programme, 2001).

59. ILO: *Decent work and the informal economy*, International Labour Conference, Report VI, 90th Session 2002, Report VI, Geneva.

60. Ibid.

61. Central Statistical Office: *Labour force survey 2005* (Lusaka, 2005).

What can trade unions do?

Special issue 3: Organizing workers in the informal economy

- Unions may find it hard to retain such workers as members because of the precariousness of their employment, all the more so if they are migrant workers;
- Many unions do not have proven strategies for organizing workers in the informal economy;
- Existing union members in the formal economy may not understand the rationale for organizing informal workers; they may object to the changes in policies and resource allocation required, and fear that these new members would compete with their own interests. The challenge is for the unions to reach out to new groups without undermining their traditional support base.⁶²

The ITUC has a special action plan on "Informal workers: Informal economy". This was developed following an international workshop, "Organising workers in the informal economy: A challenge for unions". The workshop resulted in an action plan expressing, among other themes:

- the need for policy discussions involving union leadership;
- the need to develop trade union policies regarding issues of workers in the informal economy, and
- the need to sensitise and stimulate union leaders to formulate these policies.

The project will be developed through a series of high-level regional and/ or sub-regional meetings, involving members of the regional governing bodies, union leaders, Solidarity Support Organisations (SSOs) and Global Union Federations. A guide to support implementation and monitoring of the results and decisions of the meetings will be produced.⁶³

62. Adapted from ILO: *Promoting gender equality - A resource kit for trade unions. Booklet 4. Organizing the unorganized: informal economy and other unprotected workers* (Geneva, ILO/Gender Promotion Programme, 2001).

63. Personal communication.

Activity 7: Reaching out to workers in the informal economy⁶⁴

Aim: To provide ideas on ways that trade unions can support workers in the informal economy in order to protect them from forced labour and trafficking.

Reaching out to informal economy workers may be difficult but there are various strategies that trade unions can employ to contact these workers and provide services to help protect them from exploitative labour practices, including forced labour and trafficking. The strategies will differ depending on whether workers are setting up their own new membership-based organizations or existing trade unions are reaching out to organize and represent them. Even when an existing union is not directly organizing informal economy workers, it can still assist them in several ways. It should also be remembered that contacting victims of trafficking or forced labour may be even more difficult than other workers in the informal economy, and special consideration should be given to their situation. From the outset trade unions should make it known to such workers that they are independent of the government, as victims of trafficking and forced labour may well be scared of government officials, fearing arrest if they are illegal immigrants, or involved in illegal activities, such as prostitution.

The following are a number of areas that trade unions can target in order to provide assistance to informal economy workers, whether by inviting them to join existing unions or by helping them establish their own organizations. "The central issue in organizing is the effective protection of the right of all workers to organize. It is up to workers themselves to decide whether they want to form their own trade unions or other organizations or join existing unions, but it is wrong and counter-productive to confuse the right of workers to organize with the obligation of trade unions to organize."⁶⁵ Trade unions should also advocate at policy level for the inclusion of workers in the informal economy under labour law, for the enforcement of minimum wages, the extension of social protection and other protective measures.

Women workers

ILO estimates show that, globally, women and girls represent the majority of victims of forced economic exploitation (56% women and girls compared to 44% men and boys) as well as of forced sexual exploitation (98% compared to 2%).⁶⁶ Women are also over-represented in the informal economy. Therefore, unions need to make a special effort to target women in the informal economy. In order to do this, unions must be sure to provide services and benefits tailored to the needs of women.

Trade unions should:

- create or build upon existing departments which deal with gender issues - working to have equality become a part of daily activities and programmes;
- put more women into leadership positions in the trade union;
- encourage women's participation, including arranging meetings and activities at times and locations that are convenient for childcare or provide childcare;
- offer services that will be of particular interest to women workers, such as crèches, microfinance or health and nutrition facilities;
- target men in campaigns on gender equality, work-life balance and sharing of family responsibilities.

Young workers

Young people may be unaware of what the trade union can offer them. Trade unions should cater specifically to this new generation of workers and reach out via non-traditional forms of communication, such as music, drama, youth magazines, posters and sporting events.

Informal economy unions/ organizations

In some countries, including Zambia, organizations already exist that represent informal economy

64. The following is taken predominantly from ILO: *Promoting gender equality - A resource kit for trade unions. Booklet 4. Organizing the unorganized: informal economy and other unprotected workers* (Geneva, ILO/Gender Promotion Programme, 2001) and ILO: *Beyond survival - Organizing the informal economy* (Geneva, ILO/Bureau for Workers' Activities, undated).

65. ICFTU: Informal or unprotected work in ILO: *Promoting gender equality - A resource kit for trade unions.* (Geneva, ILO/Gender Promotion Programme, 2001).

66. ILO: *A global alliance against forced labour* (Geneva, 2005).

What can trade unions do?

Activity 7: Reaching out to workers in the informal economy

workers. 'Mainstream' trade unions can provide assistance to such groups, for example, through supporting the organization in its own establishment and operations, by offering it formal affiliation with the trade union or by providing access for its members to some or all trade union services. Alliances can also be formed to work on common issues, events or campaigns. The informal economy organizations, for their part, can encourage their

members to access services from the trade unions or to sign up as fully-fledged members, and be valuable sources of information to the trade union about conditions in the informal economy.

The community

A community-based approach can be effective when combined with more traditional trade union organizing tactics. Trade unions can reach out to the areas (neighbourhoods, villages, etc.) where informal economy workers live, and work with organizations based in their communities. Often, organizers don't have access to workplaces in the informal economy, as with homeworkers and domestic workers, where forced labour and trafficking victims may be trapped. By joining with groups in the community to find informal economy workers, trade unions are able to involve those workers in activities that they care about.

Current and former members

Trade unions should maintain contact with all their members as they can assist with organizing others in the same situation. Former members may have moved from the formal economy into the informal economy and carry with them the experience of being part of a union. Current members may have friends and family in the informal economy.

Supply chains

Trade unions can map the production chain in a particular enterprise or sector, so as to trace the workers at each stage of the chain, focusing in particular on those at the 'end' of the chain who are more likely to be in the informal economy. This is where it might be expected that forced labour or other exploitation might occur, rather than in the production stages at the upper end of the chain.

Provision of services

The provision of services, such as access to credit and technology, can initially attract members to the union and subsequently increase their awareness of the other benefits that membership can offer. Unions should consider expanding or creating a range of special services that are attractive and accessible to informal economy workers. These may include health services, basic literacy education, savings and loans, vocational training or small business skills - services that may prevent a

In 2004 in the Democratic Republic of Congo, the Congres Confederation Syndicale du Congo (CSC-Congo) "... launched its policy to defend and unionise informal economy workers. We started by drawing an inventory of the various activities: widespread petty commerce, agriculture, fishing, mining, transport, and a whole host of other activities. We decided to prioritise the petty commerce, transport, agriculture, fishing and livestock sectors.

The main problems we have identified are, firstly, the red tape and police harassment affecting small traders. Secondly, the lack of information concerning their rights and duties as citizens and workers. And thirdly, the absence of protection mechanisms as well as credit, savings and production cooperatives".

The union has around 200,000 members, mainly women involved in petty trading. With a population of 50 million, the union is aware that the number of members is small but says: "we have to offer quality services to attract them, like normalising tax payments, which is something we are working on at the moment. Another important service is providing them with health insurance, which is the next step we plan to take."⁶⁷

67. *Spotlight interview with Hilaire Mbuandi Ngoma (CSC-Congo)*, International Trade Union Confederation, <http://www.ituc-csi.org>

Activity 7: Reaching out to workers in the informal economy

vulnerable worker from accepting dubious job offers, or staying in exploitative labour conditions. When providing services or organizing activities, consideration should be given to the often irregular or 'atypical' work schedules of informal workers. However, provision of such services should not be regarded as a substitute for the central trade union role of collective bargaining, nor as a way to absolve governments from their responsibilities. Rather, such special services should be seen as a complementary organizing activity aimed at improving trade unions' leadership role in society at large and helping to raise their profile in civil society.

Commitment to the informal economy

If a trade union decides that it is committed to recruiting members from the informal economy, then changes may have to be made to the internal regulations of the union. In some cases, special structures may need to be created within the union to address the specific needs of informal economy workers which are often different from those of formal workers. It may also be necessary to adjust subscription rates according to the ability of members to pay. The union constitution or statutes may need to be amended to include informal workers. Recruitment strategies may also be different.

Public Services International

Policy recommendations on strategies and alliances in relation to the organisation of informal workers

The World's Women's Committee at its meeting on May 15 - 16 May 2002 in Berlin, adopted the following policy recommendation and requested that the Secretariat submit them for the consideration of the Executive Board:

Organising workers in the informal economy

- (1) PSI renews its commitment to facilitating the organisation of workers in the informal economy in representative membership organisations.
- (2) Women represent the great majority of workers in the informal economy and it is therefore essential that in all its work on the informal economy, PSI ensures a gender aware approach.
- (3) PSI and its affiliates recognise the wide diversity of organising methods and strategies, which reflect national circumstances and priorities.
- (4) PSI and its affiliates will seek to ensure that at national and international level, labour laws and international instruments are extended to include workers in the informal economy.
- (5) PSI and its affiliates recognise that there is scope for a wide-range of existing and potential alliances with organisations of workers in the informal economy at national level, based on commonality of interest:
 - Alliances within an anti-poverty lobby including campaigns for the introduction of living minimum wage;
 - Alliances to promote universal coverage for health, education, social services; maternity protection, pension and disability allowances;
 - Campaigns to ensure adequate State resources to improve conditions for workers in the informal economy;
 - Alliances to promote the role of the State in formulating appropriate regulatory policies to provide recognition and legal status for workers in the informal economy;
 - Alliances where appropriate with organisations which share a common bargaining partner, such as the Municipal authorities;
- (6) PSI and its affiliates welcome initiatives to develop practical strategies to organise workers in the informal economy and calls for an on-going dialogue with relevant organisations on those strategies.⁶⁸

68. *Policy recommendations on strategies and alliances in relation to the organisation of informal workers*, Public Services International, <http://www.worldpsi.org>

Special issue 4: Recruitment agencies, labour exploitation and forced labour

Recruitment agencies represent a critical link in the employment process, where abuses can occur which may lead to trafficking and/or forced labour. In particular, excessive fee-charging to job-seekers is an exploitative practice which, in some circumstances, can lead to over-indebtedness and forced labour.⁶⁹ Equally, where effectively regulated and functioning correctly, such agencies provide a valuable contribution to a well-functioning labour market.

Research on private recruitment agencies⁷⁰ was conducted by the ILO in Zambia in 2007, in response to a request from the MLSS. The main findings of the research were that existing legislation and policies inadequately regulate the operations of private recruitment agencies. This is acknowledged by the MLSS who revoked all licenses issued to recruitment agencies in early 2006, although the ban was lifted in November 2007. Many of the registered agencies were no longer in operation at the time of the research. The study uncovered problems with contracts signed by some workers employed through recruitment agencies, including unfair wage deductions.

Weak records mean that very little is known about the number of agencies operating and in which occupations and sectors. The study found that there are two types of agencies. The first type performs the role of intermediary between employer and jobseeker. These agencies do not maintain an employment agreement/contract with the worker. The second is the labour broker and involves a commercial agreement between an agency and the employer, whereby the former recruits certain categories of labour to be contracted to the latter. Under this arrangement the agency recruits jobseekers and enters into individual contracts with them (and is supposed to take full responsibility for them). This system has been prevalent in the mining industry in Zambia.

Legislation governing recruitment agencies is inconsistent on the issue of fee-charging and so agencies apply different practices. Most commonly, the employer is charged either a flat fee (in the case of

maids being employed through a maid centre for example), or a one-off 20% fee (based on each worker's first month's salary). Some agencies did charge jobseekers fees for applications/registration, training and placement. In the case of at least one maid centre, the employer was charged K50,000, to be paid out of the maid's first month's salary, effectively meaning that the maid was paying for the placement.

The research found no registered agencies specifically focused on overseas employment. Four out of 12 agencies interviewed said that they had once or twice been involved in recruitment for the overseas market. In two cases involving domestic workers, maid centres had provided maids to Zambians living in South Africa. A guest from the United Kingdom who had stayed at a guest house operated by a maid centre, travelled back with a maid.

It proved very difficult for the researchers to investigate the operations of agencies that place dubious or vague adverts in the national press, because they refused to be interviewed. One conclusion of the study was that: "Some of the agencies are just quick-money schemes run by fraudsters who defraud unsuspecting citizens of large sums of money on the pretext of finding them employment abroad. The above experiences are an indication that some illegal recruitment is going on unabated. Further, the numerous advertisements for overseas employment and/or educational scholarships in the print media and the internet are an attestation to the existence of illegal recruitment. The fate of such migrant workers from Zambia recruited through illegal agencies is not well known or documented".^{71/72}

In relation to trade unions and recruitment agencies, unions have a key role to play in monitoring the workers' placements, providing advice and assistance with contracts and following up any complaints workers have with agencies and/or the end employers with whom they are placed. In most cases, once the recruitment agency has placed the worker, the relationship is over. The contract is between the worker and the new employer.

69. The ILO Private Employment Agencies Convention, 1997 (No.181) states that agencies shall not charge, directly or indirectly, in whole or in part, any fees or costs to workers (Article 7.1). Zambia has not yet ratified this Convention.

70. Mutesa, F & Matenga, C: *Private recruitment agencies and practices in Zambia* (Lusaka, Ministry of Labour and Social Security/ILO, 2008).

71. Following the research, a workshop was held bringing together MLSS, recruitment agencies and workers' and employers' organisations. This collected feedback from interested parties, and provided information to enable MLSS to start developing new regulations on private recruitment agencies.

72. Mutesa, F & Matenga, C: *Private recruitment agencies and practices in Zambia* (Lusaka, Ministry of Labour and Social Security/ILO, 2008).

Special issue 4: Recruitment agencies, labour exploitation and forced labour

Nine Zambians were going to go to Malaysia to work as timber cutters on a plantation. While the application forms were sent via the internet, the Malaysian High Commission in Harare confirmed the company's legality and advised the agency not to comply with the company's demand that the job-seekers pay a registration fee. The agency in Zambia was also advised on the correct procedures by labour officers. Nine workers were subsequently sent, two were returned immediately as they were found not to be healthy enough for the strenuous work, and a third returned after his wife died in Zambia. This third returnee reported to the agency that the workers were working under hard conditions and were only to be paid after completing the three month probationary period. The fate of the six remaining workers is unknown as the company terminated its contract with the agency.

However, it transpired that medical checks had not been carried out as specified by the law; the employer failed to provide a security bond to deal with unforeseen eventualities and the agency had difficulties receiving its commission due to company claims that it had only supplied nine and not the requested 26 workers.

In some cases, however, the relationship between the agency and jobseeker is more permanent. Jobseekers are effectively hired out to an employer by a broker in a triangular relationship. Under such an arrangement, the worker may lose out as neither the employer nor the agency agrees to pay benefits such as redundancy pay or other terminal benefits, compensation for accidental injury, or sick leave. In such cases the trade union may become involved to represent the interests of the individual worker, but also, more generally, to seek to establish clear employment relationships and better contracts for workers in these situations.

In instances where the jobseeker is sent to another country, trade unions can assist by contacting their counterpart unions in the destination country to offer membership benefits to the migrant workers and to bargain on their behalf for decent working conditions.

Trade unions can also work at the policy level to ensure that the legislation and regulations that govern employment agencies are fair to jobseekers, particularly in relation to fee-charging. Unions can participate in tripartite monitoring institutions and mechanisms that are set up to oversee the functioning of the private employment agencies, as well as support any voluntary self-regulation by the industry such as codes of practice.



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Special issue 5: Advocating for a protective working environment

The causes of forced labour and trafficking are numerous - poverty, discrimination, lack of employment and earning opportunities, poor social protection systems and low levels of education. All these factors can result in children and adults becoming vulnerable to traffickers and forced labour situations. In their efforts to tackle forced labour and trafficking, trade unions must be aware of the wider context, using their power and influence to advocate for an environment in which all workers have decent work and access to social protection.

Trade unions have multiple tasks to undertake in advocating for the rights of workers. It is essential that unions push government and other relevant agencies to develop and implement legislation, policies and programmes, to better protect children and adults from becoming victims of trafficking and forced labour. Trade unions, as part of civil society, are already involved in assisting the government of Zambia to develop national frameworks like the Fifth National Development Plan (FNDP). The FNDP contains many sections relevant to building a better working environment - for example, skills development and training, youth and child development, employment and labour and social protection. Trade unions must continually monitor the government's work and progress to ensure that what has been promised in these plans is actually delivered.

Education and youth employment

Children who do not have access to education are vulnerable to being trafficked or other worst forms of child and forced labour. Every child has a basic right to education and the positive benefits of an education cannot be overstated. According to the ILO, education provides a child with "increased chances in finding wage employment and/or higher wage rates and is a route to economic and social mobility to escape the poverty trap".⁷³ Schooling and training can protect children from being trafficked or involved in forced labour because educated children "are more aware of their rights and responsibilities and are less likely to accept hazardous work and exploitative working conditions".⁷⁴

Affordable, accessible and quality education plays a key role in relation to the prevention of forced labour and trafficking. Many out-of-school children and poorly educated adults become easy targets for traffickers or unscrupulous employers. Orphans and vulnerable children (as a result of HIV and AIDS, poverty, family breakdown etc.) are often unable to afford to pay for uniforms, books and transport and end up out of school. Others are not even given the opportunity to attend school as their parents do not see the benefits of an education. Even in cases where education is affordable, at community schools for example, the quality of teaching may be low or the child's attendance may suffer as a result of having to work to help support the family. Whatever the reason for non-attendance, trade unions, particularly those in the education sector, have a key role in ensuring that the government delivers affordable and quality education. By enabling children to exercise their right to an education, even a basic one, trade unions can play a major part in preventing children becoming victims of trafficking or forced labour.

Even with an education, finding decent work may still be difficult for young people. "Achieving decent work for youth is a challenge shared by all countries across the world. On average, young women and men are two or three times more likely to be unemployed than adults. All too often, they work unacceptably long hours under informal, intermittent and insecure work arrangements, characterized by low productivity, meagre earnings and reduced labour protection."⁷⁵ Zambia is no exception; the 2005 Zambia Labour Force Survey states that the high level of youth unemployment is a severe problem affecting the Zambian labour market.⁷⁶ Unemployment can make young people vulnerable to traffickers or unscrupulous employers. Trade unions must work with the government and employer organizations to develop policies and programmes that enable young people to access the job market and make sure they are protected when in work.

73. ILO. *Child Labour: An information kit for teachers, educators and their organizations* (Geneva, 2003).

74. Ibid.

75. Youth employment, ILO, <http://www.ilo.org>

76. Central Statistical Office: *Labour force survey 2005* (Lusaka, 2005).

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Decent work

According to the Zambia Decent Work Country Programme: "Poverty in Zambia has been exacerbated by the persistently high unemployment levels, and further compounded by the HIV and AIDS pandemic. Although GDP growth has been averaging about 4.5% annually, this growth has not translated into a commensurate increase in the number of jobs. Of the 6,184,000 people in the labour force, only about 700,000 are formally employed, and the remainder of the workforce is either engaged in the informal economy or unemployed. Many of these are women, young people and people with disabilities. Employment creation, therefore, remains a high priority for the Zambian Government, as reflected in the National Employment and Labour Market Policy (NELMP) and in the title of the Fifth National Development Plan (2006 - 2010) - "Achieving broad-based wealth and job creation through technological advancement and citizenry participation."⁷⁷

The ILO's Decent Work Agenda is based on four pillars: rights at work; employment, social protection and social dialogue. Within Zambia, priority has been given to:

Priority 1: More and better employment for the youth, women and people with disabilities, support by enhanced labour market information systems

Priority 2: Responding to HIV and AIDS challenges in the world of work in Zambia

Priority 3: Elimination of child labour, particularly in its worst forms

Trade unions can assist in delivering the above objectives which, in turn, will start to better protect those most vulnerable to being trafficked or forced to work. Furthermore, within Zambia, trade unions are members of the Tripartite Consultative Labour Council (TCLC), which plays an important role in setting policies relating to employment, labour and industrial relations, including equal opportunities in employment. Trade unions should

use their position on the council to push for decent working conditions that better protect workers from forced labour and trafficking situations.

Social protection/social security

Zambia [in the Fifth National Development Plan] defines social security as: "... all social transfers in kind and in cash that are organized by the state or parastatal organizations or are agreed upon through collective bargaining".⁷⁸ "Benefits include cash transfers such as pensions, employment injury benefits, short term cash benefits (sickness and maternity benefits, etc.), as well as benefits in kind such as health services."⁷⁹ However, this does not include social security support provided through the extended family network, which is often vital in supporting family members who do not have the means to support themselves.

The ILO report found, however, that in Zambia "... neither existing contributory (social insurance) nor non-contributory (social assistance) social security provisions are adequate in terms of the population covered, the scope of coverage and the adequacy of benefits/ payments received".⁸⁰ In addition, the majority of people in receipt of some level of social security do so through mandatory contributions tied to their employment. Although this should apply to all employed workers, whether in the informal or formal economy, little monitoring or enforcement takes place to ensure that contributions are in fact made to the various schemes.⁸¹

The lack of social protection is a problem affecting all levels of society, from children working to support poverty-stricken families to sick workers laid-off with no compensation or support. Social protection is vital to prevent vulnerability to forced labour and trafficking amongst those groups most prone to it. Trade unions can assist at the policy level by advocating for enhanced social protection in Zambia and effective implementation of social security laws, and by taking up the cases of workers who are being denied access to benefits due to them.

77. Ministry of Labour and Social Security and International Labour Office: *Zambia Decent Work Country Programme 2007 to 2011* (Lusaka, 2007).

78. Republic of Zambia: *Fifth National Development Plan: Broad-based wealth and job creation through citizenry participation and technological advancement, 2006 - 2010* (Lusaka, 2006).

79. ILO: *Zambia: Social protection expenditure and performance review* (Geneva, 2008).

80. Ibid.

81. In the research on forced labour and trafficking by the ILO in Zambia, it was found that some employers deduct 5% from the employee's salary to pay towards their pension in line with employment laws, yet do not submit this to the pension authority, resulting in no pension entitlement being accrued by the worker.

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Annex 1: Directory of cooperating partners

The following is a list of organizations that may be of assistance in providing information on forced labour and trafficking, or in various other ways.

Governmental

- Ministry of Labour and Social Security (PO Box 50103, Lusaka)
- Ministry of Sport, Youth and Child Development (PO Box 50195, Lusaka)
- Ministry of Home Affairs (Police, Victim Support Unit, Immigration, Drug Enforcement Commission) (PO Box 50997, Lusaka)
- Ministry of Community Development and Social Services (PO Box 31958, Lusaka)
- Ministry of Education (PO Box 50093, Lusaka)
- Resident Development Committees
- Anti-Corruption Commission
- District Commissioner

National and international organizations

- Children in Need Network (PO Box 30118, Lusaka)
- Human Rights Commission (Human Rights House, PO Box 33812, Lusaka)
- International Labour Organization (ILO) (PO Box 32181, Lusaka)
- International Organization for Migration (IOM) (PO Box 32181, Lusaka)
- United Nations Children's Fund (UNICEF) (UN House, PO Box 31966, Lusaka)
- United Nations Joint Trafficking Programme, (c/o IOM, PO Box, 32181, Lusaka)
- United Nations Refugee Agency (UNHCR) (Horizon House, Leopard's Hill Road, Lusaka)
- Trafficking hotline +990
- Young Women's Christian Association (YWCA) (PO Box 50115, Lusaka)

Trade unions (including affiliates) and employers' organizations

- Alliance of Zambian Informal Economy Association (PO Box 20652, Kitwe)
- Domestic Workers Union (PO Box 31146, Lusaka)
- Cross Border Traders Association (PO Box 30466, Lusaka)
- Free Federation of Trade Unions of Zambia (FFTUZ) (Woodgate House, PO Box 34739, Lusaka)
- International Federation of Workers' Education Association (PO Box 20652, Kitwe)
- International Trade Union Confederation, African Regional Organisation: info@ituc-africa.org
- International Trade Union Confederation (Brussels), Global Trade Union Alliance to Combat Forced Labour and Trafficking: forcedlabour@ituc-csi.org
- Zambian Congress of Trade Unions (ZCTU) (PO Box 20652, Kitwe)
- Zambian Federation of Employers (ZFE) (PO Box 31941, Lusaka)

Annex 2: Discussion of Zambian case studies

Case four

A group of men were employed as shop assistants at a supermarket. They had been working for five months without being paid their monthly wages, supposedly on the grounds that the shop was facing liquidity problems. When their employment was terminated, they were not paid their wages or their terminal benefits.

In this case, it is not clear whether the employer had genuine financial difficulties, or just used this as an excuse to exploit the workers. If the employer never intended to pay the workers, then this would be a case of forced labour, as the workers were obliged to continue working in the hope of being paid, which they never were. However, even if the excuse was genuine, non-payment of wages is still an obvious breach of employment law.

Case five

A male security guard in Kitwe claimed his company's client was forcing him to do gardening on top of his contracted duties for no extra money. He alleged that when he told the company, they promised to talk to the client but never did. The guard believes they never will as this client is one of the biggest they have.

This is a case of labour exploitation, as the employee is being made to do two jobs instead of the one he was employed to do. However, based on the information provided, it would appear that the guard is able to leave the employment without any threat or penalty, and has been regularly paid.

Case six

The employer found the employee working at a bakery in Mufilira. He promised her a higher pay if she came to work at his shop in Kitwe. When they reached Kitwe, the employer told her that he was still preparing her position at the shop but that in the meantime she should help out with the housework as a small token, especially as his wife was nursing accident injuries. After helping out for more than six months, the employee's services were terminated without reason and she was not given any transport money to return to Mufilira.

This seems to be a case of trafficking for forced labour, as the employee was moved from Mufilira to Kitwe with the promise of a job in a shop. However, she is instead made to work as a maid and carer and then fired for no reason. The case does not indicate whether she was paid for her work, but this is irrelevant as she was moved and made to do a job she did not agree to.



Special Action Programme
to combat Forced Labour (SAP-FL)
www.ilo.org/forcedlabour

Programme on Promoting the Declaration on
Fundamental Principles and Rights at Work
International Labour Office
Route des Morillons, 4
CH-1211 Geneva 22

PUBLIC EMPLOYMENT SERVICES IN LATIN AMERICA AND THE CARIBBEAN



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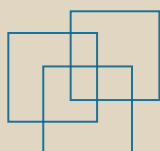
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Mexico

Main features and challenges¹

• Labour market and employment situation

With a strategic geographical location in North America, Mexico is the second largest economy in Latin America, boosted by high value added sectors such as tourism, manufacturing and oil, which together accounted for 29 per cent of gross domestic product (GDP) in 2015–16 (INEGI, 2016, 2017a). This advanced segment of the economy coexists with a large number of low-productivity, small-scale enterprises struggling to remain competitive and adapt

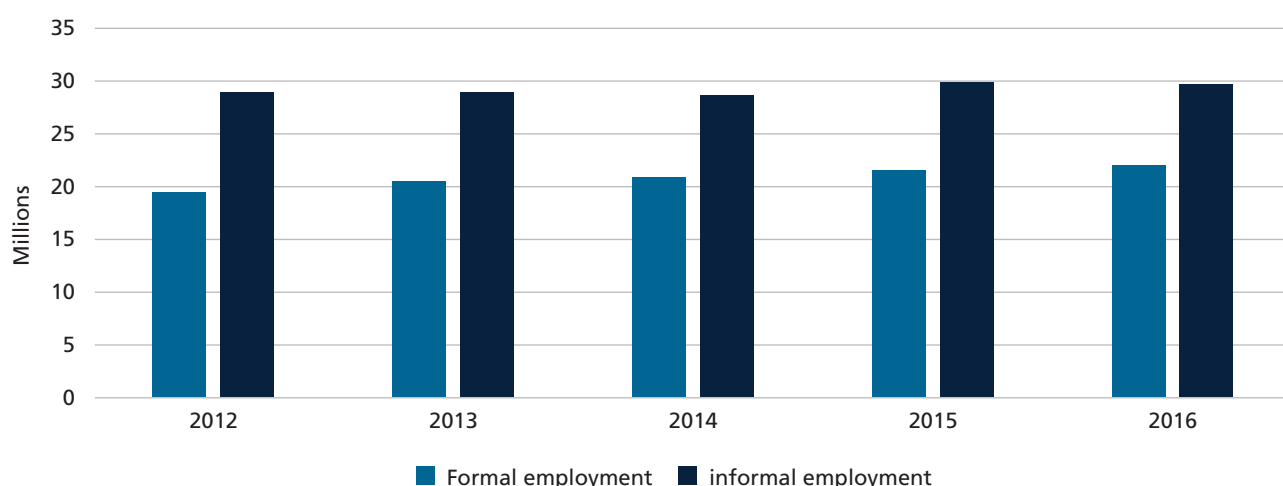
¹ This document is one of a collection of notes about public employment services in selected Latin American and Caribbean countries jointly launched by the Employment and Labour Market Policies Branch, Employment Policy Department, and the Decent Work Team for the South Cone of Latin America. This note was prepared by Zulum Avila, Employment Service Specialist (ILO), with inputs from Liliam Flores who prepared an initial draft and carried out consultations with staff from SNE-Mexico. A special thanks goes to the staff of the SNE-Mexico, in particular, Donaciano Dominguez and Gerardo de la Torre, and Noemie Feix from ILO for valuable comments. The opinions expressed herein are those of the author and do not necessarily represent the views of ILO.

to changing labour market conditions. This disparity is reflected in the quality of the employment opportunities available to the labour force,² which in the fourth quarter of 2016 represented 59.7 per cent of the 90.5 million people of working age (15 and over) (INEGI, 2017b).

The increase in employment of 3.3 million jobs since the fourth quarter of 2012 has resulted from steady economic growth of around 2 per cent. In the fourth quarter of 2016, 78 per cent of men (aged 15+) were economically active, but only 43 out of 100 women. Unemployment overall stood at

just over 3.5 per cent (1.9 million people), with a slightly higher level for women (3.6 per cent) than for men (3.5 per cent). However, while the unemployment rate is low, there is wide variation in the quality of labour market transitions for Mexican workers: 57.2 per cent of the working population were in informal employment and 7.1 per cent were underemployed (INEGI, 2017b). The persistence of informality signals deficits in terms of job stability, pay, social protection, rights and representation. High levels of informality also reflect skill gaps and job mismatches, affecting productivity and employability (figure 1).

FIGURE 1. FORMAL AND INFORMAL EMPLOYMENT IN MEXICO, 2005–16



Notes: Reported informal employment includes the informal and formal sectors. Data for fourth quarter in each year.

Source: Key indicators on informality, INEGI, 2017b.

• A package of structural reforms for inclusive growth

The present path of modest recovery in employment has generated an increase in average wages; however, in the fourth quarter of 2016 68.5 per cent of the economically active population still earned less than three times the national minimum wage³ – a level of earnings insufficient to provide even a basic level of prosperity for workers (INEGI, 2017b). In Mexico, there is a high correlation between persistent poverty and income inequality, which is also associated with the quality and type of work a person can get and retain. One in four

workers – many of whom are low-skilled – remain in the informal sector with limited access to decent work, training and welfare provision. Informality and precarious working conditions are more prevalent in the secondary and tertiary sectors and affect disproportionately those workers living in small urban areas and rural communities (INEGI, 2017b).

Since 2012, the Mexican Government has been rolling out an ambitious structural reform agenda aimed at reducing inequality, promoting inclusive growth and boosting productivity. In addition to major reforms in education, economic competitiveness, finance and telecommunications, among

² This includes people actively looking for and available to take work.

³ Approximately US\$380, according to the exchange rate published by the central bank, Banco de Mexico, in the fourth quarter of 2016.

other areas, the labour reform was designed to reduce informality by introducing flexibility into hiring practices and smoothing labour market entry, measures that are expected to have a positive effect for nearly 1 million new workers joining the labour force every year (INEGI, 2017b). The labour reform also provided for the creation of a universal pension system and unemployment insurance; however, approval of the former by the legislature is still pending.⁴

One of the Government's flagship initiatives within the structural reform agenda was launched in June 2016 with the enactment of a federal law to create special economic zones (SEZs) for development. This represents a deliberate effort to reduce disparities in economic development and job opportunities across the different regions of the country, with particular attention to the poorest regions located in the south, where the four SEZs are located: the Pacific port of Lázaro Cárdenas, Puerto Chiapas on the border with Guatemala, the Gulf port of Coatzacoalcas and the Pacific refinery town of Salina Cruz. It is expected that domestic and foreign investors will be attracted to the new zones by facilities such as special trade and customs regimes, tax incentives, prioritized infrastructure development, discounts on social security contributions and workforce training. It is projected that over the first two to three years of operation 12,000 new jobs will be created, provided that investors in the SEZs establish good links with local industries and engage in supplier development (Government of Mexico, 2017).

- **Fostering productivity, employability and inclusive labour markets**

Given the current growth rate and wide disparities in economic indicators across the country, the National Development Plan 2013–18 has identified improving productivity as a cross-cutting strategy. This strategy, which is to be delivered through the Special Programme to Democratize Productivity

(Presidencia de la República, 2013), has the twin purposes of promoting an enabling environment for enterprises and employment creation, and at the same time broadening labour market participation in formal jobs. Inclusive labour markets are considered particularly important for improving the quality of job prospects for disadvantaged target groups such as women, young jobseekers, older workers, indigenous people and disabled people.

A skilled workforce and effective recruitment are of critical importance to raising productivity. In this context, the public employment service (PES) is taking an increasingly prominent role in order to reduce information asymmetries in the labour market, improve employability and enhance workforce adaptability. Evidence shows that in Mexico the likelihood of finding formal work increases with access to job-search support and participation in active labour market programmes such as on-the-job training (CONEVAL, 2015).

- **PES internal governance and development strategy**

The Mexican PES has evolved substantially throughout its 37 years of operation, making significant advances in coverage, quality and adequacy of services delivered.⁵ At present, its services are available nationwide and range from job-matching, counselling and placement to active labour market programmes for training, self-employment, labour mobility and the prevention of job losses. The National Employment Service (Servicio Nacional de Empleo, SNE) operates in a decentralized fashion through a network of 167 employment offices and 36 service modules distributed across the country. This network is jointly run by the federal Secretary of Labour and Social Welfare (Secretaría del Trabajo y Protección Social, STPS) and the 32 state governments (including Mexico City). At the beginning of 2017, the network had a staff of 3,273, of whom 90 per cent were directly involved in service delivery and the administration of active labour market programmes.

⁴ No unemployment insurance system is yet available in Mexico. However, workers in formal employment registered with the Social Security Institute (Instituto Mexicano del Seguro Social, IMSS) can withdraw a percentage of their pension fund to make up for loss of income during spells of unemployment.

⁵ For a full picture of the institutional evolution of the Mexican PES, see the annex to this note.

The internal governance of the SNE combines assurance of local service delivery competencies with central steering and an innovative financing mechanism which combines funds from local and central governments. The overall coordination, planning and control of the SNE are in the hands of a central coordination unit (*Coordinación General del SNE, CGSNE*) attached to the STPS. The retention of this central coordinating role was particularly important in the late 2000s, when a rapid expansion of the local offices and the introduction of online job-searching tools took place. During this process it helped to ensure standardized protocols for service provision, establish benchmarks for employment offices serving similar areas, and introduce incentives rewarding good performance and the achievement of common goals. Currently, that same central coordination is enabling the SNE to play a role in multi-agency government interventions to improve workforce productivity and widen access to formal jobs, in particular for disadvantaged segments of the population (IDB, 2012). In this way, it is possible to forge more effective links between the various mechanisms to improve employability, such as training, and poverty reduction measures to extend these services to more Mexicans.

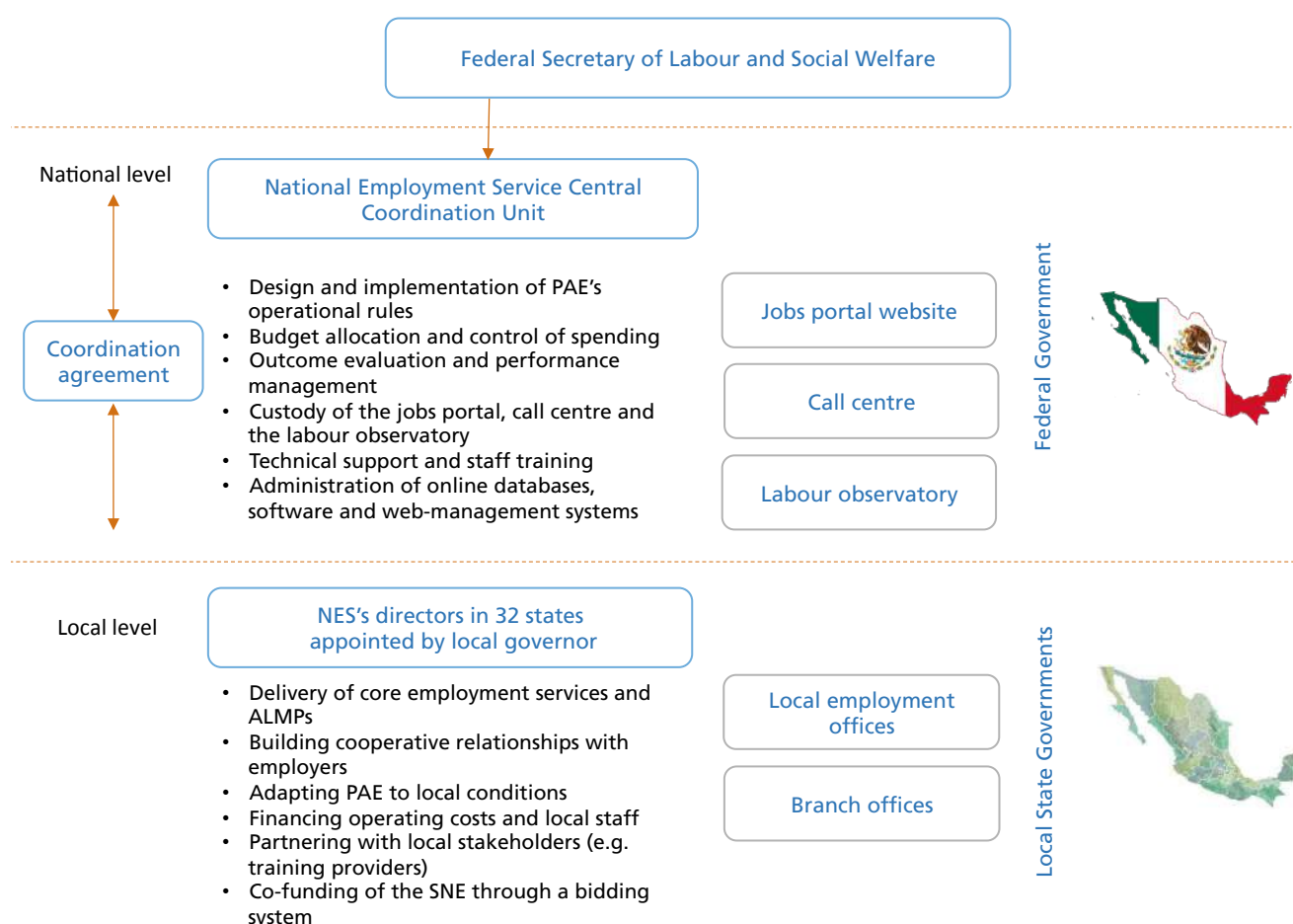
The Employment Support Programme (*Programa de Apoyo al Empleo, PAE*) is a central element of the SNE's governance system, setting out the strategic priorities of the PES and making connections with cross-cutting policy interventions for employment promotion and social development. The main target outcomes and budget allocations are established under the PAE's operational rules, which are reviewed by the CGSNE for each fiscal year. These rules provide a flexible framework within which provision of active labour market programmes and employment services can be adapted to changing conditions influencing local labour markets. Within this framework, the state governments are responsible for partnership arrangements with local stakeholders, including public and private training providers, and for funding the operating costs of an employment office and local staff. The financial contribution of the state governments goes hand in hand with the increased capacities they gradually achieve to expand service delivery locally; their share is collected through an innovative bidding system (box 1).

BOX 1. FUNDING OF THE SNE

In addition to the funds allocated by the federal Government, the states make a significant financial contribution which is collected through a bidding system known as the “2 × 1 scheme”. The formula is straightforward: the sum contributed by each state government is doubled by the federal Government up to a maximum amount per state, and thereafter any remaining central Government funds are redistributed. Administration and monitoring of expenditure are conducted using an online system known as SISPAWE, whose 41 indicators measure various aspects of performance at local level, ranging from achievement of placement goals to the quality of vacancies collected. Performance against this set of indicators guides central decision-making on the allocation and redistribution of funds. While SISPAWE has introduced transparency and a higher level of accountability to the allocation of funds, the 2 × 1 funding scheme has provided a certain level of continuity in funding over a number of years. However, the external shocks currently affecting the Mexican economy are expected to have future repercussions: the fiscal year 2016/17 has already seen substantial cuts to the overall budget of the federal and state governments, thus reducing their scope for maintaining the level of funding for the SNE. The 2016/17 budget saw a reduction of nearly 50 per cent in the approved allocation for the SNE. Cuts of this magnitude pose a great challenge for the continuity of the wide range of services and active labour market programmes offered.

Source: Author, based on consultations with CGSNE.

FIGURE 2. THE GOVERNANCE SYSTEM OF THE SNE



Source: Author

An overview of the SNE's governance system, designed to ensure service delivery nationwide, is shown in figure 2. It is worth highlighting that the system is based on the sharing of responsibilities between federal and state governments with regard to the funding, training and staffing of the SNE. Significant efforts have also been made to unify the different databases used to administer individual active labour market programmes and the different modalities for delivering employment services; these efforts have been reflected both in the reporting of outcomes and in enhanced transparency and accountability.

One key mechanism for improving the SNE's capacity to break down information silos and tap potential synergies and resources at local level is the Council for Dialogue between Productive Sectors in each state. The SNE holds a seat in this high-level advisory body of experts with tripartite representation. The councils are actively involved in the for-

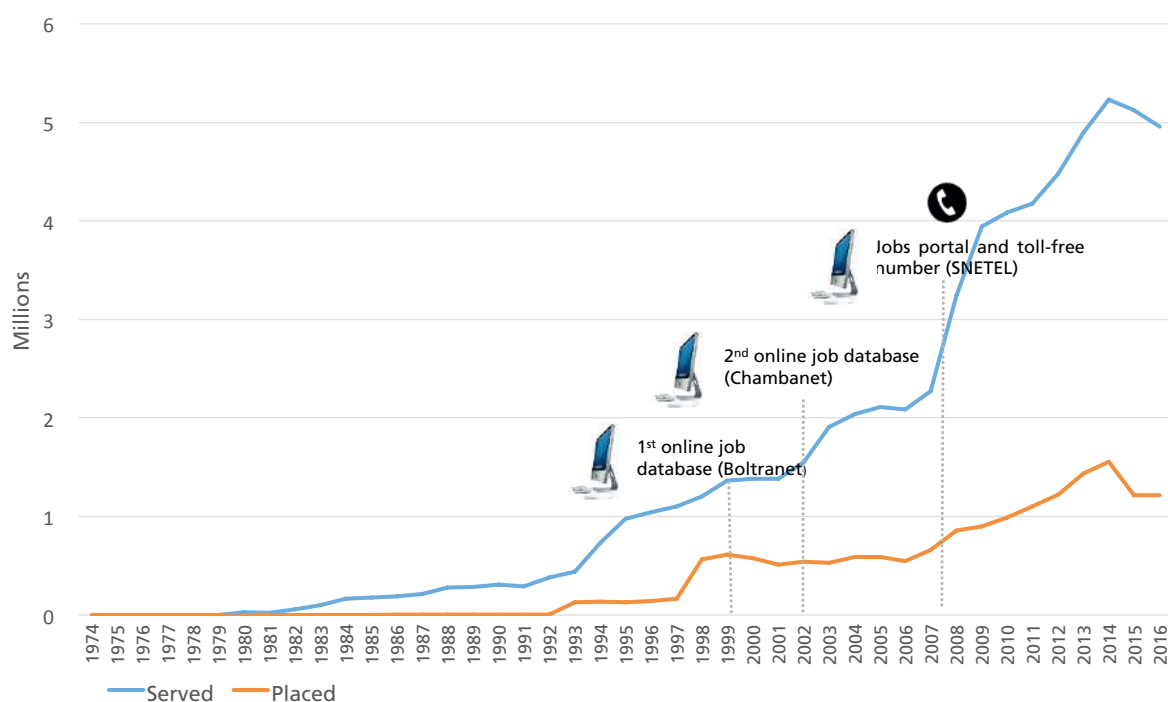
mulation of employment strategies to respond to specific bottlenecks, challenges or requirements of the local labour market. This includes anticipating the skills needed in specific industries and making investment plans that will create new jobs. Even through activity of the State Councils varies across the country, for some of the state employment offices over 40 per cent of all the placements are arranged through the projects managed by these councils. Another useful mechanism for expanding the accessibility of job vacancies at the local level is the state employment network (*sistema estatal de empleo*). These networks involve monthly working meetings organized between the state employment offices and public and private organizations that administer job banks, such as local firms, private employment agencies, educational institutions and non-governmental organizations (NGOs), with the objective of sharing information about vacancies and coordinating it on the SNE jobs portal (*portal del empleo*).

- **Improving accessibility by diversifying delivery channels**

The introduction of digital channels for service delivery has helped the SNE to reach more clients through a mix of in-person services, online provision and self-service tools for job searching, including a toll-free telephone number, job kiosks and mobile units (figure 3). One of the most important entry

points for clients is the jobs portal, which grants free access to a nationwide pool of vacancies and jobseekers' profiles as well as many other resources such as tutorials for job searching, virtual job fairs and a live chat application enabling the user to contact a job counsellor directly. The jobs portal alone has registered 7.8 million clients and 17.7 million job vacancies since its introduction in 2008.

FIGURE 3.
JOBSEEKERS SERVED AND PLACED IN FORMAL EMPLOYMENT BY THE SNE, (1974–2016)



Source: Author, based on information provided by CGSNE.

However, notwithstanding the diversification of access channels, back-office services are not fully interconnected with active labour market programmes. Before the global fall in oil prices in 2014, which had a strong negative impact on government revenue, there were plans for integrating all existing services and programmes and developing a one-stop shop system (IDB, 2012). This new approach is intended to link up job-search support and counselling services with active labour market programmes to ensure that clients receive continuous support and targeted services according to their needs over time, regardless of the channel(s) they use to com-

municate with the SNE. Developing more integrated and demand-led provision is particularly important to improve job placement for target groups facing multiple barriers in attempting to access the formal labour market, such as young jobseekers, people with disabilities, older workers and socially disadvantaged groups. Currently, half of all clients are young people (aged 16–30) without prior work experience; however, this group makes up only 37 per cent of all jobseekers placed in jobs. Within this category of clients, those most frequently served by the SNE are jobseekers aged 18–25 making the transition from school to work. This group repre-

sents 37 per cent of all clients served and 26 per cent of all job placements.⁶

Recent budgetary cuts and staff reductions have slowed down the implementation of such an integrated approach to service delivery. Nonetheless, the SNE is making a concerted effort to maintain the current level of service provision while increasing operational capacity by investing in the following core areas:

(1) Improving the quality and availability of job-search support, counselling and referral services, including through automation.

The move towards a more integrated model of service delivery (one-stop shops) in the years ahead with fewer resources is pushing the SNE towards increasing automation of core employment services. In parallel, the SNE is gradually improving the skills of employment counsellors in assessing clients' needs and providing the level of support that facilitates more rapid (re-)employment. Training is also built around services to employers, for example, pre-screening and recruiting services. Some training courses for SNE counsellors have been delivered in cooperation with private employment agencies such as Manpower. Between 2014 and 2016, 1,366 counsellors attended such courses for training in recruiting methods, personnel selection and teamwork. The National Council of Standards and Certification of Labour Competencies (*Consejo Nacional de Normalización y Certificación de Competencias Laborales, CONOCER*) issued training certificates to the 89 per cent of the counsellors who successfully completed the training.

(2) Building the evidence base to measure the impact of interventions.

The SNE is working on establishing a baseline sample of jobseekers for longitudinal follow-up to observe the effects of services on clients over time. A cross-check protocol, to serve as a proxy to measure placement in and retention of employment in the formal sector, is being developed with the IMSS, the government agency responsible for registering or deregistering an employee in the social security system.

(3) Establishing referral services with partner government agencies working with populations not yet using the SNE on a regular basis.

Referrals essentially entail informing people about the services provided by the SNE and encouraging them to use those services. At present, referral of clients from one service to another is not supported by shared protocols and follow-up of clients remains ad hoc. Women jobseekers with young children are referred to day-care centres when looking and applying for jobs. The National Youth Institute (Instituto Nacional de la Juventud, IMJUVE) helps young people to become acquainted with the SNE and to learn how to get in contact with the service. One promising initiative by the PROSPERA programme, which offers cash transfers conditional on attendance at school and health services, is putting its own beneficiaries in touch with the SNE to facilitate their access to training and job placement.

Active labour market programmes

Mexico was one of the first countries in Latin America to introduce active labour market measures, such as the training of displaced workers, prompted by the industrial restructuring of the early 1980s.⁷ Since then, these measures have become increasingly significant in improving jobseekers' chances of finding formal work in an economy where informal employment is still highly prevalent (as noted above). The implementation of active labour market programmes serves the policy objectives of easing labour market transitions for the unemployed into formal work and shortening the time it takes for employers to recruit the staff with the skills they need. In this context, the SNE plays a key role in three areas: (1) upgrading the skills of jobseekers through various types of job training and entrepreneurship support; (2) promoting geographical mobility of workers, in the domestic and international labour market, through the bilateral worker mobility programme with Canada and, more recently, through a pilot agreement for the recruitment of Mexican workers in some local markets of the United States;

⁶ Data for the period between Dec. 2012 and Dec. 2016.

⁷ Mexican practice in respect of active labour market programmes has become a point of reference for other Latin American countries and has inspired and informed similar efforts throughout the region.

and (3) gaining experience with the implementation of contingency measures for employment preservation during economic shocks and other episodes.

An outstanding feature of active labour market programmes design in Mexico is the demand-led approach, which draws on private-sector co-financing and close involvement with private enterprises during implementation, in particular at the local level. Linkages are also established with local employment initiatives supporting productive sectors which generate formal jobs and sustain economic growth, including the aerospace, electronics, automotive and agri-food industries. This demand-led approach has resulted in high placement rates of around 75 per cent of all those who participate in active labour market programmes, particularly through upskilling interventions. Currently, active labour market programmes account for 90 per cent of the public funds that the federal Government allocates to the SNE. Nonetheless, expenditure on these measures as a proportion of GDP remains low (0.01 per cent) compared with the OECD average (0.6 per cent).

When the National Council for the Evaluation of Social Policy (Consejo Nacional de Evaluación de la Política de Desarrollo Social, CONEVAL) was established in 2015, a framework for the systematic evaluation of active labour market programmes was developed in cooperation with the SNE with a view to improving the design and targeting of these programmes. A matter of particular concern to the SNE relates to measuring the short-term employment effects of active labour market programmes, that is, their impact on the ability of jobseekers to gain and retain formal employment. The SNE is also developing capacity in connecting active labour market programmes with policies for poverty reduction. In this area, CONEVAL has helped to establish a methodology for cross-sectoral analysis to identify complementarities and overlap between employment and social development programmes. This has resulted in more cross-cutting interventions for poverty reduction and social development, such as the flagship programme National Crusade against Hunger (*Cruzada Nacional contra el Hambre*), which reaches 7.01 million people living in extreme poverty; the SNE offers access to job training and self-employment opportunities to members of the target population when they are ready to leave the

programme. Access to formal employment is seen as the key to breaking the poverty trap associated with low incomes and job insecurity (Government of Mexico, 2016a).

• The BÉCATE job training programme

The BÉCATE job training programme targets unemployed, underemployed and displaced workers, and new entrants to the labour market without prior work experience, who are in need of rapid upskilling to improve their job prospects in the formal market. BÉCATE is Mexico's most important publicly funded retraining programme in terms of both size and budget. It was launched in the 1980s, since when it has been adapted, expanded and used to serve clients with a range of different needs. In essence, the programme offers a training subsidy to eligible workers ranging from one to three times the minimum wage for a maximum of three months, in addition to a small grant to fund transport costs and an individual accident insurance policy covering participants in transit between home and the training location, and while in training.

BÉCATE has achieved high placement rates (79.7 per cent in 2013–15, according to the most recent impact evaluation), owing largely to its demand-driven approach and strong cooperation with employers. The programme seeks to influence both labour demand in local labour markets and the supply side. The latest impact evaluation of the programme found that jobseekers served through BÉCATE remained in employment for longer after placement, and earned higher wages, than the comparison group (Sánchez, 2015). This is particularly true for first-time young jobseekers (aged 18–25): this group represents 37.4 per cent of clients placed, of whom the majority are served through practical workplace training and self-employment. From January to September 2016, a total of 11,258 people benefited from training delivered through BÉCATE (OECD, 2017).

The SNE's training courses, delivered through private and public contractors for the BÉCATE programme, fall into four basic categories, as shown in [table 1](#).

TABLE 1.
THE FOUR TYPES OF SNE TRAINING COURSES

Mixed training	This type of training is used to develop skills that are particularly important for specific job vacancies. The counsellor registers the job offer and organizes tailored courses in partnership with the employer. One of the factors in the success of this type of course is the sharing of the associated costs, whereby the SNE covers the cost of training through BÉCATE and the employer defrays the costs of hiring the instructor(s) and providing training materials (e.g. machinery, tools, manuals, guides), the training site for classroom teaching and a safe workplace for in-work training. In addition, the employer engages to hire at least 80 per cent of the participants who successfully complete training. Training can be organized for groups ranging from one to 30 people, and courses run from one to three months depending on the complexity of the skills profile addressed. The majority of employers using this type of training are large enterprises, for example in high-growth sectors such as the export-oriented automotive industry, tourism services, passenger transport, call centres and aerospace (box 2). Mixed training has proved very successful: the most recent impact evaluation confirms that a combination of short-term training in the classroom and at the workplace increases the probability of jobseekers gaining formal employment within three months of completion (Sánchez, 2015). Jobseekers placed through this type of training are also more likely to see their wages increase during an 18-month period starting six months after completing training.
On-the-job training at the workplace	This type of training supports both micro-, small and medium-sized enterprises^a (MSMEs) with insufficient capacity to deliver training to new employees, and graduates from technical and vocational education (aged 16–29) without work experience who are seeking work for the first time. It is intended to create a positive, although indirect, effect on the skill level and productivity of MSMEs, as well as to encourage the formalization of jobs in this sector, which makes up 90 per cent of registered businesses in Mexico. Participating employers should have at least five job vacancies registered with the SNE and must cover the cost of training materials. Young jobseekers undertake training at the workplace for a two-month period. Typical occupations involved include baking, administration (clerks and secretaries), farriery and welding, and kitchen assistance. The employer has the option to hire participants who complete the training successfully. Those candidates who are not selected are supported by SNE in job searching.

Self-employment promotion

The main objective of this type of training is to offer an opportunity to earn an income to jobseekers in semi-urban areas where labour demand is weak and economic chains are not adequately integrated, so that job opportunities are scarce. This kind of training is offered following referral by municipalities supporting income-generating activities in arts and crafts and basic trades. The training provided through BÉCATE lasts one month and focuses on the development of complementary skills such as accounting, administration and computer skills.

Training for technicians and professionals

The target population for this type of training consists of young professionals or technicians (aged 16–29) in any discipline who need to gain meaningful work experience, including transferable skills. The training is aimed at responding to the specific needs of public and private institutions in need of skilled staff. Delivery channels include classroom training in educational institutions or with licensed training providers, at the workplace or online, for a period of one to three months, according to trainees' and employers' needs. Participating employers engage to employ all trainees who successfully complete the programme. Up to 2016, SNE used training vouchers as a means of access to this type of training; however, following the impact evaluation of BÉCATE in 2015, it was recommended that targeting be improved, with particular attention to young jobseekers, and vouchers were superseded by the current programme.

a/ At least 50 per cent of the workforce in small enterprises, and 65 per cent in medium-sized enterprises, should be salaried employees.
Source: Author, based on Government of Mexico, 2016b; STPS, 2015; OECD, 2017.

BOX 2. DEVELOPING IN-SERVICE TRAINING AND JOB PLACEMENT FOR THE EMERGING AEROSPACE INDUSTRY

BECATE's demand-driven approach is based on partnerships with local enterprises and sectoral initiatives coordinated by the state Councils for Dialogue between Productive Sectors. In 2006, the SNE contributed to establishing an aerospace park in Queretaro by providing targeted job-matching services and in-service training courses to align job candidates' skills with "lean manufacturing systems" used by the aerospace industry. Working with one of the main employers in the aerospace park, the SNE covered part of the cost of training, and the employer engaged to hire at least 70 per cent of the participants on successful completion of training. The employer also brought in workers from other facilities to deliver training at the workplace. A total of 110 technicians were trained over a period of four months, starting work in the plant in May 2006. At the same time, another group of screened candidates started pre-service training delivered by public and private training providers to improve skills and gain accreditation. By the end of 2006, a total of 296 technicians were working to the employer's standards. Through these training courses the SNE enhanced the employability of job candidates and helped them to gain qualified jobs with good future prospects in response to the immediate needs of a major employer. The partnership between the SNE and the training and vocational institutions also helped in adapting the training programme curricula to medium- and long-term skill needs in the sector.

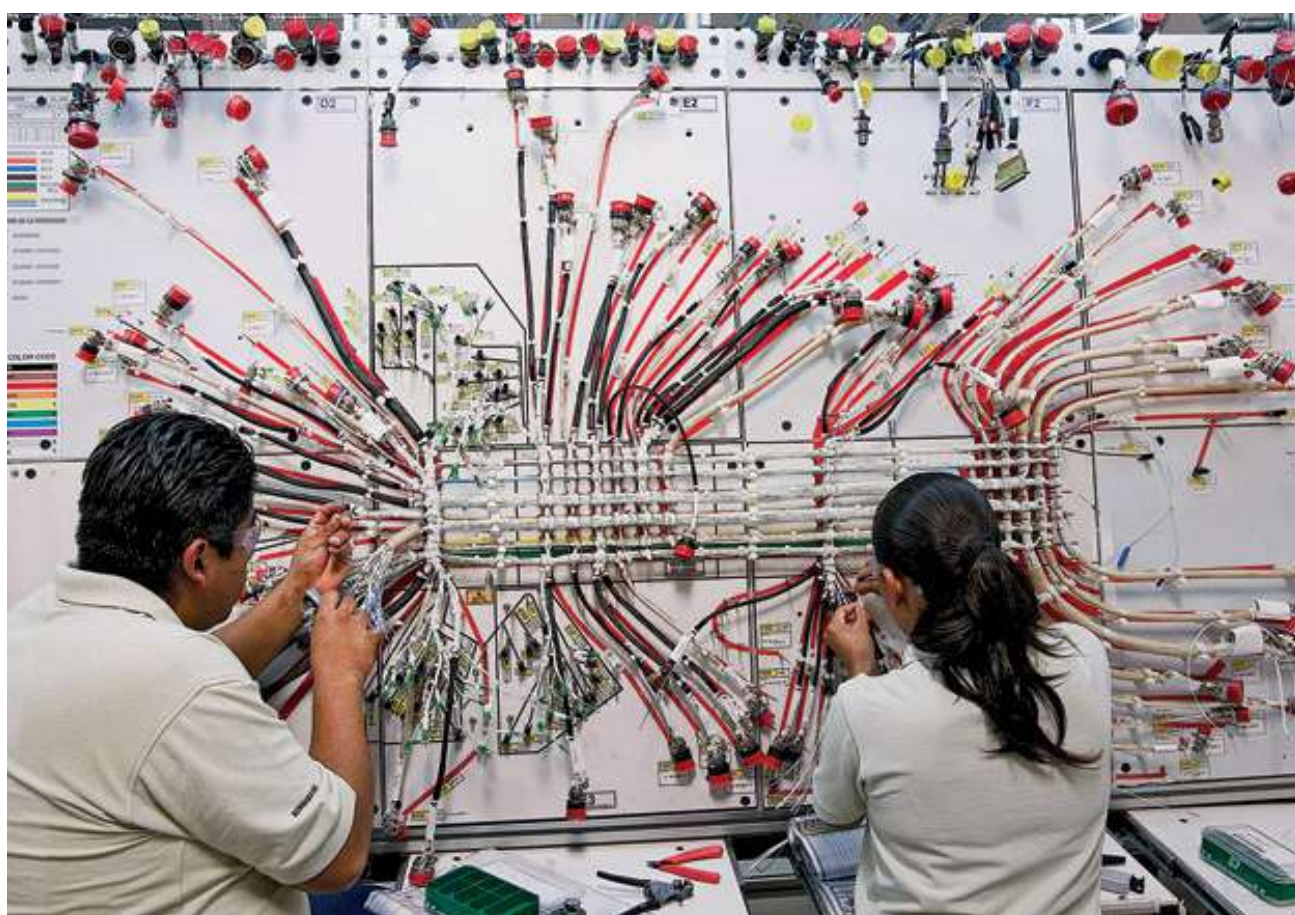
Source: Avila (2015).

In spite of the success of BÉCATE and increasing demand from clients, both jobseekers and employers, the programme has been affected by a continued reduction in funding, and pressure to go on delivering the same levels of outcomes might lead to some diminution in the quality of job-matching through short-term training. The most recent evaluation recommended: (1) enhancing the quality of vacancies offered through the programme; (2) pre-screening of candidates to place them in the type of training most appropriate to both individual needs and the characteristics of the local job market; and (3) selecting enterprises on the basis of criteria linked to the quality of vacancies offered (Sánchez, 2015). As part of the efforts to further develop online services to compensate for the budget reduction affecting the SNE, the beneficiaries of BÉCATE were granted access to an online repository of training courses administrated by the SPTS, known as PROCADIS (Programa de Capacitación a

Distancia: Programme for Distance Training). This distance-learning tool has the double purpose of facilitating the compliance of formal enterprises with the obligation to provide regular training to their workers and at the same time offering workers the opportunity to upgrade their technical and core work skills in a flexible format and self-teaching environment (STPS, 2017).

- **Self-employment promotion programme**

The self-employment promotion programme (*Programa de Fomento al Autoempleo*) provides support in the form of advice and loans of the equipment, machinery or materials required to develop entrepreneurship projects and launch them on the market.⁸ The basic aims of the intervention are



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⁸ The value of these materials ranges between 25,000 pesos (MXN) for start-ups providing an income for one person and MXN125,000 for a group of five or more entrepreneurs.

to support livelihoods and at the same time stimulate economic activity in local labour markets. An employment counsellor follows participants at quarterly intervals over 12 months to ensure the projects continue running, and additional support can be provided, if needed, through referrals to other local institutions working with entrepreneurs. The self-employment promotion programme is intended to reach low-income workers in communities affected by poverty and lack of opportunities to sustain a stable livelihood. In southern Oaxaca, for example, a group of women from an indigenous community with a long tradition in producing textiles of good quality were supported in starting a sewing workshop. Between September 2012 and December 2016, 55,040 entrepreneurs were served through this programme.

Independent evaluations have questioned the permanence of this programme in the SNE's portfolio, given that similar programmes are offered by other government agencies (e.g. the Federal Secretariat of the Economy); however, those other interventions are focused on urban areas and therefore reach a different clientele. Furthermore, the funds allocated to the SNE's self-employment promotion programme remain modest compared with the size of interventions by other agencies (CONEVAL, 2015). This programme is currently under review with the aim of improving targeting and cooperation with other agencies and providers of similar services, and establishing more strategic connections to create local production chains.

- **Seasonal agricultural worker programme for the domestic labour market**

The seasonal agricultural worker (SAW) programme for the domestic labour market helps to address imbalances in labour supply and demand in the agricultural sector across the country. Mexico has areas of high population density concentrated in a few cities and large rural areas where populations are widely dispersed, a situation that exacerbates inequality. This disparity is also reflected in the regional variations in rates of economic growth and employment generation. In the past two decades internal labour migration has intensified in Mexico,

driven mainly by a quest for better income-earning opportunities. These conditions have encouraged the common practice among some employers of sending informal labour recruiters to communities of origin to hire workers. This process of informal recruitment undermines the whole employment relationship, creating a grey area around the employer's responsibilities and leading to a disregard for labour legislation. Conditions of employment gained in this way are generally insecure, and informal labour recruiters frequently abuse their authority over the workers by asking for commissions, overcharging for transport, holding back wages and imposing debt.

To address this problem, the SAW programme targets unemployed and underemployed farm labourers aged 18–69 who have either no formal education or none beyond secondary school level. To participate, workers should be available to move temporarily from their homes to other municipalities located in the state of residence or other states with active vacancies. The SNE provides a package of services comprising information on available job vacancies; economic support for moving away from home to work; and, when required, access to on-the-job training and retraining to facilitate adaptation to new agricultural practices and technology.

The programme operates in 90 per cent of the country on an annual cycle corresponding to the fiscal year, using mobile units to reach remote rural areas. Priority is given to populations in areas with the lowest ratings on the United Nations Development Programme's Human Development Index (HDI), which are located in the south and have the largest indigenous populations. Recruitment through the SAW programme essentially moves workers from states in this southern part of the country (Guerrero, Oaxaca, Veracruz, Puebla and Hidalgo) to northern states (Sonora, Sinaloa, Baja California Sur and Baja California) where demand for labour is high owing to extensive agricultural production for the domestic and international markets. The HDI ratings of some municipalities in the south resemble those of Nicaragua and Senegal, while the recipient states in the north enjoy ratings similar to those of European countries such as the Czech Republic. An overview of the recruitment process under the SAW programme is given in [box 3](#).

BOX 3. THE SEASONAL AGRICULTURAL WORKER PROGRAMME FOR THE DOMESTIC LABOUR MARKET: HOW DOES IT WORK?

At the beginning of each fiscal year (1 January) the SNE opens a call for entry into the programme and hires liaison officers and supervisors to facilitate the registration of jobseekers and vacancies. These are usually individuals who are well known in the rural communities targeted by the programme, and are selected, trained and paid by the SNE. Supervisors visit the employers, who need to be able to rely upon a supply of labour in periods of peak demand; the employers are responsible for ensuring that facilities and working conditions offered are in compliance with the law, including the minimum wage. In turn, the liaison officers advertise the job vacancies in the rural communities, contact potential workers and assist with the prescreening of candidates (most of whom participate in the programme one season after another). Eligible workers are registered in an electronic management system that controls their progress through the different stages of the programme and the payment of monetary support. The subsidy for interregional mobility amounts to US\$150.00 per worker and for intraregional mobility (within the same state or a neighbouring state) US\$80.00 per worker. The SNE coordinates these efforts with those of the Secretariat of Social Development (Secretaría de Desarrollo Social, SEDESOL), which operates a farm workers' assistance programme in cooperation with the 16 other government agencies working to improve the living and working conditions of seasonal farm workers and their families.

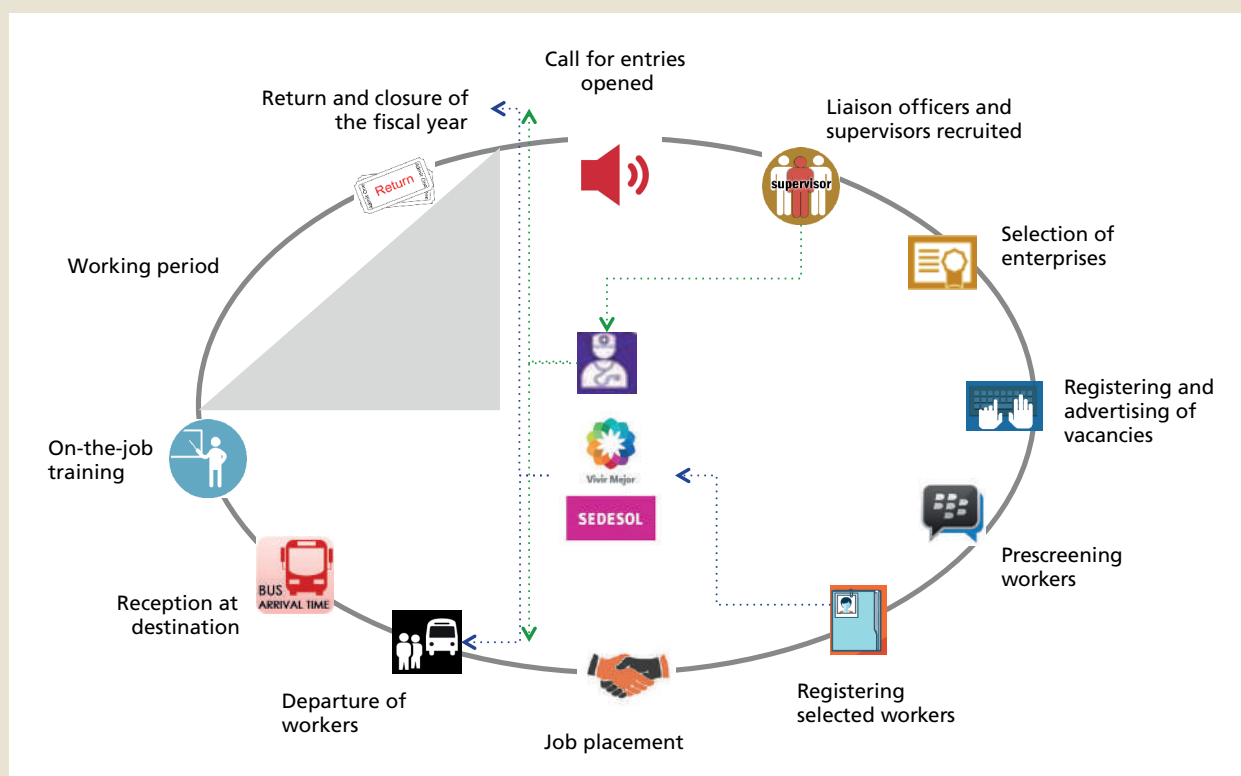
The liaison officers hired by the SNE arrange the workers' departure, the employer covers transportation costs, and the programme provides insurance. Many workers travel with their families; their travelling costs are paid by SEDESOL. The supervisors ensure that workers arrive at their workplaces. They also coordinate with the SNE to make the necessary arrangements for workers participating in job training, for which the employer provides the instructor and material and the SNE pays the daily minimum wage for every three hours of training.

During a single annual cycle, a participant in the SAW programme can be placed up to three times with different employers, provided that their contract expires at the initially agreed time. This gives the opportunity for workers to be in employment for three to eight months.

The SEDESOL farm workers' assistance programme runs during the planting and harvesting seasons in areas that attract migrant workers and in the places where they live, such as hostels, nurseries and camps. The programme provides grants for food and subsidies for school uniforms, supports health care and monitoring for families (including the care of pregnant women and measures against domestic violence), and offers a food bank and food supplements. A gender-sensitive approach ensures that female children stay at school as long as their male counterparts, improving their opportunities to access training, further education and employment later in life.

The Mexican Government has implemented an interinstitutional working group (comprising representatives of government agencies, trade unions, chambers of commerce and civil society) to address the problem of child labour. SEDESOL has also encouraged dialogue with state agricultural producers with the aim of reaching out to families through existing social development programmes to limit child labour. The labour inspection authority is another key actor in the programme. Participating farms are subject to unannounced visits. Both the SAW programme and the SEDESOL assistance programme have helplines for receiving anonymous complaints; the supervisors and liaison officers are also a point of access for workers who have suffered abuses.

The final task of the SNE personnel, at the end of each annual cycle, is to arrange for workers to return to their places of origin (see the diagram below).



This coordinated action by the Mexican Government has helped to improve the recruitment of seasonal agricultural workers, providing a reliable mechanism by which workers and their families can gain access to basic services while working in rural areas distant from their homes.

Source: Author, based on Government of Mexico, 2015, 2016b.

The estimated eligible population for 2016 was 6.5 million people, of which 25 per cent were farm workers and 75 per cent were members of their families. In 2014, the SNE placed 110,180 farm workers through the SAW programme, while the SEDESOL farm workers' assistance programme served 200,728 farm workers and their families. For the period 2014–16, the SNE reported a placement rate of 69.2 per cent, equating to 467,733 farm workers placed in jobs.

The challenges facing the SAW programme include continuing budgetary cuts since 2015 alongside increasing demand from both employers and job-seekers: the targets set for 2017 are 32,736 beneficiaries, of whom 73 per cent are men and 27 per cent women.



- **Seasonal agricultural worker programme for Mexico and Canada**

The seasonal agricultural worker programme (SAWP) for Mexico and Canada came into operation with the conclusion of a memorandum of understanding between the two countries in 1974 with the objective of implementing a temporary migration programme regulated by both governments to fill low-skilled jobs in the agriculture sector in most of the Canadian provinces.⁹ The SAWP is viewed as an instrument that can simultaneously address excess labour supply in the agricultural sector in Mexico and offer employers in Canada access to a foreign labour market to meet seasonal labour demand. All job offers in Canada and profiles of workers from Mexico are verified by both governments to ensure good job-matching and respect for basic working rights and conditions, including social security through the workers' contributions to the Canadian welfare and pension system, and the same rates of pay for Mexican workers as for Canadian citizens in similar jobs.

The SAWP operates on the basis of shared commitment by the two governments. The Mexican Government undertakes to register job vacancies from Canadian employers, recruit and select workers matching the job profiles required, arrange medical examinations for the workers, facilitate the issuance of the necessary travel documentation (passports and visas) and organize the departure of workers to Canada. In turn, the Canadian Government organizes the process by which employers request workers, issues temporary work permits (for a maximum of eight months), checks that workers are granted fair payment and regular working conditions, and ensures that workers receive adequate accommodation at the workplace. In Mexico, the SAWP is run by the SNE; an overview of the programme's protocols is provided in [box 4](#).

BOX 4. THE SEASONAL AGRICULTURAL WORKER PROGRAMME FOR MEXICO AND CANADA: HOW DOES IT WORK?

The SNE has decentralized most of the operation of the SAWP to the local level, including providing information to interested candidates, delivering counselling, and prescreening workers through interviews and sometimes practical examinations. Local employment offices also refer workers to the health centres run by the Ministry of Health for medical examinations, this being one of the requirements stipulated by the Canadian authorities. The CGSNE is responsible for liaising with the Canadian authorities over visa applications and for organizing the departure of workers with a view to reducing processing time and avoiding unnecessary expenses for workers.

The SAWP responds to quality criteria in matching applicants to jobs. Eight out of ten participating workers are requested year after year by the same employer, while the other two are part of the denominated "reserve" without a fixed employer. For many Mexican workers participating in the SAWP job stability is high: most have worked for five to ten years with the same employer, and on average 75 per cent have participated in the programme for over six years, the remainder having done so for three years or less. About one-third of the participants are aged 26–45, 20 per cent are aged 46–60 and only 4 per cent are young people aged 18–25. Between 2012 and 2016, the SNE placed 83,000 workers in jobs in Canadian farms. The target set for 2017 is 24,500 people working temporarily in Canada.^a

A cost–benefit study conducted in 2009 by the Inter-American Development Bank (IDB) (IDB, 2011) provided confirmation of the value added through the SAWP. For every US\$1 invested in the programme, the country receives about US\$10; and, with the introduction of efficiency indicators in 2010, the cost of keeping the programme running is falling.

^a Information provided by SNE.
Source: Author, based on Muñoz, 2010.

⁹ The Northwest Territories and the province of Newfoundland and Labrador are not covered by the programme.

One factor in the successful continuation of the programme is the direct involvement of both governments, which has ensured legal, orderly and safe labour mobility for 43 years. However, international trends are now changing, with such arrangements being replaced by more flexible schemes involving a greater number of countries, thus increasing competition for job vacancies and incurring lower costs than those involved in the administration of programmes such as the SAWP.

- **First steps towards a labour mobility scheme with the United States**

Estimates based on a survey of migration across the northern border of Mexico in 2015 indicate that an average of 233,581 people trying to cross the border without the requisite documentation were sent back by the US authorities in each of the previous three years (Government of Mexico, 2016b). The reintegration into the national labour market of undocumented workers deported by the US Government is a priority for the Mexican Government, and the SNE contributes to this objective by providing support for target populations in finding jobs in Mexico. In coordination with NGOs providing accommodation and medical aid for returning Mexicans in distress at the border, the SNE invites those interested in returning to their home localities to register as jobseekers, and organizes return transport, job-search support and referral to training or other interventions to facilitate placement. Reflecting the precarious economic situation of some regions of Mexico, and the limited job opportunities available in these areas, the placement rate achieved by this specific mechanism remains low (21.5 per cent) compared with other active labour market programmes operated by the SNE. Between 2012 and 2016, 33,629 people were served by the programme.

The positive experience accumulated by the Mexican Government through the operation of the SAWP with Canada has served as a precedent demonstrating that regular and safe labour mobility across borders is possible. In 2016, a window of opportunity was opened to create a safe and fair mechanism for Mexican workers interested in working in the

United States on a temporary basis by using H2 visas. The H2 visa allows employers in the United States to hire migrant workers to fill temporary job vacancies in low-skilled positions. In 2016, for the first time, employers in the United States asked for the SNE's support to recruit 1,029 Mexican workers through this channel.

With the 2012 labour reform in Mexico, the SNE became the government agency responsible for overseeing compliance with standards for the recruitment and selection of workers in Mexico, including those interested in working abroad. Mexican labour law stipulates that general labour conditions for temporary workers abroad should be the same as for local workers in the destination countries; it also includes provisions related to workers' rights in respect of repatriation, housing, social security and other benefits.

- **Contingency programmes to prevent job losses and reactivate employment**

In an increasingly interconnected and interdependent world, just as epidemic diseases spread rapidly, so countries are also more exposed to economic crisis and conflict resulting in the loss of jobs and incomes for families and the displacement of communities. In addition, Mexico's geographical location makes it vulnerable to a range of natural hazards (e.g. earthquakes, floods and hurricanes) which may cause the temporary closure of businesses with especially severe effects for MSMEs and the self-employed. The suite of active labour market programmes operated by the SNE includes a number of contingency measures for use when the labour market deteriorates and unemployment increases as a result of unexpected events such as natural hazards, health emergencies or severe economic slowdowns affecting core sectors or the industrial fabric of particular localities. These mechanisms are intended to ensure readiness and capacity to channel resources and provide assistance to communities and businesses in distress. The Committee for Evaluation and Support for the Reactivation of Employment, which is presided over by the STPS and put into action by the SNE, is responsible for declaring a state of contingency and deciding on

its temporal and geographical scope in consultation with the local authorities.

Once the Contingency Programme against Unemployment (Contingencias Laborales) is activated, affected populations receive support for retraining, reskilling and requalification, placement in temporary jobs, or temporary relocation to a different part of the country where there is a higher demand for

labour. Although the operational rules provide for an allocation of just 2 per cent of the PAE's funds for this purpose, the federal Treasury will allocate supplementary funding if this is deemed necessary. An external evaluation confirmed the programme's responsiveness to emergency situations (Velázquez, 2016). Some examples of how contingency interventions have worked in the past are provided in [box 5](#).

BOX 5. CONTINGENCY INTERVENTIONS

- The contingency programme was activated in 2009 when the country was severely affected simultaneously by the negative effects of the global economic crisis and by an outbreak of the H1N1 influenza virus. During the pilot phase about 30,000 people were served and about 20,000 placed in jobs. Once the economic situation started to stabilize, the total number of participants dropped to nearly 15,000.
- Through a combination of counter-cyclical measures and employment services, the SNE provided counselling and retraining assistance to nearly 40,000 workers when Luz y Fuerza del Centro, a state-operated electricity company, closed in 2011. Job-search support services were provided to help 10 per cent of the affected workers to find new jobs, another 20 per cent were offered access to internal mobility programmes, nearly 19 per cent were retrained and about half were rehired by the largest electricity supplier in the country, the Federal Electricity Commission (Comisión Federal de Electricidad).
- Similar combined interventions have also been used to assist communities affected by increasing violence that are trying to boost employment and improve living conditions for inhabitants. In Ciudad Juárez, the federal and state governments jointly implemented such an intervention under the banner "We are all Juárez: Let's rebuild the city". The SNE's intervention consisted in developing skills and competencies of targeted groups through the various strands of its training programme, including on-the-job training, support for business start-ups and placement in temporary community works, in combination with job workshops and counselling. The STPS contributed nearly MXN85 million and a total of 26,129 people participated in this initiative.

Source: Author, based on STPS labour reports, various years.

Job-matching, placement and activation strategies

Between December 2012 and December 2016, the SNE served 20.4 million clients and placed 5.5 million of them in formal employment, achieving an average placement rate of 26.8 per cent. More than 1.7 million clients placed were supported by one or more of the active labour market programmes strategies available through the PAE in combination with job-search support. Active labour market

programmes registered a higher performance placement rate of 76 per cent over the same period, showing the importance of involving employers and other key labour market stakeholders in tackling barriers to employment. Such an approach produces long-lasting outcomes if responses are tailored to market needs ([table 2](#)).

TABLE 2. PLACEMENT RATE BY TYPE OF SERVICE
AND ACTIVE LABOUR MARKET PROGRAMMES, 2006–16

Core employment services and active labour market programmes	Placement rate (%)	
	Dec. 2006 to Aug. 2010	Dec. 2012 to Aug. 2016
Job-matching services		
Job bank	30.6	36.1
Job fairs	25.7	36.3
Jobs portal (online)	16.1	19.0
Active labour market programmes		
BÉCATE	64.4	79.7
Self-employment promotion programme	100.0	100.0
Seasonal agricultural worker programme for the domestic labour market	43.9	69.2
Seasonal agricultural worker programme for Mexico and Canada	91.1	97.2
Reintegration of undocumented workers deported by US Government	21.5	n.a.

n.a.: Not available.

Source: Information provided by SNE.

Active labour market programmes require a higher investment of resources than job-matching services, and scaling up is limited to some extent by the annual budgetary allocation through the PAE. According to an internal SNE estimate, funding for job search, counselling and placement amounts to nearly 10 per cent of non-earmarked PAE funds.¹⁰ Between December 2012 and December 2016, 18.6 million people were provided with job-search related services only (without referral to active labour market programmes) and 4.1 million of these jobseekers were placed in jobs, representing a placement rate of 22.1 per cent over the whole period.¹¹ There is a considerable difference between the volumes of clients SNE can reach and serve through job-search related services only and those benefiting from active labour market programmes; one of the primary reasons for this is the greater availability of the former via online and self-service channels. Nevertheless, according to the National Institute of Statistics (Instituto Nacional de Estadística y Geografía, INEGI), the most popular method for finding information on job vacancies in Mexico is still through personal contacts. INEGI reported that 56 per cent of people who were hired in 2015 and were still working in January 2016 found their jobs

through a personal referral, while 31 per cent contacted the employer directly and the other 13 per cent used other search methods (INEGI, 2017a).

• Services for jobseekers

The SNE has developed the capability to offer multichannel provision via the jobs portal, a toll-free phone number, the labour observatory, job fairs (traditional and virtual: see box 6), radio, job-search kiosks, mobile units, job newsletters, television, radio and social media. Services to facilitate job placement are organized and delivered on three levels: individual in-person services; group activities; and self-service access. Services for jobseekers are targeted at individuals who are unemployed, underemployed, or at risk of losing their jobs owing to structural changes in the economy or insufficient qualifications.

In-person services are delivered by an employment counsellor at the local employment office. Counselling interviews are undertaken to determine the profile and specific needs of the jobseeker. An employment counsellor serves an average of 15–22

¹⁰ Information provided by SNE.

¹¹ For internal administrative and budgetary reasons, the SNE includes workers placed through the seasonal agricultural worker programme for Mexico and Canada within job-matching services rather than active labour market programmes.

clients per day and the length of the interview is about 20 minutes. Individual counselling and the provision of relevant information are complemented with referral to short-term training or (for vulnerable groups) specialized services to link suitable candidates with job opportunities.

Group activities are mainly delivered through job support workshops to help participants get and maintain jobs. These are tailor-made to match the characteristics of participants. Between December 2012 and December 2016, 760,000 jobseekers participated in job-search workshops.

Self-service access In addition to the employment offices at the state level, the SNE has 55 job kiosks (or PC terminals), all located in public places easily accessible to large numbers of people, where jobseekers can receive job information and work at computer stations. Mobile units are used to extend the provision of job information, counselling and placement services to jobseekers living in the areas around main cities, small municipalities and rural communities.

The **jobs portal** was introduced in 2008 as an overarching website that facilitates links between labour supply and demand. It pulls together job vacancies from a large number of private employment agencies and not-for-profit organizations across the country. It is also supported by a wide range of online services, including access to information about the labour market, training opportunities, e-learning resources and virtual job fairs to facilitate online recruitment. In 2016, 5.3 million people used the job bank and the average placement rate registered was 36.1 per cent.

The **labour observatory** works interactively with the jobs portal; its main objective is to assist people, in particular young people, to make informed decisions about their future career choices and job opportunities. The observatory was launched in 2015 and provides information about occupational trends, job prospects, wages and the qualifications required to perform particular jobs. Several partner educational and training institutions both use and provide the information that feeds its database. The observatory has become a key reference for career

guidance to support youth in the transition from school to work. The introduction of self-assessment tools for career planning and job-search aims to establish a connection between the observatory and employment services delivered online.

A **toll-free phone number** is available for the provision of job information services, and a job newsletter is issued fortnightly and distributed nationwide. Between December 2012 and December 2016, 1.6 million people used the toll-free number, including workers interested in participating in the SNE's labour mobility programmes for both the domestic and the international labour markets.

The profile of a typical jobseeker using the SNE is that of a low-skilled person with no higher than secondary education, looking for a job in the services sector. Young jobseekers (under 29 years old) make up almost half of the SNE's clients: the main characteristics of this group are a lack of previous labour experience, low skills, and poor connections with the labour market. Jobseekers in the transition from school to work (aged 18–25) use the SNE's job-matching services particularly frequently, and represented 37 per cent of all clients served and 23 per cent of job placements between December 2012 and October 2016. More flexible and demand-led provision is particularly important for jobseekers facing multiple barriers to formal employment, including people with disabilities (accounting for 1.4 per cent of total placements) and older workers (3.9 per cent of total placements).¹²

One mechanism used to deliver labour market information, advice and job-matching services to employers and jobseekers simultaneously is the job fair: these may be organized either on the traditional model or online as virtual events (box 6).

¹² Data corresponding to December 2012 to December 2016.

BOX 6. TRADITIONAL AND VIRTUAL JOB FAIRS

Traditionally, job fairs bring together employers and prospective jobseekers in a convenient location in order to reduce the time and costs associated with job search and recruitment. Job fairs provide competitive advantages for employers and jobseekers because they are organized to function in a similar way to a one-stop shop. Participants are able to access multiple services through a single point, including networking programmes, curriculum vitae reviews, kiosks with internet connection and printing facilities, job-search support workshops and vocational counselling.

Job fairs fall into two main types: (1) physical multi-employer events; and (2) virtual events. In both cases the event can be organized around specific themes, target groups or economic sectors. Traditional job fairs have been organized in Mexico since 1993. The introduction and spread of information and communications technologies have facilitated the creation of virtual job fairs that can be accessed online through the jobs portal. The virtual modality offers jobseekers and employers every advantage of a traditional job fair and also enables the SNE to expand coverage and ensure accessibility 24 hours a day, eliminating queuing and paperwork. Jobseekers and employers can communicate directly through a “chat room” and receive support from a help desk.

Job fairs have proved to be cost-effective. Between December 2012 and December 2016, 1.7 million jobseekers were served through this mechanism, achieving a placement rate of 36.3 per cent. The SNE organizes at least one multi-employer job fair in each of the 32 states every year, working in close collaboration with well-established companies in a variety of business sectors, private employment agencies, NGOs, universities and education centres.

Source: Author.

TABLE 3. JOBSEEKERS SERVED AND PLACED BY AGE GROUP AND SERVICE TYPE, DECEMBER 2012 TO OCTOBER 2016

Age group	Jobseekers		Job fairs (served)		Jobs portal		Jobseeking workshops (participants)	Toll-free number (served)	Job Counselling kiosks (served)	Counselling services (served)
	Served	Placed	Served	Placed	Served	Placed				
16–17	52 012	19 283	12 897	4 737	62 214	n.a.	29 098	1 643	3 668	3 610
18–25	1 845 687	695 706	639 790	213 986	3 459 443	n.a.	310 865	72 283	273 635	117 868
26–30	922 072	332 252	336 461	118 708	1 747 752	n.a.	122 490	53 067	214 173	82 860
31–35	759 509	269 809	222 627	84 826	1 021 912	n.a.	91 540	46 964	120 635	61 597
36–40	548 912	195 145	144 987	58 138	615 636	n.a.	64 320	36 074	87 964	45 052
41–45	452 522	165 013	107 164	43 266	392 352	n.a.	47 601	28 478	62 599	32 078
46–50	271 505	92 861	69 946	27 315	214 380	n.a.	29 764	17 352	39 754	21 318
51–55	172 196	56 796	44 781	16 860	110 342	n.a.	18 220	9 351	23 071	11 771
56–60	94 684	29 976	24 196	7 946	38 732	n.a.	10 293	4 228	13 076	4 224
61+	96 455	32 548	30 534	9 364	14 526	n.a.	12 049	1 825	11 423	2 152
Not known	0	0	0	0	0	0	0	1 304 394	0	0
Total	5 215 554	1 889 389	1 633 383	585 146	7 677 289	1 461 100	736 240	1 575 659	849 998	382 530

Source: Author (data provided by SNE).

• Services for employers

Services delivered to employers include labour market information, specialized counselling, registration of job vacancies, filling vacancies (referrals and placements), and active labour market programmes concerning job preservation and short-term training. The SNE maintains connections with employers through multiple channels. At the national level, regular meetings with chambers of commerce, educational centres and private placement agencies (e.g. OCC, ADECCO, Boomerang, Manpower and AMEDIRH) facilitate the collection of large numbers of vacancies which are then registered with the jobs portal. These are complemented by the state training and employment committees, through which the SNE works in partnership with employers. As a member of these committees, the SNE has access

to first-hand information about employers' needs. Through these mechanisms, the SNE has been able to increase significantly the numbers of job vacancies registered by local employment counsellors. The SNE is usually represented on these committees by the director of the state office, who is thereby able to gain a better understanding of local labour market trends and the occupational profiles that are or will be in demand. Educational and training institutes are among the multiple users of the information generated through these committees. By such means the SNE is increasingly developing services to address shortages of skilled labour in partnerships with employers in sectors and local labour markets with great potential for job creation (for an example, see [box 7](#)).

BOX 7.

THE SNE AND EMPLOYERS WORKING IN PARTNERSHIP TO ENHANCE EMPLOYMENT SERVICES TO MEET INDUSTRY'S WORK- FORCE NEEDS IN THE RIVIERA MAYA TOURISM SECTOR

The Riviera Maya region in Mexico is a growing luxury tourism destination that has experienced rapid growth over the last 20 years. Building on the work of the Association of Hotels of the Riviera Maya (AHRM) and key regional leaders, the area has been highly successful in attracting foreign and domestic investment to capitalize on the area's natural assets, cultural history and archaeological sites. As employment grew and the industry evolved towards a position in the higher-quality tourism market, it became clear that a huge investment in the skills of the workforce was required to maintain the region's competitiveness and continuing growth.

Since 2009 the SNE has worked in partnership with the AHRM to progressively establish and drive a more modern and diverse system of public and private intermediation, supported by new processes and relationships, to better connect labour supply and demand. The STPS invested in improving SNE services in the region, opening a new centrally located employment office with local employment counselling services and access to computers to help clients search for jobs. The AHRM's redeveloped jobs portal was connected to the national jobs portal, facilitating distribution of its job vacancies throughout Mexico.

The SNE has overcome its former reluctance to collaborate with private services and now engages in many joint activities with the AHRM, including regional job fairs which encompass onsite job placement and skills development. Public services complement private services – for example, through the national BÉCATE programme, traineeships with local hotels are offered that provide a pathway to sustainable work for less experienced job applicants.

Author: Based on Mazza and Kappaz, 2016.

Also, the use of placement officers helps in tailoring support to employers of different sizes. MSMEs more frequently use SNE job-matching services, while larger enterprises tend to prefer using active labour market programmes in combination with job placement. Employers are also supported at local offices with an online appointment system. Over the period December 2012 to December 2016, the placement rate through this channel stood at 36.2 per cent, an increase of 8 percentage points over the preceding five years.

Employment services for social inclusion

Some groups of jobseekers face particular challenges in finding work. The SNE uses a combination of mainstream services and targeted interventions to help people with disabilities and older workers to find employment. The SNE has in place specialized services for these groups in 29 of the state employment offices, implemented under a protocol known as “Abriendo Espacios” (opening job opportunities) with 32 dedicated full-time employment counselors. The protocol is linked to mainstream services to promote inclusion in the labour market (e.g. job-search support, thematic job fairs, counselling and active labour market programmes including the promotion of self-employment), so that overall about 60 per cent of SNE staff participate in the delivery of services to people with disabilities and older workers.

Specialized services consist of assessment at a dedicated centre where individual needs and competencies can be identified, followed by specialized counselling and one-to-one job-search support. The assessment centre, however, does not evaluate the economic and social context of individuals, and post-placement support is not available. There is also a dedicated job portal with adaptations specifically geared to use by the target populations.¹³ This specialized service provision is available only in urban centres, where it is offered in partnerships

with not-for-profit organizations, private employment agencies with dedicated services, and local enterprises with inclusive employment practices employing older workers and people with disabilities. Most of the employers partnering with the SNE in this area are small and medium-sized private enterprises in manufacturing industry, commerce and services. The SNE provides advice on how to adapt the workplace to facilitate the integration of people with disabilities and information on the advantages enterprises hiring target populations might enjoy in public procurement procedures. An award in recognition of socially responsible enterprises (the Gilberto Rincón Gallardo award) in the category of inclusiveness in the labour market is made every year by the National Council for the Prevention of Discrimination (Consejo Nacional para Prevenir la Discriminación, CONAPRED).

About 6 per cent of the total PAE budget was allocated to the “Abriendo Espacios” protocol in 2015. Between December 2012 and December 2016, 219,825 people with disabilities and older workers were placed in jobs through a combination of specialized services and mainstream provision, representing an average placement rate of 44.5 per cent. Of all the people with disabilities using the SNE’s services, 50 per cent had a motor disability, 19 per cent had hearing impairment, 19 per cent were visually impaired and 12 per cent had a mental disability.¹⁴

Regulation of private employment agencies

In Mexico, private employment agencies must be accredited in order to operate legally. The STPS is responsible for authorizing the operation of such agencies and issuing the corresponding licences. The existing legal framework distinguishes between fee-charging agencies and non-fee-charging agencies, and is based on the principles defined by the ILO’s Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96). Mexico ratified this

¹³ www.abriendoespacios.gob.mx.

¹⁴ Information provided by the SNE in 2016.

Convention in 1991 and has accepted the provisions of Part III concerning the regulation of private placement and recruitment agencies. By means of a decree dated 21 May 2014, various provisions of the Employment Agency Regulations (Reglamento de Agencias de Colocación de Trabajadores, RACT) were amended, added and repealed to bring them into line with the 2012 reform to section 123-A XXV of the Mexican Constitution and the Federal Labour Act (FLA).

The decree of 21 May 2014 amended the wording of section 12 of the RACT, which currently provides that the STPS shall inform the Ministry of the Interior of the authorizations and registrations issued for private employment agencies that place Mexican workers abroad. As at December 2016, the STPS through the SNE had registered 298 fee-charging agencies and 73 non-fee-charging agencies with 289 branch offices. The figures included six agencies that specialized in placement of workers abroad.

The STPS is also responsible for approving the fees and administrative charges which the agencies are entitled to levy. However, with the recent changes to the RACT, it was established that provision of services should be free of charge to jobseekers and based on the principle of non-discrimination. Any violation of these stipulations is subject to legal sanctions. The labour inspection authority is in charge of monitoring the operations of private employment agencies. It should be particularly noted that the amendment made to section 27(2) of the RACT requires fee-charging employment agencies conducted on a profit-making basis to submit a request to renew the validity of their authorization and registration.

The reform to the FLA also introduced important provisions on subcontracted work, and measures to protect Mexican migrant workers placed abroad by private employment agencies were incorporated into section 9bis of the RACT. For example, private employment agencies are responsible for ensuring that working conditions offered by foreign employers are equal to, or better than, those established by Mexican law.

Private employment agencies are also required to deposit a bond with the STPS as a guarantee to cover the repatriation expenses of Mexican workers should working conditions offered abroad not be respected. Other core provisions prevent discrimination by private providers of employment services on the basis of criteria other than qualifications and skills, and require such providers to submit reports on their activities to SPTS for statistical purposes. All these provisions are consistent with the ILO's Private Employment Agencies Convention, 1997 (No. 181), not yet ratified by Mexico.

Collaboration between the SNE and private employment agencies is conducted through mutually agreed joint coordination and cooperation mechanisms. These include the requirement for these agencies to submit a biennial report and statistical information about their activities to the SNE. Partnerships between private employment agencies and the SNE have been established for the purposes of exchanging job vacancies, improving the implementation of active labour market programmes and providing specialist services to vulnerable groups (e.g. people with disabilities). In practice, the majority of partnerships for the delivery of specialized services are established with non-fee-charging agencies.

Given recent amendments to Mexican law and regulations, and the efforts of the country to bring the RACT into line with up-to-date international practice, the ILO Governing Body has invited the Government of Mexico to examine, with the social partners, the possibility of ratifying Convention No. 181, which would immediately supersede Convention No. 96.¹⁵

15 GB.273/LILS/4(Rev.1), Nov. 1998.



ANNEX
MILESTONES IN THE INSTITUTIONAL EVOLUTION
OF PUBLIC EMPLOYMENT SERVICES IN MEXICO

1931	Labour law enacted and legal basis for provision of placement services established
1940	Secretary of Labour and Social Welfare (STPS) established
1942	Office to oversee job vacancy database created
1957	Provisions adopted to expand federal job vacancy database to all states through coordinated action between public and private organizations
1971	Directorate-general for the public employment service created
1978	Labour law reformed. Directorate-general for the PES designated as responsible unit for establishing National Employment Service
1979	Collaboration agreement concluded for establishing employment service at state level
1981	Common development agreement for the transference of funding adopted by the STPS and the states
1982	Debt crisis Regulation of private recruitment agencies issued
1983	Directorate-general for employment created and designated as responsible unit for administering National Employment Service and employment service at state level National coverage ensured: employment service offices established in each of the 32 states
1984	Training programme for unemployed and displaced workers (PROBECAT ^a) established
1987	Manpower training project for expansion of PROBECAT launched ^b
1993–97	First set of active labour market programmes implemented under the framework of the labour market modernization programme ^c Additional services introduced (1993): job fairs, job-search workshops, information system to control the allocation of funds to the states
1994–95	North American Free Trade Agreement (NAFTA) established Economic crisis Total number of local offices increased to 99 Temporary employment programme in rural areas implemented (1995) ^d
1996	Second labour market modernization programme implemented ^e
2000	Annual evaluations required by law of all publicly funded programmes in Mexico, including those operated by the SNE Internal reorganization of STPS ^f
2001–02	First element of multiphase Training and Employment Support Programme (PACE), Employment Support Programme (PAE), put in place New services introduced: - 2001: toll-free phone number for job information services, “Chambatel” - 2002: online job vacancy database, “Chambanet” - 2002: centres for labour intermediation established
2003	- rules of operation for the implementation of PAE issued - manual for the SNE issued to standardize basic institutional arrangements nationwide - online employment support programme information system (SISPAEW) online introduced ^g - provisions adopted for promoting the participation of women - 2 × 1 funding scheme for SNE introduced - mobile units introduced - total number of local offices increased to 139

2004	- job vacancies newsletter, <i>Mi Chamba</i>, launched - SNE programmes introduced targeting vulnerable groups: women, older workers, illiterate and indigenous people, youth at risk and rural craftspeople in poor areas); programme for the inclusion of people with disabilities in the labour market ("Abriendo Espacios") including people with disabilities ("Chamba Par") - line budget for the implementation of the local development programme (<i>micro regiones</i>) introduced
2005	Labour observatory established
2006	Regulation of private recruitment agencies amended
2007	PAE programmes expanded
2008	Total number of local offices increased to 160 Placement officers appointed as new staff of the state employment offices
2009	Supplementary resources allocated for the implementation of measures to protect employment against negative effects of the global economic crisis and the outbreak of the H1N1 influenza virus
2011	PAE results to be evaluated and reported
2012	Gradual implementation of "one-stop shop" model begun
2014	Private employment agency regulations amended
2015/16	BÉCATE impact and processes evaluation
2016	PAE design impact evaluation

- a/ The programme operated under the name of PROBECAT from 1984 to 2000. Between 2001 and 2005 it evolved into the Labour Training System (SICAT). From 2006 onwards it has been known as BÉCATE.
- b/ Project financed by an external loan from the World Bank.
- c/ Programme financed by a second external loan from the World Bank.
- d/ Programme co-financed by an external loan from the World Bank and the IDB.
- e/ Project financed by an external loan from the IDB (loan 983/OC-ME): phase I, fiscal years 1997–99; phase II, fiscal years 2000–01.
- f/ This reorganization was triggered by the change in the federal Government. The names of certain SNE programmes were changed and new components were created. However, the overall objectives of the modernization programme remained in place.
- g/ The objectives of the system were to improve accounting and transference of funding from the central office to the states, and to synchronize this database with statistics held by PAE's beneficiaries.

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MINISTRY OF LABOUR, INVALIDS AND SOCIAL AFFAIRS

► Viet Nam National Child Labour Survey 2018

Key findings



▶ Viet Nam National Child Labour Survey 2018

Key findings

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First published 2020

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ISBN: 9789220321911 (Print); 9789220321904 (Web PDF)

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ACKNOWLEDGEMENTS

This report was prepared by the Institute of Labour Science and Social Affairs (ILSSA), based on the data set collected and provided by the Department of Population and Labour Statistics (DPLS) of the General Statistics Office (GSO), and with technical and financial assistance from the International Labour Organization (ILO).

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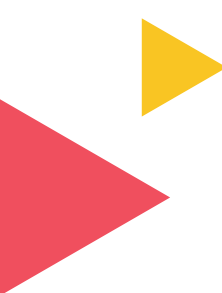
This report was produced under the framework of the Project “Technical Support for Enhancing National Capacity to Prevent and Reduce Child Labour in Viet Nam” (ENHANCE project) (VIE/14/04/USA). The ENHANCE project is funded by USDOL under cooperative agreement number IL-26682-14-75-K-11 with federal funds for a total of USD 8,000,000; and by the Government of Viet Nam for a total of USD 1,200,000.

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Preface

The Party and the State of Viet Nam maintain consistent views and policies for assuring the rights of the child, which are clearly stated in the Party's documents and the Constitution of Viet Nam. Notably, Viet Nam was the first country in Asia and the second nation in the world to ratify the United Nations Convention on the Rights of the Child.

In order to protect children from labour exploitation, the Government of Viet Nam has ratified two ILO Fundamental Conventions related to child labour, including Convention No. 138. (1973) concerning the minimum age for admission to employment, and Convention No.182. (1999) concerning immediate action for the prohibition and elimination of the worst forms of child labour. Moreover, the Government has amended, supplemented and enacted a number of national laws and policies to create a foundation for a sound legal framework relevant to the national context and responsive to international regulations. One such law is the 2016 Law on Children, which specifies regulations aimed to protect children from labour exploitation, especially with regard to Convention No. 182.

In 2012, Viet Nam, conducted its first national survey on child labour. The results of this survey provided an overall picture of the child labour situation in Viet Nam, revealing an estimated 1.75 million children in child labour, accounting for 9.6 per cent of 5-17 year olds across the country.¹ The results were used for policy development and the design of interventions and programmes for the prevention and reduction of child labour.

These efforts have had a positive impact on the effective resolution of child labour issues in Viet Nam over the past few years. Nonetheless, child labour still exists in many forms and remains difficult to detect, control and manage. The elimination of child labour in all its forms, particularly in the context of global integration, remains a major challenge for Viet Nam as well as many other countries. It is of crucial importance that this challenge is overcome, particularly as the country strives to realize the United Nations Sustainable Development Goal (SDG) 8.7, 'to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and, by 2025, end child labour in all its forms'. Driving progress towards this target is the National Action Plan for the implementation of the 2030 Agenda for Sustainable Development.

To provide an up to date picture of the child labour situation in Viet Nam, and a sound evidence base for policy development and the design of appropriate and effective interventions to prevent and reduce child labour, Viet Nam conducted its second National Child Labour Survey in 2018. The survey was conducted by the Ministry of Labour, Invalids and Social Affairs (MoLISA) in collaboration with the General Statistics Office of Viet Nam (GSO), with technical and financial assistance from the International Labour Organization (ILO).

1 ILSSA: *The 2012 Child Labour Survey Report in Viet Nam*, Hanoi, 2014.

This report was developed by the Institute of Labour Science and Social Affairs (ILSSA), the research bureau of MoLISA, following the processing and analysis of data and information gathered from the 2018 National Child Labour Survey.

The Ministry of Labour, Invalids and Social Affairs and the ILO Viet Nam would like to express special thanks to all relevant agencies, organizations and individuals for their valuable inputs which contributed to the completion of this report.



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Key findings

1. As of 2018, the child population in Viet Nam aged 5-17 years² (hereinafter referred as “children”) was estimated at 19,254,271, accounting for 20.3 per cent of the total population. Of these, 52.1 per cent were boys and 47.9 per cent were girls, with 66.0 per cent belonging to the 5-12 age group, 13.9 per cent to the 13-14 age group and 20.1 per cent to the 15-17 age group. Nearly 32 per cent of children aged 5-17 years lived in urban areas.
2. Altogether, 94.4 per cent of the children attended pre-school, general education or vocational schools. Compared to 2012, the school attendance rate of children in 2018 was more than 4 percentage higher.
3. In terms of domestic work, 42.3 per cent of children were involved in domestic chores and almost all of them (98.3 per cent) did so for less than 20 hours per week.
4. The Viet Nam NCLS 2018³ estimated that in 2018, there were 1,754,066 children participating in economic activities (hereinafter referred to as working children), accounting for 9.1 per cent of the national child population. Among the children who were economically active, 1,031,944 were classified as ‘children in child labour’, accounting for 5.4 per cent of the 5-17 year old population and 58.8 per cent of working children. Among these, 519,805 children worked in heavy, dangerous and hazardous work (hereinafter referred to as ‘children in hazardous work’) with a rate of 2.7 per cent of the 5-17 year old population, 29.6 per cent of working children, and nearly 50.4 per cent of the total number of children in child labour.
5. Among the working children, those in child labour, and those in hazardous work, a higher rate was observed for boys. The share of boys in the total number of working children was 54.5 per cent and constituted 59.0 per cent of children in child labour, and 67.2 per cent of children in hazardous work. By age group, the survey findings indicated that the shares of these categories of children were higher within older age groups. In particular, the rates of working children, children in child labour, and children in hazardous work amounted to 56.4 per cent, 51.2 per cent, and 71 per cent, respectively.
6. The intensity of participation in economic activities seemed to have a negative impact on children’s involvement in education. The share of working children who did not go to school was around 37 per cent. For children in child labour, the rate was higher, standing at over 50 per cent. The rate was still greater at 61.4 per cent among children in hazardous work.
7. Of the working children, one in every three participated in economic activities because of the desire to be involved in their family production and business process, while one in every four children participated in economic activities for income generation purposes (for themselves and/ or for their families). The proportion of children participating in economic activities because of income generation increased sharply with regard to working children, children in child labour, and children in hazardous work (24.1 per cent vs. 30 per cent vs. 39.6 per cent).

2 For the Viet Nam NCLS 2018, the child population aged 5-17 years for the purpose of the analysis is the total of children in the age group 5-15 years and minors aged 16-under 18 years.

3 The Viet Nam NCLS 2018 was implemented as a module to the Viet Nam Labour Force Survey 2018. The concept of ‘work’ (economic activity) in both surveys follows the statistical measurement guidelines by the Resolution concerning statistics of the economically active population, employment, unemployment and underemployment, as adopted at the Thirteenth International Conference of Labour Statisticians (October 1982). Regarding child labour statistics, it is important to note that ‘child labour’ is a sub-set of the number of ‘economically active (working) children’ and is explained by Figure 1 and figure 3 in this report.

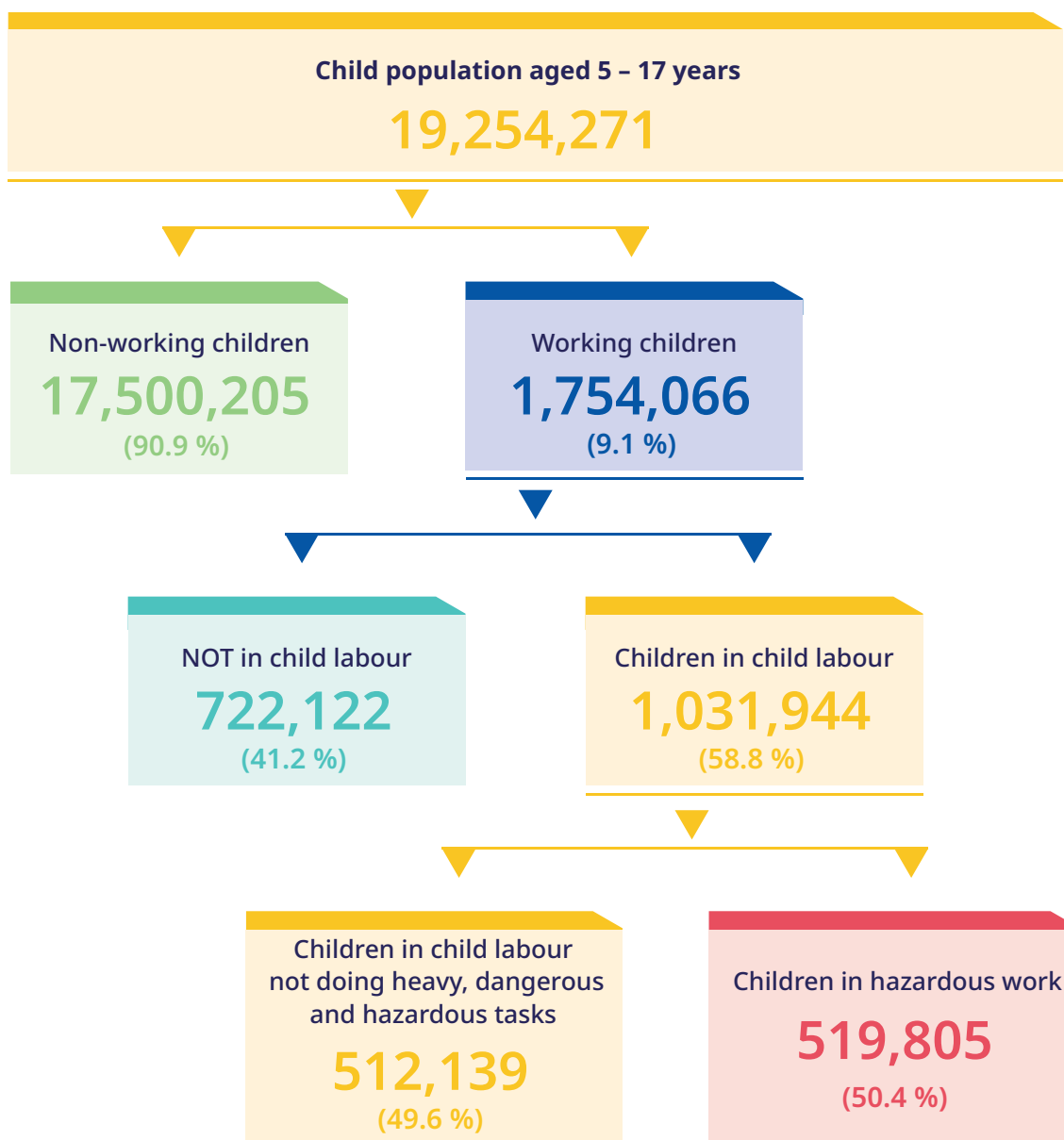
8. According to the survey, working children were engaged in all three main economic sectors of the national economy, namely agriculture (forestry and fisheries); industry (construction); and services. In particular, more than one-half of the children were working in the agriculture sector (forestry and fisheries).
9. Working children were engaged in 97 specific industries. Two-thirds of them were mainly involved in 21 types of work (including eight types of work in the agriculture - forestry - fisheries sector; six in the industry - construction sector; and seven in the services sector).
10. Nearly 20.1 per cent of working children worked long hours, often 40 hours per week or more. The share of children in child labour, and of children in hazardous work, who worked over 40 hours per week was 34.2 per cent and 40.6 per cent, respectively. Working over 40 hours per week was likely to have an adverse impact on children's health, school attendance, and recreation for most of the children.
11. The environment and work conditions of children in child labour in terms of safety and health were not assured. There were many potential risks that could affect children's physical development, especially in the work places where conditions such as working at heights, working under water, contact with toxic chemicals, lifting heavy objects, operating machines and working with equipment were not suitable for the children's relative ages.
12. The survey revealed that over one-half of child workers who were household family workers were unpaid. The remaining economically active children worked as paid workers and own-account workers. For those who worked as paid workers, they could earn a wage ranging from 2.5 to 3.5 million VND per month (US\$108 - US\$151),⁴ which was equivalent to three-fourths of the average income of an employee in the labour market.
13. Compared to the results of the 2012 National Child Labour Survey, the 2018 Survey has evidence pointing to a positive change in the situation of working children in Viet Nam.⁵ The size and trend of working children has sharply decreased, while working children's school attendance has significantly improved. In 2018, the proportion of working children aged 5-17 years decreased to 9.1 per cent from 15.5 per cent in 2012; the proportion of working children attending school in 2012 was 43.6 per cent, increasing to more than 63 per cent in 2018. Results also indicate that the child labour rate of Viet Nam is at a low average compared to the regional and global rate.⁶

4 This average income was estimated based on the income of the paid children.

5 The 2012 National Child Labour Survey and the 2018 National Child Labour Survey use uniform concepts and criteria to identify working children (children engaged in economic activities).

6 As reported in the *Global Estimates of Child Labour: Results and trends, 2012-2016* (ILO, 2017), in 2016 the global child labour rate was 9.6 per cent; meanwhile, the regional rate of Asia - Pacific was 7.4 per cent.

► Figure 1. Distribution of the children aged from 5 to 17 years old by their engagement in economic activities





▶ Abbreviations

FTA ▶ Free trade agreement

ILO ▶ International Labour Organization

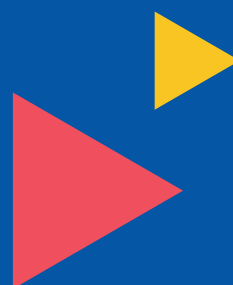
ILSSA ▶ Institute of Labour Science and Social Affairs

MoLISA ▶ Ministry of Labour, Invalids and Social Affairs

VND ▶ Vietnamese dong



1



► Introduction to the 2018 National Child Labour Survey

► Part 1. Laws and policies on child labour

1.1. International labour standards related to child labour

► Figure 2. International principles and rights



Source: www.ilo.org/childlabour

► The Convention on the Rights of the Child

Article 32 of the Convention regulates that children must be protected from “*economic exploitation*” and that States Parties should have “*regard to the relevant provisions of other international instruments*”, for instance, ILO Conventions concerning fundamental labour principles.

The ILO Declaration on Fundamental Principles and Rights at Work was adopted at the 86th International Labour Conference in Geneva in June 1998. The Declaration stipulates that the abolition of child labour is one of the four fundamental principles that State Members

of the Convention on the Rights of the Child must comply with as well as other international documents such as the ILO Conventions concerning fundamental principles at work.

However, it is not easy to determine what types of *economic exploitation* or *child labour* need to be eliminated since children often participate in economic activities in various forms and working conditions. Moreover, not all jobs that children engage in are always harmful to them. Therefore, there is a need for international standards to be applied according to national regulations on child labour.

► ILO Convention No. 138 and Recommendation No. 146

The ILO Convention concerning minimum age for admission to employment, 1973 (No. 138) (supplemented by Recommendation No. 146) requires that the regulated minimum working age of each nation is not under the age of completion of compulsory education, and in principle, not under 15 years old. However, children aged 13 or 14 years may be allowed to do light work and hazardous jobs must be strictly prohibited for children under 18 years of age. The specific categories of hazardous work must be determined by each country after consulting the tripartite parties (Government, employer and trade union representatives).

► ILO Convention No. 182 and Recommendation No. 190

The ILO Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour, 1999 (No.182) (supplemented by Recommendation No. 190) requires that the prohibition and elimination of the worst forms of child labour be the main priority of national and international actions. The Convention was adopted at the 87th Session of the ILO in Geneva in June 1999 and its scope of application covers all areas of economic activity, without exception.

The Convention requests each State Member which ratifies the Convention to not only prohibit the worst forms of child labour but also to take immediate measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. The Convention further stipulates that each State Member must establish or designate appropriate

mechanisms to monitor the implementation of the Convention. The State Member must take effective preventive measures within a specific timeframe and provide support to remove children from the worst forms of child labour and to rehabilitate them, ensuring free basic access to education or vocational training for all children who have been removed from the worst forms of child labour; identifying the children at high risk of child labour; and taking into account the special circumstances of girls.

► ILO Convention No. 29

The ILO Convention concerning forced labour, 1930 was ratified by Vietnam in 2007.

Clause 1, Article 2 of the Convention states “forced or compulsory labour” shall mean 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.

Thus, forced labour can exist in any form of labour, which can be imposed on both adults and children, both in the public sector, in the private sector, and on individuals.

► ILO Resolution concerning statistics of child labour (18th ICLS, 2008)

The Resolution concerning statistics of child labour was adopted at the Eighteenth International Conference of Labour Statisticians organized by the ILO in Geneva in December 2008, and established globally accepted guidelines on the statistical measurement standards of child labour. This was a very important development in child labour analysis since any statistic that has to be measured, must have an operational and unique definition.

► **Table 1.1**

The minimum working age

Working age	Minimum age applies to all countries	Exceptional minimum age applicable to developing countries
Fundamental minimum age (Article 2)	Not under 15 years of age	Not under 14 years of age
Minimum age applicable for heavy, dangerous and hazardous work (Article 3)	Not under 18 years of age	Not under 16 years of age and assurance of safety and dignity
Minimum age applicable for light work (Article 7)	13 - 15 years of age	12 - 14 years of age

Source: www.ilo.org/childlabour

The Resolution clarifies that working children (or children in employment) refers to children engaged in any activity falling within the general production boundary in the System of National Accounts (SNA) for at least one hour during the reference period, of which only a subset is child labour targeted for elimination.

Conceptually, child labour is defined by its consequences and includes work that:

- ▶ is mentally, physically, socially or morally dangerous and harmful to children; and
- ▶ interferes with their school attendance: (i) by depriving them of the opportunity to attend school; (ii) by obliging them to leave school prematurely; or, (iii) by requiring them to attempt to combine school attendance with excessively long and heavy work.

More precisely, three categories of work (economic activities) carried out by children fall under the concept of child labour, and are therefore slated for abolition:

- i. work that is performed by a child who is under the minimum age specified for that kind of work (as defined by national laws, in accordance with accepted international standards), and that is thus likely to impede the child's education and full development, and follows guidelines of ILO Convention No. 138;
- ii. work that is a danger to the physical, mental or moral well-being of a child, because of its nature or due to the conditions in which it is carried out, known as hazardous work, and is set out by ILO Convention No. 182 Article 3 (d) and accompanying Recommendation No. 190 (paragraphs 3 and 4); and
- iii. the unconditional worst forms of child labour as defined by Article 3 (a) – (c) of ILO Convention No. 182.

The Viet Nam NCLS 2018 is a household based survey, and therefore provides estimates only for working children and minors, child labour and child labour in hazardous work. Child labour found in the unconditional worst forms of child labour (also called 'child labour in other than hazardous work') required special types of surveys that included work places.

1.2. National legislation on child labour

Viet Nam was the first country in Asia and the second country in the world to ratify the United Nations Convention on the Rights of the Child on February 20th 1990. The country has also ratified two ILO Conventions concerning child labour, namely the Minimum Age Convention, 1973 (No. 138)⁷ and the Worst Forms of Child Labour Convention, 1999 (No. 182). After the ratification, Viet Nam actively incorporated the provisions of the international Treaties and Conventions into the national legal system. Thus far, the national legal system for child protection and care has been relatively comprehensive, ensuring consistency, synchronization and harmony with international legislation, while creating a comprehensive legal basis on which to address child-related issues, including the exploitation of child labour.

▶ Constitution of the Socialist Republic of Viet Nam

The first Constitution of the Democratic Republic of Viet Nam in 1946 recognized the guarantee of the rights of the child: "*children are cared for in terms of education*" (Article 14). Thereafter, views on child protection and care were consistently affirmed throughout the next generations of Constitutions in 1959, 1980 and 1992. Article 37 of the 2010 Amended Constitution states: "*Children enjoy protection, care and education by the State, family and society and are allowed to participate in children's affairs. Infringement, persecution, maltreatment, abandonment, abuse and exploitation of labour and other forms of violating children's rights are strictly prohibited*".

▶ Children Law

The Children Law (2016) stipulates that "a child is a human being below the age of 16" (Article 1). Specifically, Article 26 of the Law clearly states: "*Children have the right to be protected, in any form, from labour exploitation. They must not work when they are under the working age and they must not work overtime or do heavy, dangerous and hazardous work as regulated by the law. They are protected from being forced to do jobs or being involved in working places which cause adverse*

⁷ Viet Nam applies Article 5 of Convention No. 138: The Government has restricted the scope of application of the Convention to the "mining industry; manufacturing industry; construction industry and public works, electricity, gas and water; health and hygiene services; services for transportation and warehouse; communication; plantations and other agricultural production establishment whose products are for commercial purposes".

influence on their personality and comprehensive development”.

Labour exploitation is classified as an act of forcing children to work in contravention of the labour law; showing or producing pornography; organizing and supporting tourism activities for the purpose of child sexual abuse; giving, receiving or providing children for prostitution and other acts that use children for self-seeking purposes. The exploitation of child labour is strictly prohibited.

► Labour Code

The 2012 Labour Code is the most comprehensive legal document that regulates issues related to child labour and minor workers. The Labour Code stipulates: *“the employee is a person aged full 15 years or older”* (Article 3) and *“the minor employee is an employee under 18 years old”* (Article 161).^{8,9} The Labour Code strictly prohibits the employment of unlawful, underage, forced labour of children and other acts of abuse such as using vocational training and apprenticeships to exploit the child labour force for personal profits or enticing or forcing child apprentices to engage in illegal activities.

For minor employees aged 15 to 17 years and employment of minors under the age of 15 years, the 2012 Labour Code (Article 162 to Article 165) specifies the employment of minors; principles of employing minor employees (including regulations on the working time per day and per week, working overtime, working at night); employment of minors under the age of 15 years; and the types of work and work places that are prohibited for the employment of minors.

► Other legal documents

Circular No. 10/2013/TT-BLDTBXH

Circular No. 10/2013/TT-BLDTBXH of the Minister of Labour, Invalids and Social Affairs was issued on June 10th 2013 and regulates a list of jobs and work places prohibited from employing minors. The scope of application

covers all enterprises, agencies, organizations, cooperatives, households and individuals that hire or employ persons under labour contracts.

The list prescribes 91 jobs and workplaces banned from employing minors. (See more at: <http://vietnamlawmagazine.vn/circular-no-10-2013-tt-bldtbxh-of-june-10-2013-promulgating-the-lists-of-jobs-and-workplaces-in-which-the-employment-of-minor-persons-is-prohibited-4731.html>)

Circular No. 11/2013/TT-BLDTBXH

Circular No. 11/2013/TT-BLDTBXH of the Minister of Labour, Invalids and Social Affairs was issued on June 11th 2013 and regulates a list of light types of work which are allowed to engage persons under the age of 15 years. The list includes (i) the jobs that can be done by persons under 13 years of age and (ii) the jobs that can be done by the persons from 13 to under 15 years old. (See more at: <https://vanbanphapluat.co/circular-no-11-2013-tt-bldtbxh-light-works-allowed-using-persons-under-15-years-old>).

1.3. Programmes on child labour prevention and reduction in the 2016-2020 period

The 2012 National Child labour Survey pointed out a number of key causes of child labour in Viet Nam, including poverty and school dropout among children. In the period from 2016 to 2020, Viet Nam developed and implemented a number of national programmes to address child labour issues through supporting children and their families in reducing poverty and accessing education. Key national programmes can be listed as follows:

- The National Programme on Child Protection for the period 2016 to 2020 (Decision No. 2361/QĐ-TTg dated December 22th 2015) sets the goal that all children be prevented from falling into extremely disadvantaged circumstances.

⁸ The 2015 Civil Code and the 2015 Penal Code stipulate that minors are those under the age of 18, but mainly refer to persons belonging to the age group between 15 and under 18.

⁹ The Viet Nam Children Law 2016 of Viet Nam stipulates: “the child is a person below the age of 16”. And the Viet Nam Labour Code 2012 stipulates: “the minor employee is an employee under 18 years of age”. This survey covered children aged 5 to 17 years old. Therefore, this survey applies both laws to provide criteria for identifying child labour.

Children living in extremely disadvantaged circumstances are cared and supported for rehabilitation, community integration and access to development opportunities.

- ▶ The Programme on child labour prevention and reduction for the period 2016 to 2020 (Decision No. 1023/ QD-TTg dated June 7th 2016) sets the goal to effectively implement the prevention and reduction of child labour. Children at risk of participating in child labour, and children involved in child labour who are employed against the legal regulations are detected and supported in a timely fashion to reintegrate into community life and to have opportunities for full development.
- ▶ The Scheme to support children with disabilities to access community-based protection, care and education for the period 2018 to 2025 (Decision No. 1438/ QD-TTg dated October 29th 2018) sets the goal that by 2025, children with disabilities will have access to community-based child protection, care, and educational services for community integration and opportunities to fully exercise the rights of a child with disabilities.
- ▶ The Scheme to develop preschool education for the period 2018 to 2025 (Decision No. 1677/ QD-TTg dated December 3rd 2018) aims to support and develop appropriate preschools and classes in line with the practical socio-economic conditions of localities, meeting the children's needs for going to school toward standardization, modernization, socialization and global integration; diversifying methods and improving the quality of nurturing, caring for and educating children to meet regional and international preschool quality standards; consolidating, maintaining and improving the quality of preschool education for 5-year-old children; assisting children to enroll in the first grade; developing preschool education for children under 5 years old.
- ▶ The Scheme on mobilizing social resources to support children in extremely disadvantaged communes in ethnic minority areas for the period 2019 to 2025 (Decision No. 588/ QD-TTg dated May 17th 2019) aims to improve the health of children through medical examination and treatment, provision of nutritious meals for preschool and elementary children; provision of children's participation in cultural activities, entertainment and recreation; and through

supporting the distribution of warm clothes for children.

1.4. Global integration, trade liberalization and child labour issues in Viet Nam

Globalization, global economic integration and trade liberalization have been a trend of the contemporary world economy. In order to catch up with that trend, since 1986, Viet Nam has been carrying out its "renovation" plan towards renovation and accelerating its global economic integration. Thus far, Viet Nam has established trade relations with over 200 countries and territories, making Viet Nam an important "knot" in the global economic network as well as with the world's leading economies.

As of December 2018, Viet Nam had joined 12 free trade agreements (FTAs) and was in the process of negotiating three others. The 12 FTAs that have been signed include: (i) seven FTAs signed as an ASEAN member (CEPT/ AFTA and FTA with partners including China, Korea, Japan, India, Australia and New Zealand, Hong Kong); (ii) five FTAs signed as an independent party (with partners including Chile, Japan, Korea, Eurasian Economic Union), and a Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). The three FTAs under negotiation include the Regional Comprehensive Economic Partnership (RCEP), the FTA with the European Free Trade Area (EFTA), and the Vietnam - Israel Free Trade Agreement. Another FTA with the European Union (EU) has completed the legal review process and is due to be signed (EVFTA).

Of the signed and negotiated FTAs, the CPTPP and the EVFTA are two new-generation FTAs that emphasize the need for the elimination of child labour in trade. Particularly, the CPTPP highlights "its commitment to effectively eliminating child labour" and "prohibition for the worst forms of child labour" (Point c, Article 19.3, Chapter 19 on Labour). Similarly, the EVFTA states its commitment to effectively eradicate child labour (Section 13.4, Chapter 13 on Trade and Sustainable Development). The CPTPP came into effect on January 14th 2019 and the EVFTA was signed on 30 June 2019 and approved by Europarl on 12 February 2020. In the light of these commitments, the Government of Viet Nam needs to work hard to resolve the current child labour issues.

► Part 2. Viet Nam National Child Labour Survey 2018

2.1. Introduction to the Survey

The 2018 National Child Labour Survey was conducted in conjunction with the 2018 Labour Force Survey by the General Statistics Office (GSO) in November and December 2018 with a sample size of 38,280 households nationwide in 2,552 enumeration areas. The analysis of labour and employment statistics in the reports on findings from this survey applies the statistical standards of population statistics on economic activity, employment, unemployment and underemployment recommended by the ILO at the 13th International Conference of Labour Statisticians (ICLS 13).

The survey collected information of 29,192 children aged 5-17 years. All the information collected from the survey was checked, cleaned, coded and entered into software for data analysis by the GSO. The filled-in questionnaires of each province/ city were entered into the software by two independent staff. Then the data were cross-checked to ensure accuracy and consistency by the two staff. Once the entered data were cleaned on computers to ensure the completeness, accuracy and logic among the data fields, GSO handed over all the clean survey data to MoLISA who assigned the Institute of Labour Science and Social Affairs (ILSSA) to conduct data analysis and report writing.

The research target group consists of households comprising children aged 5-17 years. The survey includes the gathering of information about household members, household characteristics and housing conditions. The informants are the heads of households and the children aged 5-17 years with the consent of their parents or guardians.

The main information gathered from the survey includes:

- i. information about the household;
- ii. key characteristics of household children aged 5-17 years;
- iii. educational attainment of household children aged 5-17 years;
- iv. participation in economic activities of household children aged 5-17 years;

- v. health and safety related issues of working children aged 5-17 years; and
- vi. assigned household chores of children aged 5-17 years at their own home.

2.2. The concept of children and child labour used in the survey and data analysis

a) Children

The children surveyed are aged 5-17 years (hereinafter referred as 'children'). Thus, the concept of children used in the survey will include children, minors, and minor employees as prescribed in Viet Nam's laws.

b) Working children (Children participate in economic activities)¹⁰

Working children include children aged 5-17 years old who participate in production - business - service activities for at least one hour in any time in the reference week regardless whether for consumption or for sale, for remuneration or for no remuneration, working full time or part time, regularly or irregularly, legally or illegally.

Children who perform only domestic chores (for instance cooking, cleaning, washing) and/or small duties at school are excluded from the working children group.

c) Children in child labour

Not all working children are considered to be in child labour. A child involved in child labour is a child working in contravention of legal regulations and whose labour activities hinder or negatively affect their physical and mental health as well as their personality and comprehensive development. The child labour category excludes children involved in domestic chores and/or chores at school or those not involved in heavy, dangerous and hazardous agricultural work in small-scaled home-based businesses that do not often employ paid workers or engage in production for local consumption.

In the survey, children in hazardous work are identified as those doing heavy, hazardous and

¹⁰ The terms working children, children participate in work, children participated in economic activities in this report are used in different contexts and without any difference.

dangerous work, which is prohibited under the provisions of national laws, and categorized as the worst forms of child labour according to ILO Convention No. 182. The age of the child and the duration of working hours is used to determine whether a child is in child labour or not and whether a child in this situation is able to perform other types of work. The criteria used in the survey for identifying child labour is as follows:

- ▶ Children from 5 to under 13 years old who engage in economic activities for a full one hour or more on any day of the reference week or for a full five hours or more during the reference week for any work and economic activity other than those relevant to art performance and talented athletes as regulated in the list of jobs allowing the employment of children under the age of 13 as specified in Circular No. 11/2013/TT-BLDTBXH dated June 11th 2013 of MoLISA.
- ▶ Children from 13 to under 15 years old who engage in economic activities for a full four hours or more on any day of the reference week or for a full 20 hours or more during the reference week.

- ▶ Children from 15-17 years old who engage in economic activities for a full eight hours or more on any day of the reference week or for a full 40 hours or more during the reference week.

d) Children in hazardous work (doing heavy, dangerous and hazardous tasks)

According to, ILO Convention No. 182, Article 3 (d), heavy, hazardous and dangerous work is defined as the work, by its nature or the circumstance in which it is carried out, to be likely to harm the health, safety and morals of children.

Children aged 5-17 years involved in any work specified in the list of jobs and workplaces prohibited from employing minors as prescribed in Clause 4 of Article 163, Clause 2 of Article 165 of the 2012 Labour Code and Circular No. 10/2013/TT-BLDTBXH dated June 10th 2013 of MoLISA which stipulates the list of jobs prohibited from using minors, also classifying them as child labour in hazardous work.

▶ Table 1.2

Framework for statistical identification of child labour and child labour in hazardous work among children aged 5-17 years

Age group	SNA production boundary					
	(1) Children in permissible work (economic activity)	(2a) Children in child labour working five to under 20 hours per week in non-hazardous work (economic activity)	(2b) Children in child labour working 20 to under 40 hours per week in non-hazardous work (economic activity)	(2c) Children in child labour working 40 hours and more per week in non-hazardous work (economic activity)	(3) Children in child labour working in hazardous industries and hazardous occupation/ professions/ work conditions	(4) Children in child labour working in "the worst forms of child labour other than hazardous work"
5-12 years	53,894	189,341	55,651	12,161	60,260	
13-14 years	207,242	0	59,570	34,636	91,440	*
15-17 years	460,986	0	0	160,780	368,105	

A Children (aged 5-17 years) in permissible work = **722,122**

B Children in child labour (aged 5-17 years) not in hazardous work = **512,139**

C Children in child labour (aged 5-17 years) in hazardous work = **519,805**

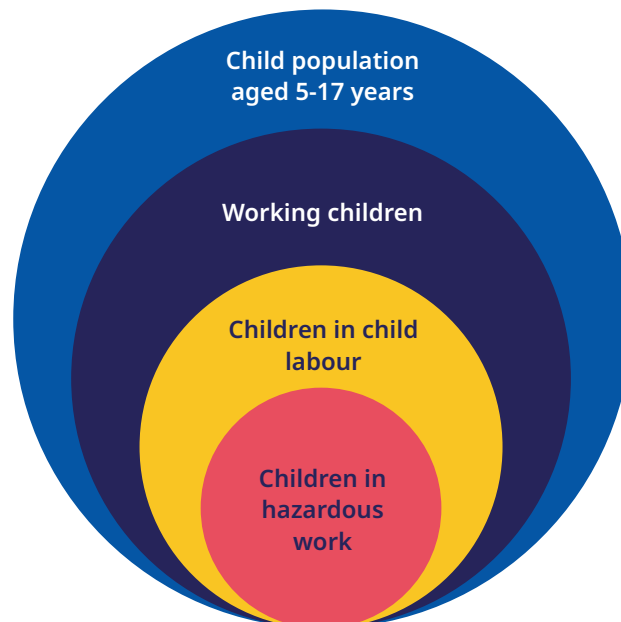
Note: * Not covered by this survey.

e) The worst forms of child labour

According to Article 3 of ILO Convention No. 182, the worst forms of child labour include:

- a.** 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;
- b.** the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c.** the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- d.** work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

► **Figure 3. Child population, working children, children in child labour, children in hazardous work**





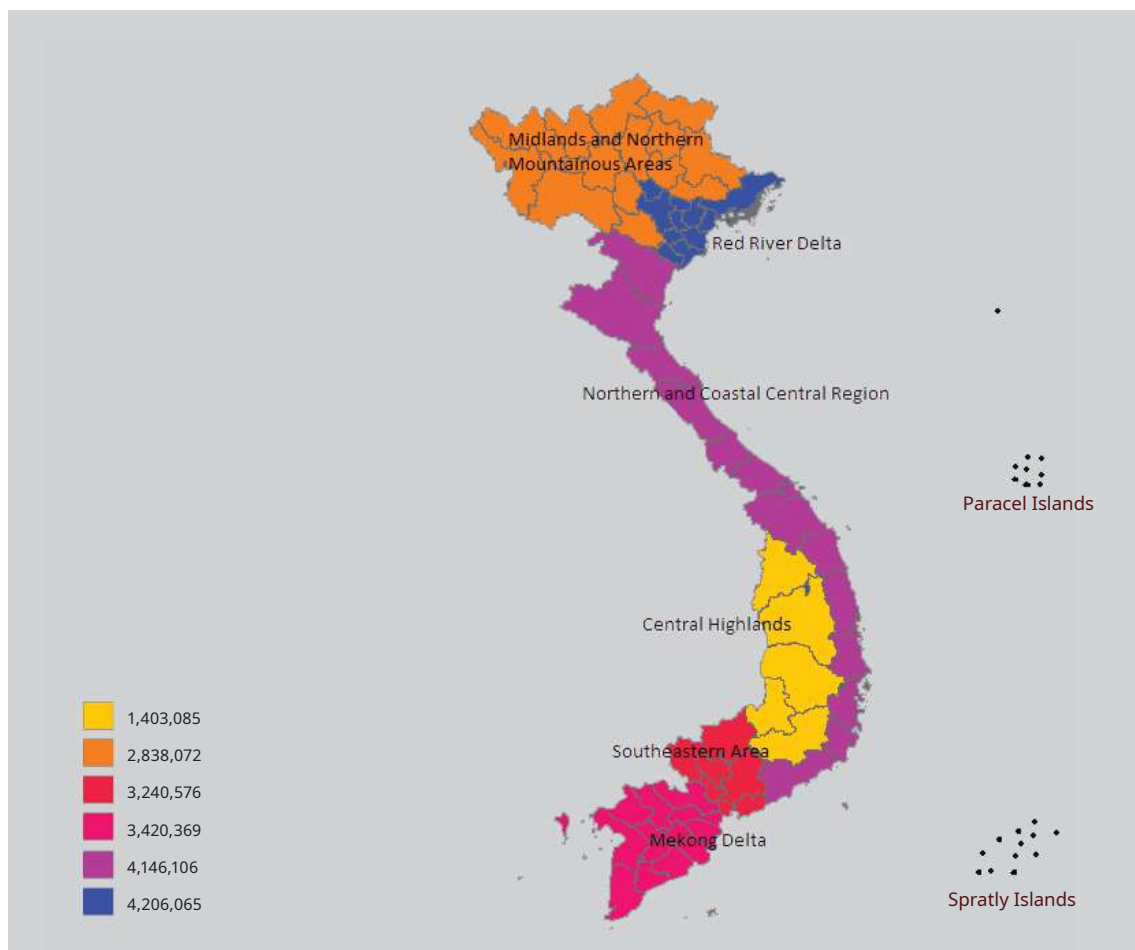
► Profile of the child population aged 5-17 years

2.1. The child population aged 5-17 years

Estimates from the survey data results show that the country's population in 2018 consisted of 94,665,973 persons, of which, the proportion of urban population was 35.7 per cent and the proportion of women and girls in the population 50.4 per cent. In terms of age, the 0-4 year old

population accounted for 7.2 per cent; the 5-12 year old population, 13.4 per cent; the 13-14 year old population, 2.8 per cent; the 15-17 year old population, 4.1 per cent; the population aged 18-64 years, 63.0 per cent; and the population over 65 years old accounted for 9.5 per cent.

► Figure 4. Number of child population aged 5-17 years by region



► **Table 2.1**

Viet Nam's population structure in 2018

Age group	Number	%	Sex	
			Male	Female
			%	%
Nationwide				
Total	94,665,973	100.0	49.6	50.4
0-4 years	6,847,094	7.2	53.2	46.8
5-12 years	12,701,247	13.4	52.2	47.8
13-14 years	2,682,179	2.8	51.9	48.1
15-17 years	3,870,845	4.1	52.2	47.8
18-64 years	59,610,703	63.0	49.9	50.1
65+ years	8,953,905	9.5	39.9	60.1
Urban				
Total	33,829,988	100.0	48.7	51.3
0-4 years	2,243,259	6.6	53.1	46.9
5-12 years	4,063,313	12.0	50.9	49.1
13-14 years	823,332	2.4	54.7	45.3
15-17 years	1,241,255	3.7	50.2	49.8
18-64 years	22,307,947	65.9	48.7	51.3
65+ years	3,150,882	9.3	40.4	59.6
Rural				
Total	60,835,985	100.0	50.1	49.9
0-4 years	4,603,835	7.6	53.2	46.8
5-12 years	8,637,934	14.2	52.7	47.3
13-14 years	1,858,847	3.1	50.6	49.4
15-17 years	2,629,590	4.3	53.1	46.9
18-64 years	37,302,756	61.3	50.5	49.5
65+ years	5,803,023	9.5	39.7	60.3

As of 2018, the total number of children aged 5-17 years amounted to 19,254,271, accounting for 20.3 per cent of the total population, of which 52.1 per cent were boys and 47.9 per cent were girls. The 5-12 age group accounted for 66.0 per cent, the 13-14 age group for 13.9 per cent and the 15-17 age group for 20.1 per cent. Nearly 32 per cent of the population aged 5-17 years lived in urban areas.

Compared to 2012, Viet Nam's population had increased by 5,978,163 persons by 2018, an average annual increase of over 1 million persons. In this six year period, the gender structure of the population remained almost unchanged; however,

both the urban - rural population structure and the age-group structure have changed significantly. In 2018, the proportion of the urban population was 35.7 per cent, an increase of over 3 per cent as compared to that of 2012, while the proportion of the elderly population aged 65 years and more was 9.5 per cent, an increase of nearly 2 per cent as compared to that of 2012.

The changes in the size of urban - rural population breakdown, and the increase in the share of elderly persons in the countrys total population between 2012 and 2018 show that the urbanization process in Viet Nam is taking place robustly, and that Viet

Nams population has entered an early stage of ageing.

2.2. Participation in education of children aged 5-17 years

2.2.1. School attendance of children aged 5-17 years

The Party and State of Viet Nam consistently affirm that: *"Education is a top national policy"* and Article 39 of the 2013 Constitution states: *"Citizens have the right and the duty to study"*. Since 2014, the Government has issued many policies to promote the universalization of education and literacy; it has also enhanced teaching of the Vietnamese language for preschool children and elementary school students in ethnic minority areas. In particular, the Government has implemented a number of policies to promote equal access to education for ethnic minority children, children living in disadvantaged areas, children with disabilities, and has created favourable conditions for children with extremely disadvantaged circumstances to go to school.

An estimate from the survey results indicates that as of 2018, 94.4 per cent of children aged 5-17 years were attending preschools, general education and vocational schools. The rate of 5-year-old children attending preschools reached 97.5 per cent, while the percentage of children aged 6-17 attending general schools was nearly 92 per cent.¹¹ The percentage of children aged 5-17 attending school in urban areas was about 3 per cent higher than the corresponding rate of rural children in that group.

Compared to 2012, the school attendance rate of children aged 5-17 years in 2018 increased by nearly 4 percentage points. The proportion of the child population aged 5-17 attending school has risen steadily in both urban and rural areas, among both boys and girls, and in different age groups. In particular, a sharp increase in the school attendance rates of children aged 5 and of those 15-17 years was observed. This is considered as one of the successes of Viet Nam's education policy spanning the period 2012 to 2018 and a successful outcome of efforts made by relevant stakeholders in assuring education access for children and children involved in child labours.

¹¹ Children attending school include those who are attending pre-schools, general (primary, lower secondary and upper secondary) schools and vocational education schools.

► **Table 2.2a.**

School attendance of children aged 5-17 years in 2018

Status of school attendance	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	19,254,271	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	18,178,221	94.4	93.6	95.3	98.3	94.3	81.7
Out of school	1,076,050	5.6	6.4	4.7	1.7	5.8	18.3
Urban	6,127,900	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	5,915,173	96.5	95.8	97.3	98.6	97.4	89.2
Out of school	212,727	3.5	4.2	2.7	1.4	2.6	10.9
Rural	13,126,371	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	12,263,048	93.4	92.6	94.3	98.2	92.8	78.1
Out of school	863,323	6.6	7.4	5.7	1.8	7.2	21.9

► **Table 2.2b.**

School attendance of children aged 5-17 years: comparison between 2012 and 2018

Status of school attendance	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
2018							
Nationwide	19,254,271	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	18,178,221	94.4	93.6	95.3	98.33	94.25	81.67
Out of school	1,076,050	5.6	6.4	4.7	1.67	5.75	18.33
2012							
Nationwide	18,349,629	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	16,610,257	90.5	93.4	98.3	97.4	90.8	73.5
Out of school	1,716,767	9.4	6.0	1.6	2.4	9.1	26.5
Not classified	22,605	0.1	0.6	0.1	0.2	0.1	0.0

2.2.2. Out of school children aged 5-17 years

At the time of the survey, it was estimated that 1,076,050 children of the 5-17 age group did not go to school, accounting for 5.6 per cent of the total child population. Except for 5-year-old children of kindergarten age, the proportion of children not attending school increases with their age group; the higher the age, the higher the percentage of out of school children. The percentage of out of school children in the 6-11 age group was below 1.4 per cent; increasing to nearly 5 per cent in the 12-14 age group; and to over 18.3 per cent in the 15-17 age group.

Causes for not attending school by the child population aged 5-17 years

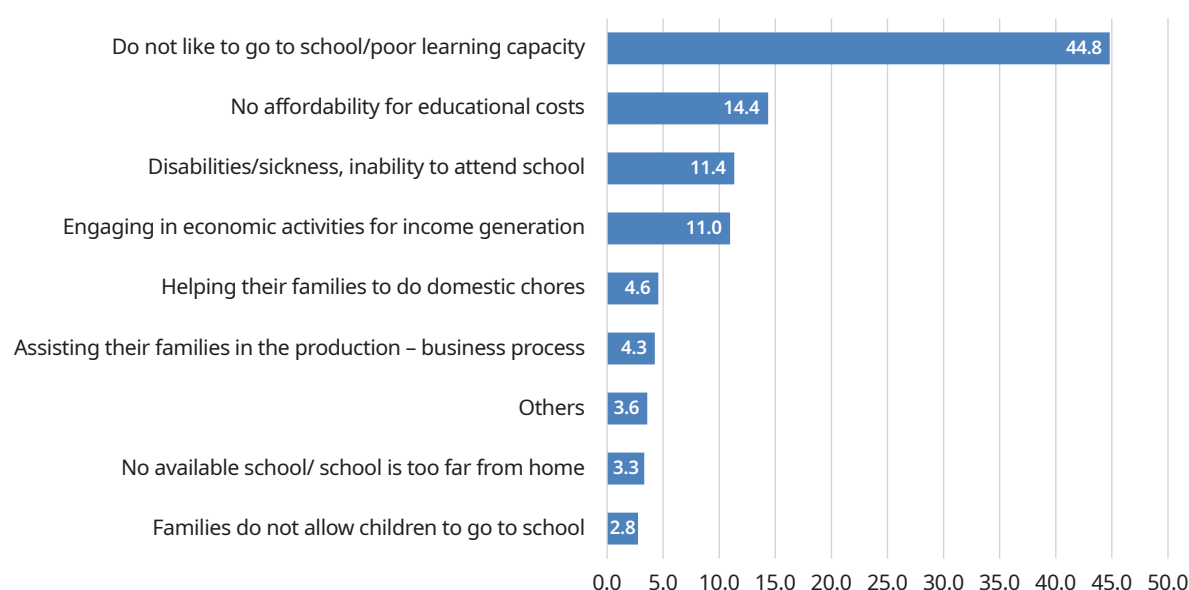
Over 44.8 per cent of children aged 5-17 years were not attending school and the reported reason was “do not like to go to school/poor learning ability”. However, it is a matter of concern that more than 15 per cent of children did not go to school due to their participation in economic activities for the purpose of income generation for themselves

and/or their families, or for involvement in their family production and business process. Moreover, 14.4 per cent of children did not go to school because they could not afford educational costs for uniforms, tuition fees, study supplies, etc. In addition, about 11.4 per cent of them did not go to school because of disabilities.

2.2.3. Participation in economic activities of children aged 5-17 years

Of the 19,254,271 children nationwide, 1,754,066 children aged 5-17 years were participating in economic activities, accounting for 9.1 per cent of that population. The remaining child population, 17,500,205 children, accounting for 90.9 per cent, were not economically active. Of the working children, the boys’ share was 54.5 per cent and the girls’ 45.5 per cent. Working children of the 15-17 age group amounted to 56.4 per cent; however, there were still 21.2 per cent working children in the youngest age group of 5-12. The percentage of working children aged 5-17 years in rural areas was about 2.6 times higher than the corresponding proportion of 5-17 year old children living in urban areas.

► Figure 5. Causes for non-school attendance of children aged 5-17 years



► **Table 2.2c.**

Participation in economic activities of children aged 5-17 years

	Number	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	19,254,271	100.0	52.1	47.9	66.0	13.9	20.1
Working children	1,754,066	9.1	54.5	45.5	21.2	22.4	56.4
Non-working children	17,500,205	90.9	51.9	48.1	70.5	13.1	16.5
Urban	6,127,899	100.0	51.3	48.7	66.3	13.4	20.3
Working children	262,195	4.3	53.3	46.7	16.4	17.9	65.7
Non-working children	5,865,705	95.7	51.2	48.8	68.5	13.2	18.2
Rural	13,126,372	100.0	52.5	47.5	65.8	14.2	20.0
Working children	1,491,871	11.4	54.7	45.3	22.0	23.2	54.8
Non-working children	11,634,501	88.6	52.2	47.8	71.4	13.0	15.6

2.3. Involvement in domestic chores of children aged 5-17 years

Time spent on domestic chores

Estimates from the survey indicate that 8,239,117 children were involved in domestic chores, accounting for over 42.3 per cent of the total number of children aged 5-17 years. Of these children, 65.1 per cent spent less than five hours per week doing domestic chores; nearly 33.2 per cent were involved in such chores for five to less than 20 hours per week. It was thus noted that only

about 1.7 per cent of children performed domestic chores for more than 20 hours per week.

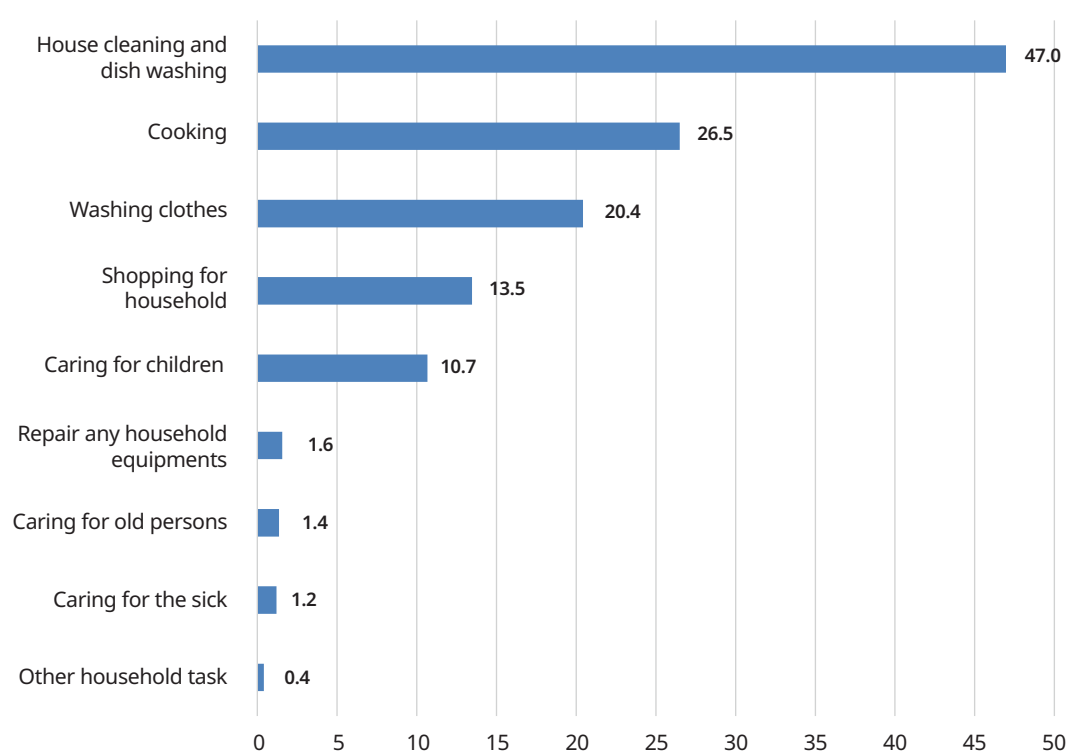
Overall, children in rural areas, girls, and older children were more likely to be involved in domestic chores than children in urban areas, boys and younger children. Children who did not go to school spent more significant time doing these chores than children attending school. Of 1,076,050 children aged 5-17 who did not attend school, 55 per cent were involved in doing domestic chores and 6.2 per cent of these were involved for more than 20 hours per week. Of 18,178,221 children attending school, only 42 per cent were involved in doing domestic chores and only 1.4 per cent did this type of work for more than 20 hours per week.

► **Table 2.3.**

Time spent on domestic chores per week of children aged 5-17 years

Time spent on domestic chore per week	Number	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
NATIONWIDE	8,239,117	100.0	100.0	100.0	100.0	100.0	100.0
< 5 hours	5,364,765	65.1	72.1	59.4	77.7	63.7	55.7
5 - <20 hours	2,731,785	33.2	27.1	38.1	21.7	34.7	41.4
≥ 20 hours	142,567	1.7	0.8	2.5	0.6	1.7	3.0
Attending school	7,644,454	100.0	100.0	100.0	100.0	100.0	100.0
< 5 hours	5,072,516	66.3	72.9	61.1	78.0	64.1	57.0
5 - <20 hours	2,466,413	32.3	26.5	36.9	21.4	34.4	40.9
≥ 20 hours	105,525	1.4	0.6	2.0	0.6	1.5	2.2
Not attending school	594,663	100.0	100.0	100.0	100.0	100.0	100.0
< 5 hours	292,249	49.2	63.8	32.9	56.1	55.5	48.7
5 - <20 hours	265,372	44.6	33.6	56.9	42.7	40.3	44.2
≥ 20 hours	37,042	6.2	2.6	10.2	1.2	4.2	7.1

► **Figure 6. Children aged 5-17 years by type of domestic chores (percentage shares)**



Types of domestic chores involving children

In terms of the types of domestic chores, children were most involved in doing house cleaning and dish washing chores (47.0 per cent), followed by cooking for households (26.5 per cent), and washing clothes (20.4 per cent). Other chores such as shopping for households, taking care of younger sisters or brothers accounted for 10-14 per cent. Less than 5 per cent of children were engaged in other types of domestic work, such as taking care of the elderly and the sick, repairing furniture, etc.

2.4. Distribution of child population by activity status

The survey shows that most children aged 5-17 belong to two groups: (i) attending school only and (ii) attending school and involvement in housekeeping activities. Housekeeping activities varied between working children and non-working

children and between different age groups of those involved in domestic chores. Among the working children, 57.4 per cent carried out economic and housekeeping activities while attending school; whereas nearly 28.1 per cent of the children were involved in these activities but did not attend school. The majority of those children working thus while attending school belonged to the 5-12 year age group, with the proportion being lower in higher age groups.

Among children not participating in economic activities, 47.3 per cent attended school only, while 47.8 per cent attended school and carried out housekeeping activities. Approximately 1 per cent of them were involved in housekeeping activities only and it is estimated that up to 3.8 per cent of children aged 5-17 years were idle (i.e. neither attending school nor being involved in economic or housekeeping activities). The survey results indicate that children who were not engaged in economic activities in the higher age groups were more involved in housekeeping activities, especially among those attending school.

► **Table 2.4.**

Distribution of children aged 5-17 years by activity status

Activity status	Total		Age group					
	5-12 years				13-14 years		15-17 years	
	number	%	number	%	number	%	number	%
Nationwide	19,254,271	100.0	12,701,247	100.0	2,682,179	100.0	3,870,845	100.0
Participating in economic activities								
<i>Sub-total</i>	<i>1,754,066</i>	<i>100.0</i>	<i>371,307</i>	<i>100.0</i>	<i>392,888</i>	<i>100.0</i>	<i>989,871</i>	<i>100.0</i>
Economic activities only	155,638	8.9	9,933	2.7	18,681	4.8	127,024	12.8
Economic activities and housekeeping activities	492,717	28.1	26,593	7.2	65,062	16.6	401,063	40.5
Economic activities while attending school	98,223	5.6	51,208	13.8	17,396	4.4	29,618	3.0
Economic activities and housekeeping activities while attending school	1,007,488	57.4	283,573	76.3	291,749	74.2	432,166	43.7

Activity status	Total		Age group					
			5-12 years		13-14 years		15-17 years	
	number	%	number	%	number	%	number	%
Not participating in economic activities								
Sub-total	17,500,205	100.0	12,329,940	100.0	2,289,291	100.0	2,880,974	100.0
Attending school only	8,279,697	47.3	7,431,086	60.3	476,788	20.8	371,823	12.9
Attending school and housekeeping activities	8,367,788	47.8	4,300,803	34.9	1,741,916	76.1	2,325,069	80.7
Housekeeping activities only	184,522	1.1	44,611	0.4	37,517	1.6	102,394	3.6
Idling	668,198	3.8	553,441	4.4	33,069	1.5	81,688	2.8



3

► Children participating in economic activities (working children)

3.1. Percentage and distribution of working children

There were 1,754,066 working children aged 5-17, accounting for 9.1 per cent of the child population in 2018. Of these, 54.5 per cent were boys and nearly 45.5 per cent girls; 56.4 per cent belonged to the 15-17 years age group.

Over 85 per cent of working children lived in rural areas where the share was 11.4 per cent, 2.6 times higher than the share of working children in urban areas.

► Table 3.1a.

Percentage of working children aged 5-17 years by geographical area

Area	Total	Children aged 5-17 years	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	9.1	54.5	45.5	21.2	22.4	56.4
Urban	262,195	4.3	53.4	46.6	16.4	17.9	65.7
Rural	1,491,871	11.4	54.7	45.3	22.0	23.2	54.8

More than one-half of children participating in family businesses were unpaid. About 19.6 per cent of working children produced goods or carried out services for household

consumption. However, more than 20.3 per cent of working children generated income for themselves and/or contributed to their family income.

► **Table 3.1b.**

Percentage of working children by type of work

Type of work	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	100.0	54.5	45.5	21.2	22.4	56.4
Paid workers	356,698	20.3	64.7	35.3	2.7	15.4	81.9
Self-production, self-consumption ¹²	344,166	19.6	49.1	50.9	21.6	36.0	42.4
Household workers and other forms	941,504	53.7	52.8	47.2	15.2	32.7	52.1
Not classified	111,698	6.4	53.4	46.6	14.9	30.0	55.1

3.2. School attendance

Compared to the results of the 2012 survey, more working children aged 5-17 years had access to education and attended school in 2018. Of 1,754,066 working children, 1,105,710 were attending school, (over 63 per cent of the total number of children). This rate was much higher than that of 2012 (43.6 per cent). However, in comparison with the national average of school attendance among children aged 5-17 (94.4 per cent), the percentage of working children

of this age who attended school is much lower. Particularly, of 1,754,066 working children, 628,856, accounting for 35.9 per cent, were not attending school and 19,500, accounting for over 1.1 per cent, had never attended school. These figures are evidence that children's participation in economic activities has a substantial negative impact on their access to education.

In addition, the survey results show that girls tended to participate more in economic activities while continuing to attend school than boys (nearly 69.3 per cent vs. 57.8 per cent).

► **Table 3.2.**

Working children by school attendance

School attendance	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	1,105,710	63.0	57.8	69.3	90.2	78.7	46.6
Out of school	628,856	35.9	41.3	29.3	8.1	20.4	52.4
Never attended school	19,500	1.1	0.9	1.4	1.7	0.9	1.0

¹² Self-production and self-consumption: includes the children participating in non-hazardous economic activities in small-scale household-based facilities or small establishments which do not often use wage workers or produce goods for local consumption.

3.3. Causes for participation in economic activities by working children

Children participate in economic activities for many reasons. The survey results indicate that 33.3 per cent of children participate in economic activities because they want to be involved in the business and production process of their households or help their households; over 17.9 per cent of them participated in economic activities to generate

income for the household or contribute to the household income of their families; and around 6.2 per cent of children participated in economic activities to generate income for themselves. However, in this survey, more than one-third of working children did not state their reasons. The percentage of children participating in economic activities because they had dropped out of school was 4.8 per cent; and 2 per cent engaged in economic activities for the purpose of entering into an apprenticeship.

► Table 3.3.

Causes for participation in economic activities by working children

Causes	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	100.0	100.0	100.0	100.0	100.0	100.0
Income generation for oneself	109,163	6.2	7.0	5.4	3.5	1.8	9.0
Income generation for their families	314,694	17.9	19.2	16.5	11.0	17.9	20.6
Desire for involvement in household's production and business process	584,888	33.3	32.9	33.9	39.2	37.3	29.6
Desire for apprenticeship	36,284	2.1	3.0	1.0	0.0	0.2	3.6
Not attending school	84,741	4.8	6.3	3.0	2.4	2.5	6.7
Other reasons	31,459	1.8	2.0	1.5	2.3	2.3	1.4
Not classified	592,837	33.9	29.6	38.7	41.6	38.0	29.1

3.4. Economic sectors

Working children worked in all three economic sectors of the national economy. In particular, nearly 60 per cent of them worked in the agriculture sector (forestry and fisheries); while nearly 23 per cent worked in the services sector and 15.6 per cent worked in the industry and construction sector. Compared to the 2012 data, working children had a tendency to gradually withdraw from the agriculture sector and increase

their participation in the industry, construction and service sectors in 2018.

Boys were more likely to work in the agriculture sector than girls; in contrast, girls were more likely to work in the service sector.

Children in the older age groups tended to work more than their younger counterparts in all economic sectors, particularly with a high concentration in the industry and construction sectors. Children in the younger age groups tended to work more in the agriculture sector.

► **Table 3.4.**

Working children by economic sector

Economic sector	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	100.0	54.5	45.5	21.2	22.4	56.4
Agriculture	1,047,081	59.7	56.9	43.1	23.0	25.1	51.9
Industry - construction	274,008	15.6	61.7	38.3	12.8	14.9	72.3
Services	401,410	22.9	44.2	55.8	21.2	20.0	58.8
Not classified	31,567	1.8	42.2	57.8	31.7	27.5	40.8

3.5. Types of work

The survey results indicate 97 specific types of work in which children participated, of which 21 types attracted 86.3 per cent of the total number of working children.

Of these 21 types of work, eight were in the agriculture sector and attracted 67.9 per cent of working children; six were in the industry - construction sector attracting 11.3 per cent; and seven were in the services sector attracting 20.7 per cent.

► **Table 3.5.**

Working children by types of work

Code	Type of work	Total	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
11	Growing of annual crops	309,565	20.4	56.5	43.5	15.5	23.6	60.9
12	Growing of fruit trees	165,076	10.9	60.2	39.8	15.3	23.2	61.5
14	Animal raising	437,093	28.9	55.2	44.8	33.8	27.1	39.1
15	Mixed crops and raising	20,899	1.4	40.5	59.5	7.6	24.8	67.6
16	Services for agriculture	19,845	1.3	26.3	73.7	23.1	29.1	47.8
23	Gathering non-wood products and others from forests	26,262	1.7	63.2	36.8	17.7	27.5	54.8
31	Fishing	21,755	1.4	87.7	12.3	18.3	17.6	64.1
32	Aquaculture	28,139	1.9	71.9	28.1	12.8	25.8	61.4

Code	Type of work	Total	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
102	Processing and preservation of seafood and aquatic products	20,625	1.4	53.1	46.9	15.2	20.3	64.5
107	Production of other food	20,350	1.3	37.6	62.4	24.3	31.0	44.7
141	Production of garments (except for the clothes made from leather and skin of animals)	48,307	3.2	58.6	41.4	8.1	15.2	76.7
170	Production of papers and paper-related products	19,330	1.3	37.4	62.6	48.5	1.7	49.8
310	Production of beds, wardrobes, tables and chairs	17,412	1.2	84.2	15.8	0.0	28.2	71.8
410	Construction of houses of all types	45,620	3.0	97.0	3.0	0.0	7.2	92.8
471	Retail in department stores	87,162	5.8	26.8	73.2	18.3	29.0	52.7
472	Retail of food, beverages or tobacco, pipe tobacco in specialized stores	44,841	3.0	41.7	58.3	23.1	26.3	50.6
477	Retail of other commodities in specialized stores	27,622	1.8	34.9	65.1	10.2	13.2	76.7
561	Restaurants and mobile catering services	83,628	5.5	43.2	56.8	23.9	20.9	55.3
562	Event catering and other food service activities	15,519	1.0	53.8	46.2	8.1	19.7	72.2
563	Beverage serving activities ¹³	34,836	2.3	36.1	64.0	33.7	21.7	44.6
963	Other uncategorized personal support services	19,946	1.3	53.6	46.4	16.2	9.3	74.5
Total number in 21 types of work		1,513,832	100.0	53.8	46.2	21.9	23.6	54.5
Total number in 97 types of work		1,754,066	100.0	54.5	45.5	13.9	29.7	56.4

13 Beverage serving activities include taverns and bars; coffee shops and other taverns and bars (Decision No. 27/2018/QĐ-TTg dated July 06, 2018 of the Prime Minister on promulgating Viet Nam standard industrial classification. See more at: https://incorporation.seoul.vn/document_business_code.pdf)

3.6. Working time per week

The time spent working is an important factor which has an influence on children's health and development. It is also an important base from which to determine the working level of children.

The survey results indicate that about 58.1 per cent of working children worked less than 20 hours per week and nearly 18.8 per cent worked between 20

and less than 40 hours per week. Moreover, nearly 20.1 per cent of these children (2.7 per cent of whom were under 13 years old) had extended working hours of over 40 hours per week, which negatively affects the health of most working children, especially the young ones. In general, boys tended to work longer hours than girls, and significantly, the working time of these children increases as they get older.

► **Table 3.6.**

Working children by working time per week

Working time per week	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,754,066	100.0	100.0	100.0	100.0	100.0	100.0
≤ 5 hours	322,935	18.4	16.9	20.2	27.2	15.5	10.9
5 - ≤ 20 hours	696,167	39.7	37.6	42.2	55.6	55.3	32.9
20 - ≤ 40 hours	329,483	18.8	19.1	18.4	12.2	17.6	21.7
> 40 hours	352,385	20.1	23.2	16.3	2.7	8.1	31.4
Not classified	53,096	3.0	3.2	2.9	2.3	3.5	3.1

3.7. Status in employment

Over half of the working children were household workers who participate in supporting the production and business process of their households, thereby contributing to their total income but receive no salary or remuneration in cash or in-kind. This form of labour, called 'unpaid family worker' is widespread and socially

acceptable in Viet Nam, and is considered the responsibility of each member to his/her family.

However, the survey results also identify that 356,698 children, accounting for 20.3 per cent of the total number of working children, worked as wage workers, involving mainly the older working children (15-17 years). Compared to 2012, the proportion of these children increased from 18 per cent in 2012 to 20.3 per cent in 2018.

► **Table 3.7.**

Working children by status in employment

Status in employment	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	1,754,066	100.0	54.5	45.5	21.2	22.4	56.4
Business owners ¹⁴	2,079	0.1	84.8	15.2	0.0	10.3	89.7
Own-account workers ¹⁵	43,333	2.5	49.8	50.2	10.8	13.3	75.9
Unpaid family worker	896,091	51.1	52.9	47.1	23.8	25.4	50.8
Paid workers	356,698	20.3	64.7	35.3	3.9	14.2	81.9
Not classified	455,865	26.0	50.1	49.9	30.7	23.8	45.5

3.8. The age at which working children start to work

Most working children started to work at the age of 12 years and over, accounting for nearly 55.5

per cent of the total number of 1,754,066 working children. However, nearly 8 per cent of working children started to work when they were less than 10 years old, and in particular, nearly 3 per cent started to work at the age of 5-7 years, which is too young.

► **Table 3.8.**

The age at which working children start to work

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
Total	1,754,066	100.0	956,277	100.0	797,788	100.0
5 years	3,049	0.2	350	0.0	2,699	0.3
6 years	9,202	0.5	4,375	0.5	4,827	0.6
7 years	38,443	2.2	11,501	1.2	26,942	3.4
8 years	41,705	2.4	23,425	2.5	18,280	2.3
9 years	47,481	2.7	28,633	3.0	18,847	2.4
10 years	112,008	6.4	50,132	5.2	61,876	7.8
11 years	96,105	5.5	55,860	5.8	40,245	5.0
12 years	171,493	9.8	87,098	9.1	84,395	10.6
13 years	147,645	8.4	84,742	8.9	62,903	7.9
14 years	245,796	14.0	139,529	14.6	106,267	13.3
15 years	212,753	12.1	138,896	14.5	73,857	9.3

¹⁴ Business owners: refers to those who manage their own business - production establishment and employ at least one worker.

¹⁵ Own account worker means that a person himself or cooperates with other partners to operate the activity of a unit in relation to production, business, service or professional undertaking and does not recruit or hire any salary/wage paid labourers.

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
16 years	139,223	7.9	85,284	8.9	53,939	6.8
17 years	56,455	3.2	29,574	3.1	26,881	3.4
Not classified	432,709	24.7	216,878	22.7	215,831	27.1

3.9. Work locations

The work places of working children are quite diverse. Some are considered to be of lower risk of abuse and labour exploitation than others (such as the home, and household businesses, etc.). Nonetheless, there were still work locations with a high potential of presenting risks and unsafe conditions for working children, such as restaurants and bars, rivers, ponds and lakes, customers' houses or mobile working places on streets where they work as street vendors, shoeshiners or other street-related services.

The most common work place was at home (with 588,992 children), accounting for 33.6 per cent of working children. Home-based work was also the most common for children with disabilities in all age groups and genders. However, as the children get older, the proportion of those working at home tended to decrease. The second most common work place was on farms, fields and gardens (235,337 children), accounting for 13.4 per cent of the total of working children, and the third was factories and workshops, where most of the working children were 15-17 years.

► **Table 3.9.**

Working children by work location

Work location	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	1,754,066	100.0	100.0	100.0	100.0	100.0	100.0
At children's home	588,992	33.6	27.9	40.4	36.8	36.8	31.1
Customers' houses	69,833	4.0	5.5	2.2	1.6	1.7	5.8
Office	7,009	0.4	0.4	0.4	0.0	0.3	0.6
Factories/workshops	125,757	7.2	8.3	5.9	0.5	3.2	11.2
Farms/fields/gardens	235,337	13.4	16.1	10.2	9.1	14.7	14.5
Construction sites	8,636	0.5	0.9	0.0	0.0	0.5	0.7
Shop/Kiosk/Restaurants	69,281	3.9	4.3	3.5	1.7	2.0	5.5
Mobile work places	118,886	6.8	8.1	5.2	8.7	9.6	5.0
Fixed work places on streets or markets	33,010	1.9	1.3	2.6	1.0	1.8	2.3
Rivers/lakes/lagoons	17,345	1.0	1.7	0.2	0.8	0.8	1.1
Others	20,034	1.1	1.6	0.6	1.1	0.6	1.4
Not classified	459,946	26.2	23.9	28.8	38.7	28.0	20.8

3.10. Income

The majority of working children are found in low-stability jobs which are often changeable and interrupted; as a result, it was not easy to determine their average monthly income of the previous 12 months. The survey results revealed that as many as 81.5 per cent of working children

were not able to estimate their average monthly income over that time.

However, based on the income of those working children who were paid, it was calculated that the average income ranges from 2.5 million VND (US\$108) per month and more (66.9 per cent). Boys had a higher average monthly income than girls, but this income was only estimated for working children aged 13 years and older.

► **Table 3.10.**

Working children by monthly income

Monthly income (1,000 VND)	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Number of working children	1,754,066	100.0	54.5	45.5	21.2	22.4	56.4
Number of paid working children	324,452	100.0	64.7	35.3	2.7	15.4	81.9
<500	9,923	3.1	51.3	48.7	14.3	39.4	46.3
500 - <1,500	57,764	17.8	58.8	41.2	13.1	15.9	71.0
1,500 - < 2,500	39,120	12.1	73.2	26.8	0.0	39.3	60.7
2,500 - < 3,500	83,940	25.9	57.3	42.7	0.0	15.3	84.7
3,500 - < 4,500	63,517	19.6	72.8	27.2	0.0	3.5	96.5
≥ 4,500	70,188	21.5	74.9	25.1	0.0	2.7	97.3



4

► Children in child labour

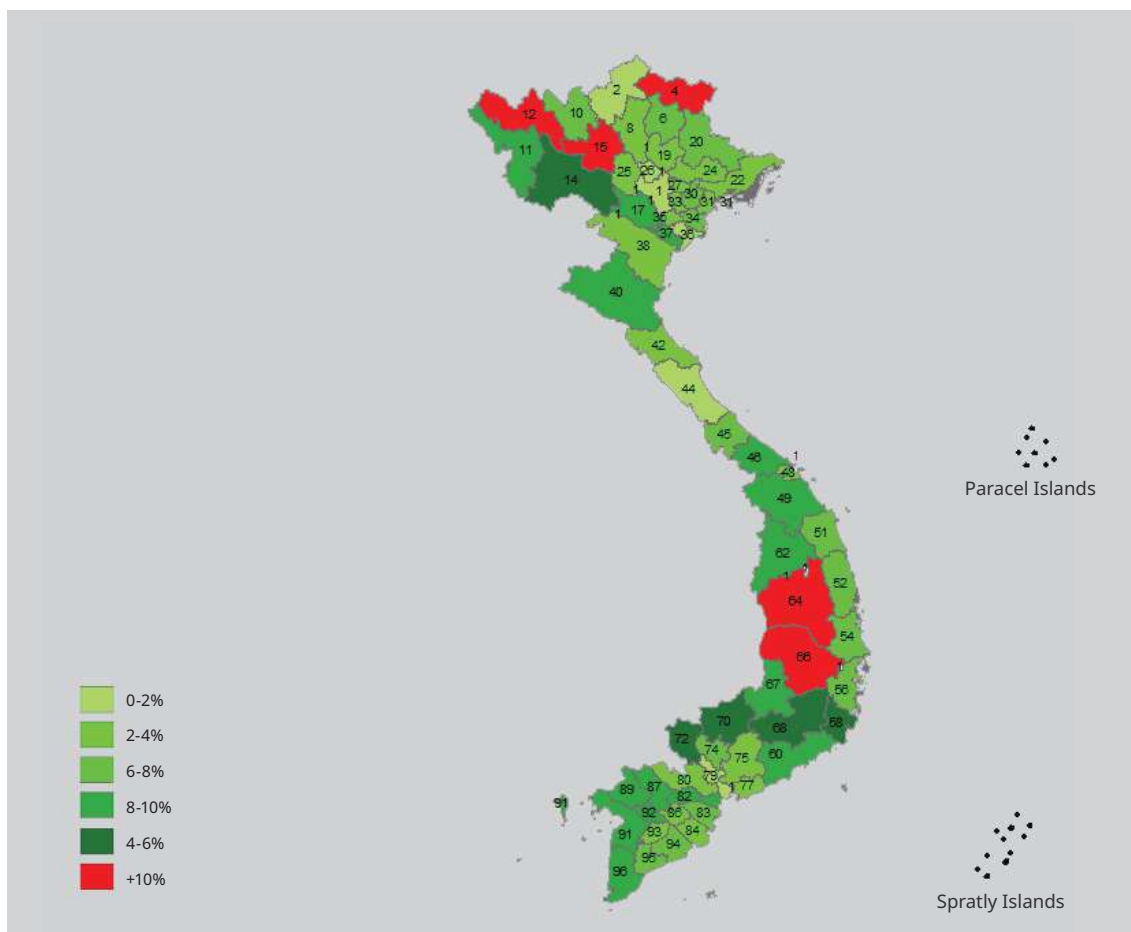
4.1. Percentage and distribution of children in child labour

Of the children that were economically active, 1,031,944 were identified as children in child labour, accounting for 5.4 per cent of the 5-17 years olds and 58.8 per cent of those participating in economic activities. Among children involved in child labour, 59 per cent were boys and nearly 41 per cent were

girls; and around 51.2 per cent belonged to the 15-17 year age group.

Over 84 per cent of children in child labour were identified in rural areas with a rate of 6.6 per cent of the rural population aged 5-17 years which is 2.5 times higher than the corresponding rate of those in urban areas (2.6 per cent).

► Figure 7. Child labour rate by province/city



► **Table 4.1a.**

Percentage of children in child labour by geographical area

Area	Total	Children aged 5-17 years	Working children aged 5-17 years	Sex		Age group		
		%	%	Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
Nationwide	1,031,944	5.4	58.8	59.0	41.0	30.8	18.0	51.2
Urban	161,621	2.6	61.6	57.5	42.5	20.2	15.2	64.6
Rural	870,323	6.6	58.3	59.3	40.7	32.7	18.5	48.8

It was estimated that over 43 per cent of children in child labour were household workers and 31.7 per cent of them were paid workers. However, 198,505 of them, accounting for 19.2 per cent of 344,166 working children aged 5-17 years, were engaged in work related to self-production for self-consumption, which is excluded from the

regulations stated in ILO Convention No. 138. Nonetheless, these children were still identified as children in child labour because their work was identified as containing heavy, hazardous and dangerous factors that negatively affect the development of children.

► **Table 4.1b.**

Percentage of children in child labour by type of work

Type of work	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,031,944	100.0	59.0	41.0	30.8	18.0	51.2
Paid work	327,624	31.7	66.2	33.8	3.5	15.0	81.5
Self-production for self-consumption	198,505	19.2	47.6	52.4	56.5	21.7	21.8
Household labour and other forms	445,162	43.2	58.9	41.1	39.1	18.5	42.4
Not classified	60,653	5.9	58.2	41.8	32.0	18.4	49.6

4.2. School attendance

Compared to working children, the rate of children in child labour attending school decreased significantly. While nearly one-half of the 1,031,944 children in child labour were attending school, 48.6 per cent were not; and 1.4 per cent had never been to school.

In general, male children involved in child labour were less likely to attend school than their female counterparts. With movement to higher age-groups, these children were more likely to drop out of school. The survey results indicate that the out of school rate of children in child labour aged 5-12 years was 9 per cent; however, the rate increased to 38.8 per cent among those aged 13-14 years; and to 75.8 per cent in the 15-17 age group.

► Table 4.2.

School attendance of children in child labour

School attendance	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,031,944	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	515,794	50.0	45.9	55.9	89.1	59.7	23.1
Out of school	501,095	48.6	53.0	42.2	8.9	38.8	75.8
Never attended school	15,055	1.4	1.1	1.9	2.0	1.5	1.1

4.3. Causes for participation in economic activities by children in child labour

The underlying causes for children in child labour to participate in economic activities are quite similar to those of working children. However, these children indicate a higher participation

in economic activities to generate income, with nearly 30 per cent stating that they participated in economic activities for this purpose, compared to nearly 24.2 per cent of working children who stated this reason. The trend is most evident in older children in child labour (15-17 years) where nearly 40.1 per cent stated that they worked for income generation (against 12.1 per cent for working children).

► **Table 4.3.**

Causes for participation in economic activities by children in child labour

Causes	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,031,944	100.0	100.0	100.0	100.0	100.0	100.0
Income generation for oneself	95,956	9.3	9.8	8.5	3.9	3.6	14.6
Income generation for family	213,319	20.7	21.9	18.9	10.2	24.8	25.5
Desire for involvement in household's production and business process	281,651	27.3	27.4	27.1	37.6	27.8	20.9
Desire for apprenticeship	32,549	3.2	4.2	1.7	0.0	0.4	6.0
Non-school attendance	68,688	6.7	8.2	4.4	2.7	4.6	9.8
Others	11,561	1.1	1.0	1.3	1.2	0.5	1.3
Not classified	328,220	31.7	27.5	38.1	44.4	38.3	21.9

4.4. Economic sectors

Compared to working children, children in child labour tended to gradually withdraw from the agriculture sector and work more in the service sector. In particular, they tend to work increasingly in the industry and construction sector. Of the total number of 1,031,944 children in child labour, 553,355, accounting for 53.6 per cent, worked in the agriculture sector; 244,465, accounting for nearly 23.7 per cent, worked in the industry - construction sector; and nearly 21 per cent worked in the services sector.

Boys and children in the older age groups showed higher proportions of participation in jobs in all three economic sectors, especially in the agriculture and construction sector. The rate of male children in child labour working in the agriculture and construction sector reached 64.5 per cent, around 1.8 times higher than the rate of their female counterparts working in these sectors. Similarly, the rate of these children in the older age groups (15-17 years) working in the industry and construction sector was nearly 74.2 per cent, which is much higher than that of the younger children aged 13-14 working in this sector.

► **Table 4.4.**

Children in child labour by economic sector

Economic sector	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Nationwide	1,031,944	100.0	59.0	41.0	30.8	18.0	51.2
Agriculture	553,355	53.6	59.0	41.0	39.7	20.5	39.8
Industry - Construction	244,465	23.7	64.6	35.4	12.4	13.4	74.2
Services	215,093	20.8	53.3	46.7	26.7	14.7	58.6
Not classified	19,031	1.9	50.0	50.0	50.2	41.9	7.9

4.5. Types of work

The survey identified 89 specific jobs in which children in child labour were engaged, of which 24 attracted 85.6 per cent of the total number of these children .

Of the 24 jobs that the children participated in, nine were in the agriculture sector, attracting 62.2 per cent children; seven in the industry and construction sector, with 18.3 per cent; and eight in the services sectors, with 19.5 per cent .

► Table 4.5.

Children in child labour by type of work

Code	Type of work	Total	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
11	Growing of annual crops	164,834	18.7	58.5	41.5	25.5	20.3	54.2
12	Growing of fruit trees	82,263	9.3	60.8	39.2	25.8	20.5	53.7
14	Animal raising	219,562	24.9	56.8	43.2	62.8	20.0	17.2
15	Mixed crops and raising	13,263	1.5	43.9	56.1	12.0	19.2	68.8
16	Services for agriculture	12,523	1.4	36.1	63.9	36.6	26.0	37.4
21	Afforestation and forest tending	9,905	1.1	57.4	42.6	10.3	27.3	62.4
23	Gathering non-wood products and others from forests	13,539	1.5	58.8	41.2	34.3	19.1	46.6
31	Fishing	16,154	1.8	93.2	6.8	21.6	15.9	62.5
32	Aquaculture	17,563	2.0	77.6	22.4	19.4	25.5	55.1
102	Processing and preservation of seafood and aquatic products	17,129	1.9	51.9	48.1	13.0	14.9	72.1
107	Production of other food	10,505	1.2	61.1	38.9	46.9	30.2	22.9
141	Production of garments (except for the clothes made from leathers and skin of animals)	44,597	5.0	60.8	39.2	8.3	11.5	80.2
162	Production of wood, bamboo, rattan products (except for beds, wardrobes, tables); production of straw products and plaited materials	11,776	1.3	63.1	36.9	14.3	16.5	69.2
170	Production of papers and paper-related products	15,861	1.8	36.2	63.8	59.1	1.0	39.9
310	Production of beds, wardrobes, tables and chairs	15,822	1.8	86.9	13.1	0.0	25.4	74.6
410	Construction of houses of all types	45,620	5.2	97.1	2.9	0.0	7.2	92.8
454	Selling, maintaining and repairing motorbikes, automobiles, spare parts and auxiliary parts of motorbikes and automobiles	11,415	1.3	100.0	0.0	21.8	14.0	64.2

Code	Type of work	Total	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
471	Retail in department stores	31,563	3.6	47.2	52.8	44.5	9.6	45.9
472	Retail of food, beverages or tobacco, pipe tobacco in specialized stores	19,518	2.2	52.9	47.1	29.7	16.4	53.9
477	Retail of other commodities in specialized stores	20,275	2.3	19.9	80.1	11.8	8.1	80.1
561	Restaurants and mobile catering services	41,543	4.7	46.3	53.7	31.0	22.1	46.9
562	Provision of regular on-contract catering services and other related catering services	13,104	1.5	62.7	37.3	9.6	16.8	73.6
563	Beverage serving activities	17,197	1.9	37.6	62.4	38.4	21.0	40.6
963	Other uncategorized personal support services	17,672	2.0	59.2	40.8	15.5	9.2	75.3
Total number in 24 types of work		883,203	100.0	58.9	41.1	33.2	18.5	48.3
Total number in 89 types of work		1,031,944	100.0	59.0	41.0	19.9	28.8	51.3

4.6. Working time per week

An estimate from the survey results reveals that of 1,031,944 children in child labour, 352,385 children, accounting for 34.2 per cent, worked 40 hours per week or more. The length of this working time negatively affects children's health. Most of

these children worked 40 hours per week or more and belonged mainly to the 15-17 year age group (58.7 per cent). There is no significant difference in the working time of male and female children in child labour. Nonetheless, one should pay proper attention to the nearly 12 per cent of children in child labour working over 40 hours per week who were under 15 years of age.

► **Table 4.6.**

Children in child labour by working time per week

Working time per week	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	1,031,944	100.0	100.0	100.0	100.0	100.0	100.0
≤5 hours	111,380	10.8	9.7	12.4	17.3	8.0	3.6
5 - ≤ 20 hours	330,131	32.0	31.1	33.3	65.0	35.2	15.4
20 - ≤ 40 hours	218,966	21.2	20.6	22.2	13.5	37.2	20.3
> 40 hours	352,385	34.2	36.5	30.8	3.2	17.1	58.7
Not classified	19,082	1.8	2.1	1.3	1.0	2.5	2.0

4.7. Working conditions

a) Working conditions

Most children in child labour worked in the informal economic sector as paid employees or as own-account workers, or they were household workers in their family business and production activities. They often worked in places which presented an unsafe environment and working conditions. The survey results indicate that 27.7

per cent of these children were in contact with dust, rubbish and smoke at their workplace; 11.5 per cent of them worked in places with high levels of vibration and strong movement; nearly 11 per cent were engaged in an extremely hot or cold work environment; and over 8 per cent were in contact with chemical substances when at work. Particularly, more than 3.2 per cent of them worked on construction sites and more than 3 per cent worked under water. These work places were often deemed unsafe for children.

► Table 4.7a.

Children in child labour by working environment

Working environment	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Dust, rubbish, smoke	286,253	27.7	72.7	27.3	11.5	17.8	70.7
Gases, flammable and explosive substances	26,069	2.5	67.9	32.1	1.1	15.0	83.9
High level of vibration and strong movement	119,363	11.5	79.0	21.0	16.2	23.6	60.2
Extreme temperatures	111,927	10.8	73.7	26.3	19.3	0.0	80.7
Working under ground/in caves/tunnels	3,097	0.3	19.3	80.7	2.3	1.8	95.9
Working in high places (over 3 meters)	25,554	2.5	95.8	4.2	7.3	18.1	74.6
Working under water (ponds, lakes, ...) diving and offshore fishing	33,373	3.2	85.3	14.7	12.1	12.4	75.5
Too dark and too narrow work places	10,642	1.0	53.8	46.2	16.5	13.1	70.4
Contact with chemical substances (pesticides, glue,...)	82,860	8.0	59.4	40.6	80.0	0.0	20.0
Addictive substances (drug,...)	749	0.1	80.0	20.0	3.8	8.6	87.6
Working on construction sites	33,702	3.3	99.2	0.8	8.9	0.0	91.1
Working in smithies, medical metal casting workshops	6,765	0.7	96.7	3.3	14.9	0.0	85.1
Working in production workshops or running businesses on beverage/cigarettes	4,024	0.4	100.0	0.0	18.2	7.7	74.1
Others	10,266	1.0	71.0	29.0	15.5	18.6	65.9

b) Lifting heavy objects and operating machines

A certain number of children had to lift heavy objects or operate machines and equipment for production during the working process. These factors seriously affect the physical development and safety of children involved in child labour.

An estimate from the survey results indicates that nearly 10.5 per cent of children in child labour had to lift heavy objects weighing 30 or more kilograms, and nearly 9.1 per cent of them had to operate production machines and equipment during their working process. However, most of these children belonged to the 15-17 year age group and at this age children are more physically mature and more aware of labour safety at work.

► **Table 4.7b.**

Lifting heavy objects and operating machines during the working process

Total			%		Sex		Age group		
					Male	Female	5-12 years	13-14 years	15-17 years
					%	%	%	%	%
a. Lifting heavy objects									
< 8kg	14,081	1.5	60.3	39.7	38.4	31.8	29.8		
≥ 8kg	2,603	0.3	73.3	26.7	16.4	31.2	52.4		
≥ 10kg	11,775	1.1	75.7	24.3	34.8	20.8	44.4		
≥ 12kg	2,322	0.2	79.7	20.3	14.0	26.6	59.4		
≥ 15kg	8,858	0.9	25.5	74.5	27.3	44.5	28.2		
≥ 20kg	14,657	1.4	84.1	15.9	15.7	15.2	69.1		
≥ 25kg	11,696	1.1	73.7	26.3	0.0	22.6	77.4		
≥ 30kg	108,174	10.5	87.2	12.8	1.3	15.2	83.5		
b. Operating machines and equipment									
Yes	93,713	9.1	71.7	28.3	3.6	4.1	92.3		
No	936,181	90.7	57.7	42.3	33.5	19.4	47.1		
Not classified	2,050	0.2	81.5	18.5	18.2	0.0	81.8		

4.8. Work locations

Children in child labour work in quite diverse locations. There were eight main locations where these children often work, namely their home (24.7 per cent); farms, fields and gardens (12.1 per cent);

construction sites (12.2 per cent); shop/kiosk/restaurants (over 4.8 per cent); mobile work places (over 8 per cent); and fixed work places on streets and markets (2 per cent). Particularly, nearly 1.7 per cent of them worked under water (ponds, streams, lakes and rivers).

► **Table 4.8.**

Children in child labour by work location

Work location	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	1,031,944	100.0	100.0	100.0	100.0	100.0	100.0
At children's home	255,236	24.7	21.1	30.0	32.0	22.3	21.3
Customers' houses	62,220	6.0	8.1	3.1	1.7	3.6	9.5
Office	7,009	0.7	0.7	0.7	0.0	0.6	1.1
Factories/ production workshops	125,757	12.2	13.0	11.1	0.6	6.8	21.0
Farms/ fields/ gardens	124,839	12.1	14.1	9.2	9.6	14.7	12.7
Construction sites	8,636	0.8	1.4	0.1	0.0	1.1	1.3
Shop/Kiosk/ Restaurants	49,902	4.8	4.9	4.8	2.0	3.5	7.0
Mobile work places	82,792	8.0	9.2	6.3	9.1	12.9	5.7
Fixed work places on streets or markets	21,785	2.1	1.6	2.9	0.8	2.8	2.7
Rivers/lakes/ lagoons	17,345	1.7	2.6	0.3	1.0	1.6	2.1
Others	13,004	1.3	1.8	0.5	0.7	0.5	1.9
Not classified	263,419	25.6	21.5	31.0	42.5	29.6	13.7

4.9. Status in employment

Compared to working children, the pattern of status in employment of children in child labour differed quite significantly. Particularly, the relative share of paid children was higher, and the

proportion of these children working as household workers was much lower. Of the 1,031,944 children, 31.8 per cent worked as paid workers and 40.5 per cent as household workers. 81.5 per cent aged 15-17 years worked as paid workers and over 66.2 per cent of them were boys.

► **Table 4.9.**

Children in child labour by status in employment

Status in employment	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	1,031,944	100.0	59.0	41.0	30.8	18.0	51.2
Business owners	1,865	0.2	94.6	5.4	0.0	0.0	100.0
Own-account workers	25,282	2.5	49.5	50.5	11.5	18.2	70.3
Unpaid family workers	418,014	40.5	59.3	40.7	41.0	18.6	40.4
Paid workers	327,624	31.8	66.2	33.8	3.5	15.0	81.5
Not classified	259,159	25.0	50.0	50.0	50.8	20.9	28.3

4.10. The age at which children in child labour start to work

Although the age at which children in child labour start to work is higher than for working children, the difference is not very significant. The survey finds that of 1,031,944 children involved in child

labour, 53.4 per cent started to work at the age of 12 or more. However, 10.3 per cent of them started to work at the age of less than 10 years, and 3.5 per cent started to work at the age of 5-7 years, which is very young to start working because it often negatively affects children's health and their participation in education.

► **Table 4.10.**

The age at which children in child labour start to work

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
Total	1,031,944	100.0	608,786	100.0	423,158	100.0
5 years	1,336	0.1	350	0.1	986	0.2
6 years	5,715	0.6	3,277	0.5	2,438	0.6
7 years	28,356	2.8	10,311	1.7	18,045	4.3
8 years	31,216	3.0	17,949	3.0	13,267	3.1
9 years	39,238	3.8	24,208	4.0	15,030	3.6
10 years	71,027	6.9	30,392	5.0	40,635	9.6
11 years	63,077	6.1	38,097	6.3	24,980	5.9

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
12 years	77,592	7.5	44,503	7.3	33,089	7.8
13 years	63,868	6.2	37,585	6.2	26,283	6.2
14 years	123,368	12.0	81,271	13.4	42,097	10.0
15 years	141,580	13.7	102,587	16.9	38,993	9.2
16 years	101,750	9.9	71,710	11.8	30,040	7.1
17 years	42,093	4.1	25,615	4.2	16,478	3.9
Not classified	241,728	23.3	120,931	19.9	120,797	28.6

4.11. Income

Similar to working children, the majority of children in child labour had difficulties in estimating their average monthly income. The survey results show that nearly 71.3 per cent of them could not estimate

their average monthly income in the previous 12 months. However, based on the average monthly income of those who could estimate, the most frequent income of these children came to 2.5 million VND (US\$108) per month, and more. This income was mostly estimated by children aged 15-17 years.

► **Table 4.11.**

Children in child labour by monthly income

Monthly income (1,000 VND)	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Number of children in child labour	1,031,944	100.0	59.0	41.0	30.8	18.0	51.2
Number of paid children in child labour	296,534	100.0	66.2	33.8	2.2	16.3	81.5
<500	5,533	1.8	57.3	42.7	7.3	53.8	38.9
500 - <1.500	46,815	15.8	63.2	36.8	13.5	19.6	66.9
1.500 - < 2.500	32,423	10.9	76.5	23.5	0.0	47.4	52.6
2.500 - < 3.500	78,158	26.4	57.8	42.2	0.0	16.4	83.6
3.500 - < 4.500	63,417	21.4	72.9	27.1	0.0	3.5	96.5
≥ 4.500	70,188	23.7	74.9	25.1	0.0	2.7	97.3

4.12. Health and safety related issues of children in child labour

During the working process, children in child labour often have to face occupational health and safety issues. Each child may experience one or more of the risks or injuries that affect their health. Common risks and accidents include skin or open wounds; dislocations, sprains, bruises;

respiratory diseases, skin and eye related diseases. An estimated 13.3 per cent of these children have experienced skin or open wounds; dislocations, sprains, bruises (over 4 per cent). The majority of those who encountered risks and accidents during the working process belonged to the 15-17 year age group of boys ; but skin and intestinal diseases occurred with greater frequency among younger children, particularly those belonging to the 5-12 year age group.

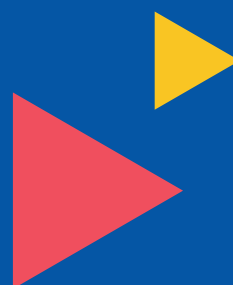
► **Table 4.12.**

Children in child labour by health and safety related issues

Type of health and safety issue	Total	Per cent of children in child labour affected	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Skin or open wounds	137,981	13.3	73.2	26.8	16.9	18.2	64.9
Dislocations, sprains, bruises	43,647	4.2	69.6	30.4	13.3	13.5	73.2
Burns by fire or water, swelling	10,077	1.0	46.1	53.9	13.1	27.7	59.2
Respiratory diseases	24,287	2.4	53.8	46.2	7.1	29.0	63.9
Eye diseases	7,952	0.8	67.3	32.7	4.6	21.8	73.6
Skin diseases	28,370	2.7	62.2	37.8	24.6	13.4	62.0
Intestinal diseases	8,303	0.8	55.5	44.5	16.9	18.2	64.9
Others	10,844	1.1	49.2	50.8	13.3	13.5	73.2



5



► Children in hazardous work

5.1. Percentage and distribution of children in hazardous work

Nationwide, 519,805 children in child labour aged 5-17 years are involved in hazardous work, accounting for 2.7 per cent of the child population of that age. This includes 29.6 per cent of working children aged 5-17 years and nearly 50.4 per cent of children in child labour, of which, nearly 67.2 per cent were boys and nearly 32.8 per cent were girls. Almost 71 per cent of the children in hazardous work belonged to the 15-17 year age group.

Over 81.7 per cent of these children lived in rural areas. The share of the total number of working children living in rural areas was 28.5 per cent, which was lower than the corresponding share for urban areas. Similarly, the share of children in child labour in rural areas was 48.8 per cent, which was lower than the corresponding rate in urban areas (58.8 per cent). The numbers below indicate the seriousness of children in hazardous work in urban areas, although in urban areas, the proportion of children participating in economic activity is only about one fifth in rural areas. However, the proportion of children in child labour and children in hazardous work of the total number of children participating in economic activities in urban areas is higher than in rural areas.

► Table 5.1a.

Children in hazardous work by geographical area

Area	Total	Children population (5-17 years)	Working children	Children in child labour	Children in hazardous work				
					Sex		Age group		
					Male	Female	5-12 years	13-14 years	15-17 years
					%	%	%	%	%
Total	519,805	2.7	29.6	50.4	67.2	32.8	11.6	17.6	70.8
Urban	94,994	1.4	36.2	58.8	61.1	38.9	10.0	18.4	71.6
Rural	424,811	3.3	28.5	48.8	68.5	31.5	11.9	17.4	70.7

The survey estimated that 47 per cent of children in hazardous work were paid workers: 5 per cent were engaging in work for self-production and self-consumption; while 43 per cent were household

workers. Therefore, most these children were mainly working in their own homes and engaging in the business and production process of their families.

► **Table 5.1b.**

Children in hazardous work by type of work

Type of work	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	67.2	32.8	11.6	17.6	70.8
Paid workers	244,151	47.0	73.7	26.3	2.0	12.3	85.7
Self-production self-consumption	25,948	5.0	59.0	41.0	4.2	40.0	55.8
Household workers and other forms	223,331	43.0	62.3	37.7	12.7	30.1	57.2
Not classified	26,375	5.0	56.6	43.4	10.3	27.0	62.7

5.2. School attendance

Compared with working children and children in child labour, the proportion of children in hazardous work while attending school was significantly lower. Of 519,805 such children, only around 38.6 per cent were attending school; 60 per cent dropped out of school; and 1.4 per cent had never attended school.

In general, school attendance of boys in hazardous work is lower than their female counterparts doing similar work. Moreover, the dropout rate rises within higher age-groups for children in hazardous work. The percentage of these children who were

not attending school in the 5-12 year age group was 20 per cent, but in the older age groups, the corresponding rate increased sharply to nearly 34.7 per cent (13-14 year age group) and 72.8 per cent (15-17 year age group).

These numbers show the negative impact of labour involvement on children's participation in education. When children were engaged in economic activities for long working hours under unsafe working conditions as well as in hazardous work, they were more likely to drop out of school. This could affect children's possibilities to access full general education and the chance to get decent work in the future.

► **Table 5.2.**

Children in hazardous work by school attendance

School attendance	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	100.0	100.0	100.0	100.0	100.0
Attending school	200,550	38.6	32.7	50.6	77.5	63.6	26.0
Out of school	311,881	60.0	66.2	47.2	20.0	34.7	72.8
Never gone to school	7,374	1.4	1.1	2.1	2.5	1.7	1.2

5.3. Causes for children in hazardous work's participation in economic activities

The reasons that cause children in child labour to engage in hazardous work while participating in economic activities were quite similar to those

of working children and children in child labour. However, children doing this type of hazardous work (39.6 per cent) tend mostly to work in order to generate income for their families. This is most evident in the group of children aged 15-17 years in which 44.7 per cent worked for the purpose of income generation.

► **Table 5.3.**

Causes for participation in economic activities by children in hazardous work

Causes	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	100.0	100.0	100.0	100.0	100.0
Income generation for oneself	64,996	12.5	13.1	11.4	4.8	2.3	16.3
Income generation for family	140,925	27.1	26.6	28.1	18.0	27.9	28.4
Desire for involvement in household's production and business process	148,479	28.6	27.1	31.5	61.3	38.0	20.9
Desire for apprenticeship	26,261	5.1	5.7	3.8	0.0	0.8	6.9
Non-school attendance	37,547	7.2	9.4	2.7	2.3	3.5	9.0
Others	7,457	1.4	1.3	1.8	0.0	0.5	1.9
Not classified	94,140	18.1	16.8	20.7	13.6	27.0	16.6

5.4. Economic sectors

Similarly to working children and children in child labour, children in hazardous work were found working in all three economic sectors; however, they were more concentrated in the industry and construction sector and showed a lower participation rate in the agriculture sector. The rate of children engaged in hazardous work in the

industry and construction sector was, respectively, 43.5 per cent, 1.8 times and 2.8 times higher than that of children in child labour and working children working in the same sector. At the same time, the proportion of children in hazardous work was lower in the agriculture sector and stood at 35.1 per cent, about 1.5 times lower than the corresponding rate of children in child labour and nearly 1.7 times higher than working children in the agriculture sector.

► **Table 5.4.**

Children in hazardous work by economic sector

Economic sector	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	67.2	32.8	11.6	17.6	70.8
Agriculture	182,618	35.1	70.9	29.1	11.7	21.8	66.5
Industry - Construction	226,198	43.5	66.3	33.7	9.6	13.3	77.1
Services	108,463	20.9	63.3	36.7	16.1	17.5	66.4
Not classified	2,526	0.5	39.3	60.7	0.0	96.0	4.0

5.5. Types of work

The survey results indicate 84 specific types of work that children in hazardous work participated in, of which 25 types attracted 79.3 percent of the total number of these children .

Of the 25 types of work where children in hazardous work were engaged, six of them were in the agriculture sector, attracting up to 41.2 per cent of these children; 12 jobs were in the industry and construction sectors, attracting 42.6 per cent; the remaining seven jobs were in the service sectors, attracting 16.2 per cent of these children.

► **Table 5.5a.**

Children in hazardous work by type of work

Code	Type of work	Number	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
11	Growing of annual crops	64,515	15.6	69.4	30.6	8.6	21.2	70.2
12	Growing of fruit trees	30,563	7.4	80.4	19.6	7.1	15.7	77.2
14	Animal raising	39,773	9.6	60.9	39.1	20.9	23.1	56.0
23	Gathering non-wood products and others from forests	8,430	2.0	61.1	38.9	15.9	19.8	64.3
31	Fishing	12,055	2.9	90.9	9.1	17.6	14.0	68.4
32	Aquaculture	14,596	3.5	86.4	13.6	10.6	26.3	63.1
107	Production of other food	6,137	1.5	57.0	43.0	36.5	38.4	25.1
139	Production of other textiles	9,032	2.2	24.5	75.5	14.6	42.9	42.5
141	Production of garments (except for the clothes made from leathers and skin of animals)	42,801	10.4	62.1	37.9	6.3	10.7	83.0
152	Production of footwear	6,156	1.5	23.2	76.8	0.0	10.5	89.5

Code	Type of work	Number	%	Sex		Age group		
				Male	Female	5-12 years	13-14 years	15-17 years
				%	%	%	%	%
162	Production of wood, bamboo, rattan products (except for beds, wardrobes, tables, chairs); production of straw products	11,776	2.9	63.1	36.9	14.3	16.5	69.2
170	Production of papers and paper-related products	15,861	3.8	36.2	63.8	59.1	1.0	39.9
222	Production of plastic products	5,719	1.4	70.6	29.4	0.0	6.5	93.5
239	Producing of unclassified non-metal mineral products	5,054	1.2	37.0	63.0	16.5	46.5	37.0
251	Production of metal components, barrels, tanks and boilers	6,760	1.6	100.0	0.0	0.0	0.0	100.0
310	Production of beds, wardrobes, tables and chairs	15,822	3.8	86.9	13.1	0.0	25.4	74.6
331	Repair and maintenance of prefabricated metal machines, equipment and products	4,729	1.1	91.7	8.3	0.0	8.0	92.0
410	Construction of houses of all types	45,620	11.1	97.0	3.0	0.0	7.2	92.8
471	Retail in department stores	12,571	3.0	50.3	49.7	12.7	17.3	70.0
472	Retail of food, beverages or tobacco, pipe tobacco in specialized stores	11,607	2.8	54.0	46.0	16.6	17.7	65.7
475	Retail of other home appliance in specialized stores	4,789	1.2	70.4	29.6	18.7	5.3	76.0
478	Mobile retail or retail at local markets	4,364	1.1	69.6	30.4	31.6	28.3	40.1
561	Restaurants and mobile catering services	14,648	3.6	46.7	53.3	14.5	29.7	55.8
562	Provision of irregular on-contract catering services and other catering services	7,464	1.8	54.2	45.8	7.6	14.4	78.0
963	Other uncategorized personal support services	11,514	2.8	58.7	41.3	23.7	14.2	62.1
Total number in 25 types of work		412,356	100.0	68.1	31.9	12.2	17.4	70.4
Total number in 84 types of work		519,805	100.0	67.2	32.8	11.6	17.6	70.8

Of the 16 types of work involving many children in economic activities, children in child labour and children in hazardous work, three of them attracted the highest total number of working children including children in child labour and children in hazardous work. These types of work

belong to the industry and construction sector, namely "Construction of houses of all types", "Production of beds, wardrobes, tables and chairs", and "Production of garments (except for the clothes made from leathers and skin of animals)".

► **Table 5.5b.**

Types of work involving children in economic activities, children in child labour and children in hazardous work

Code	Type of work	Working children	Children in child labour		Children in hazardous work	
		Number	Number	Percentage of working children	Number	Percentage of working children
11	Growing of annual crops	309,565	164,834	53.2	64,515	20.8
12	Growing of fruit trees	165,076	82,263	49.8	30,563	18.5
14	Animal raising	437,093	219,562	50.2	39,773	9.1
23	Gathering non-wood products and others from forests	26,262	13,539	51.6	8,430	32.1
31	Fishing	21,755	16,154	74.3	12,055	55.4
32	Aquaculture	28,139	17,563	62.4	14,596	51.9
107	Production of other food	20,350	10,505	51.6	6,137	30.2
141	Production of garments (except for the clothes made from leathers and skin of animals)	48,307	44,597	92.3	42,801	88.6
170	Production of papers and paper-related products	19,330	15,861	82.1	15,861	82.1
310	Production of beds, wardrobes, tables and chairs	17,412	15,822	90.9	15,822	90.9
410	Construction of houses of all types	45,620	45,620	100.0	45,620	100.0
471	Retail in department stores	87,162	31,563	36.2	12,571	14.4
472	Retail of food, beverages or tobacco, pipe tobacco in specialized stores	44,841	19,518	43.5	11,607	25.9
561	Restaurants and mobile catering services	83,628	41,543	49.7	14,648	17.5
562	Provision of irregular on-contract catering services and other catering services	15,519	13,104	84.4	7,464	48.1
963	Other uncategorized personal support services	19,946	17,672	88.6	11,514	57.7
Total number in 16 types of work		1,390,005	753,859	54.2	353,977	25.5

5.6. Working time per week

Of 519,805 children in hazardous work, 210,990, accounting for nearly 40.6 per cent of the total number of these children worked for 40 hours or more per week. Long hours of work are often likely to have a negative impact on children's physical and

mental health, and are thus considered a type of hazardous work. Most of these children worked for 40 hours per week and over and belonged to the 13-14 and 15-17 year age groups. The rate of male children in hazardous work working for 40 hours per week or more was 1.3 times higher than the corresponding rate of their female counterparts.

► **Table 5.6.**

Children in hazardous work by working time per week

Working time per week	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	100.0	100.0	100.0	100.0	100.0
≤ 5 hours	52,791	10.2	9.5	11.4	21.5	13.1	5.2
5 - ≤ 20 hours	140,204	27.0	22.8	35.6	58.8	44.6	19.8
20 - ≤ 40 hours	102,464	19.7	20.9	17.3	17.8	22.9	19.2
> 40 hours	210,990	40.6	44.1	33.4	1.9	14.3	53.5
Not classified	13,356	2.6	2.7	2.3	0.0	5.2	2.3

5.7. Working conditions

a) Working environment

Compared to working children and children in child labour, children in hazardous work were more likely to be in contact with harmful factors and/ or working environments which are unsafe for children. The survey results indicate that 36.4 per cent of these children worked in contact with

dust, rubbish, and smoke; 21.8 per cent worked in conditions with high levels of vibration and strong movement; nearly 13.9 per cent worked in extremely hot or cold work places; nearly 13.7 per cent were in contact with chemical substances. In addition, more than 6.2 per cent of these children worked on construction sites; nearly 5.6 per cent worked under water; and nearly 4.7 per cent worked in places that were high, over 3 meters, etc. These work places are often regarded as dangerous for children.

► **Table 5.7a.**

Children in hazardous work by working environment

Working environment	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Dust, rubbish, smoke	189,482	36.4	81.9	18.1	3.1	16.6	80.3
Gases, flammable and exposable substances	18,731	3.6	62.8	37.2	9.6	16.3	74.1
High level of vibration and strong movement	113,450	21.8	80.9	19.1	0.5	13.9	85.6
Extreme temperatures	72,360	13.9	82.5	17.5	6.9	19.0	74.1
Working under ground/in caves/tunnels	2,498	0.5	0.0	100.0	0.0	0.0	100.0
Working in high places (over 3 meters)	24,260	4.7	95.6	4.4	0.0	0.0	100.0
Working under water (ponds, lakes, ...) diving and offshore fishing	28,918	5.6	87.0	13.0	4.0	17.0	79.0
Too dark and too narrow work places	7,420	1.4	43.0	57.0	0.0	8.5	91.5
Contact with chemical substances (pesticides, glue, etc.)	71,033	13.7	61.4	38.6	15.9	13.6	70.5
Addictive substances (drug, etc.)	150	0.0	0.0	100.0	0.0	0.0	100.0
Working on construction sites	32,418	6.2	99.2	0.8	0.0	8.9	91.1
Working in smithies, medical metal casting workshops	6,165	1.2	96.4	3.6	0.0	0.0	100.0
Working in production workshops or running businesses on beverage/cigarettes	2,443	0.5	100.0	0.0	0.0	0.0	100.0
Others	2,357	0.5	78.9	21.1	0.0	17.8	82.2

b) Lifting heavy objects and operating machines

During the working process, some children in child labour had to lift heavy objects or operate machines and equipment for production. These factors seriously affect their physical development and safety and are considered heavy, dangerous and hazardous work.

The survey results estimate that nearly 21 per cent of children in hazardous work had to lift heavy

objects of 30 kilograms and over, while more than 18 per cent of them had to operate production machines and equipment during their working process. Although most of these children belonged to the 15-17 year age group, nearly 15.2 per cent belonged to the 13-14 year age group and nearly 28.3 per cent of the children doing such work were female. These are concerns that need to be addressed in order to ensure the safety of child workers and their full development.

► **Table 5.7b.**

Lifting heavy objects and operating machines during the working process

Total		%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
a. Lifting heavy objects							
< 8kg	11,301	2.2	75.1	24.9	47.8	39.7	12.5
≥ 8kg	2,603	0.5	73.3	26.7	16.4	31.2	52.4
≥ 10kg	10,924	2.1	76.2	23.8	37.4	22.5	40.1
≥ 12kg	2,322	0.5	79.7	20.3	14.0	26.6	59.4
≥ 15kg	8,858	1.7	25.5	74.5	27.3	44.5	28.2
≥ 20kg	12,725	2.5	81.7	18.3	18.0	17.6	64.4
≥ 25kg	10,729	2.1	71.3	28.7	0.0	24.7	75.3
≥ 30kg	108,174	20.8	87.2	12.8	1.3	15.2	83.5
b. Operating machines and equipment							
Yes	93,713	18.0	71.7	28.3	3.6	4.1	92.3
No	425,341	81.8	66.2	33.8	13.3	20.6	66.1
Not classified	752	0.1	49.7	50.3	49.7	0.0	50.3

5.8. Work locations

The work places of children in hazardous work are similar to those of working children and children in child labour. Nonetheless, the concentration of children in hazardous work in certain locations

was quite different. Compared to children in child labour, an increased proportion of the children in hazardous work were found working at their customers' homes, factories, workshops, or construction sites. These work places presented working conditions and environments which were inappropriate for children.

► **Table 5.8a.**

Children in hazardous work by work location

Work location	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	100.0	100.0	100.0	100.0	100.0
At children's homes	141,351	27.2	21.0	39.8	55.2	32.6	21.3
Customers' houses	44,266	8.5	12.0	1.4	2.7	4.6	10.4
Office	3,986	0.8	0.8	0.8	0.0	1.2	0.8

Work location	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Factories/production workshops	125,757	24.2	22.6	27.4	3.0	13.9	30.2
Farms/fields/gardens	56,153	10.8	12.5	7.4	9.9	11.1	10.9
Construction sites	8,636	1.7	2.4	0.2	0.0	2.2	1.8
Shop/Kiosk/Restaurants	18,796	3.6	4.2	2.5	6.5	1.9	3.6
Mobile work places	31,058	6.0	6.7	4.5	3.5	9.5	5.5
Fixed work places on streets or markets	10,943	2.1	2.1	2.2	2.5	2.6	1.9
Rivers/lakes/lagoons	17,345	3.3	4.6	0.8	5.1	3.2	3.1
Others	10,157	2.0	2.6	0.7	2.3	0.2	2.3
Not classified	51,357	9.9	8.7	12.3	9.3	17.0	8.2

The three work places where children were most at risk of child labour and hazardous work were: “Factories/production workshops”, “Construction sites” and “Rivers/lakes/lagoons”. Overall, the

survey found that 100 per cent of the total number of children working in these three workplaces were in hazardous work.

► **Table 5.8b.**

Work locations of working children, children in child labour and children in hazardous work

Work location	Working children	Children in child labour		Children in hazardous work	
		Number	Percentage of working children	Number	Percentage of working children
Total	1,754,066	1,031,944	58.8	519,805	29.6
At children's homes	588,992	255,236	43.3	141,351	24.0
Customers' houses	69,833	62,220	89.1	44,266	63.4
Office	7,009	7,009	100.0	3,986	56.9
Factories/production workshops	125,757	125,757	100.0	125,757	100.0
Farms/fields/gardens	235,337	124,839	53.0	56,153	23.9
Construction sites	8,636	8,636	100.0	8,636	100.0
Shop/Kiosk/Restaurants	69,281	49,902	72.0	18,796	27.1
Mobile work places	118,886	82,792	69.6	31,058	26.1
Fixed work places on streets or markets	33,010	21,785	66.0	10,943	33.2
Rivers/lakes/lagoons	17,345	17,345	100.0	17,345	100.0
Others	20,034	13,004	64.9	10,157	50.7
Not classified	459,946	263,419	57.3	51,357	11.2

5.9. Status in employment

Compared to working children and children in child labour, the employment status of children in hazardous work changed significantly, especially among the household workers group. Of 519,805

children in hazardous work, 47 per cent worked as paid workers and 40 per cent as household workers. More than 85.7 per cent working as paid workers belonged to the 15-17 year age group and over 73.6 per cent of them were boys.

► Table 5.9.

Children in hazardous work by status in employment

Status in employment	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total	519,805	100.0	67.2	32.8	11.6	17.6	70.8
Business owners	1,865	0.4	94.6	5.4	0.0	0.0	100.0
Own-account workers	14,046	2.7	47.7	52.3	0.0	25.7	74.3
Unpaid family workers	207,420	39.9	63.0	37.0	22.8	21.5	55.7
Paid workers	244,151	47.0	73.7	26.3	2.6	11.7	85.7
Not classified	52,323	10.0	57.8	42.2	12.5	28.2	59.3

5.10. The age at which children in hazardous work start to work

The age at which children in hazardous work start to work is higher than that of working children and children in child labour. Of 519,805 children in hazardous work, 59.3 per cent started to work at

the age of 14 years and over, and 16.2 per cent started to work at the age of 12 to 13 years old. 6.6 per cent started to work when they were younger than the age of 10. This compares with respective rates of 8 per cent for working children, and of 10.2 per cent for children in child labour of that age. It is important to note that over 2 per cent of children in hazardous work started to work when they were 5-7 years old, which is too young to start to work.

► Table 5.10.

The age at which children in hazardous work start to work

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
Total	519,805	100.0	349,208	100.0	170,597	100.0
5 years	350	0.1	350	0.1	0	0.0
6 years	1,372	0.3	122	0.0	1,250	0.7
7 years	8,796	1.7	1,495	0.4	7,301	4.3
8 years	11,009	2.1	6,523	1.9	4,486	2.6
9 years	12,443	2.4	4,891	1.4	7,552	4.4

Age	Total	%	By sex			
			Male		Female	
			Number	%	Number	%
10 years	24,298	4.7	11,599	3.3	12,699	7.4
11 years	28,302	5.4	20,630	5.9	7,672	4.5
12 years	46,502	9.0	25,211	7.2	21,291	12.5
13 years	37,545	7.2	24,306	7.0	13,239	7.8
14 years	87,989	16.9	65,146	18.7	22,843	13.4
15 years	106,126	20.4	83,959	24.0	22,167	13.0
16 years	78,542	15.1	57,882	16.6	20,660	12.1
17 years	35,716	6.9	24,490	7.0	11,226	6.6
Not classified	40,815	7.9	22,604	6.5	18,211	10.7

5.11. Income

Compared to working children and children in child labour, children in hazardous work had a higher

level of income. Estimates from the survey indicate that 49.6 per cent of these paid children had an average monthly income amounting to 3.5 million VND (US\$151) per month and more.

► Table 5.11.

Children in hazardous work by monthly income

Monthly income (1,000 VND)	Total	%	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Total number of children in hazardous work	519,805	100.0	67.2	32.8	11.6	17.6	70.8
Total number of children in hazardous work paid	222,573	100.0	73.7	26.3	2.0	12.3	85.7
<500	3,178	1.5	72.6	27.4	0.0	40.6	59.4
500 - <1.500	35,701	16.0	73.2	26.8	13.3	8.5	78.2
1.500 - < 2.500	18,938	8.5	89.9	10.1	0.0	41.1	58.9
2.500 - < 3.500	54,244	24.4	68.5	31.5	0.0	13.9	86.1
3.500 - < 4.500	48,604	21.8	81.1	18.9	0.0	3.3	96.7
≥ 4.500	61,908	27.8	71.5	28.5	0.0	2.5	97.5

5.12. Health and safety related issues of children in hazardous work

During the working process, children in hazardous work faced more occupational health and safety issues than working children and children in child labour. It should be noted that every child who works may experience one or more of the risks or injuries that affect their health. In this survey, the results indicate that common risks and accidents faced by these children include skin

related wounds and open wounds; dislocations, sprains, bruises; respiratory related diseases; and skin and eye related diseases. Up to 18 per cent of children in hazardous work suffered from skin related wounds or open wounds; 5.9 per cent experienced dislocations, sprains or bruises due to falling or bumping; over 3 per cent got respiratory diseases. The majority of those encountering risks and accidents during the working process belonged to the 15-17 year age group; however, skin and intestinal diseases occurred with greater frequency among younger children, particularly those of the 5-12 year age group.

► Table 5.12.

Children in hazardous work by health and safety related issues

Type of health and safety issues	Total	Per cent of the children affected	Sex		Age group		
			Male	Female	5-12 years	13-14 years	15-17 years
			%	%	%	%	%
Skin or open wounds	93,106	17.9	79.5	20.5	5.3	16.8	77.9
Dislocations, sprains, bruises	30,486	5.9	84.0	16.0	1.0	15.0	84.0
Burns by fire or water, swelling	7,782	1.5	55.0	45.0	4.6	35.9	59.5
Respiratory diseases	15,879	3.1	48.3	51.7	4.0	22.3	73.7
Eye diseases	6,893	1.3	62.3	37.7	0.0	15.1	84.9
Skin diseases	18,429	3.6	69.0	31.0	8.6	8.2	83.2
Intestinal diseases	5,182	1.0	59.9	40.1	5.9	0.0	94.1
Others	5,778	1.1	44.3	55.7	9.4	51.9	38.7



► Profile of households comprising children aged 5-17 years

6.1. Size of household and household economic circumstances

It is estimated that nationwide, 12,740,594 households comprised members aged 5-17 years, of which, 4,190,036 lived in urban areas and 8,550,558 in rural areas. The average size of

a household was 4.4 persons with 1.5 persons of the age 5-17 years. Viet Nam's current poverty rate is 6.1 per cent, with the poverty rate in rural areas at 8.3 per cent, about 5.5 times higher than that in urban areas. This is also a major cause for the greater prevalence of children's participation in economic activities in rural areas than in urban areas.

► Table 6.1.

Size of household and household economic circumstances of households comprising children aged 5-17 years

Geographical code	Total number of households	Size of household		Economic situation		
		Average household size (person)	Average household size with children aged 5-17 years (person)	Poor households	Nearly poor households	Non-poor households
				%	%	%
NATIONWIDE	12,740,594	4.4	1.5	6.1	4.3	89.6
Red River Delta	2,768,534	4.4	1.5	1.1	1.3	97.6
Northern Midlands and Mountains	1,841,505	4.5	1.5	18.9	8.6	72.5
North and South Central Coast	2,724,823	4.4	1.5	6.6	6.0	87.4
Central Highlands	838,474	4.5	1.7	12.4	9.6	78.0
Southeast	2,202,147	4.4	1.5	0.7	0.8	98.5
Mekong River Delta	2,365,111	4.3	1.4	3.9	4.0	92.1
URBAN	4,190,036	4.4	1.5	1.5	1.5	97.0
Red River Delta	1,106,614	4.5	1.5	0.5	0.6	98.9
Northern Midlands and Mountains	325,912	4.1	1.4	3.3	2.3	94.4
North and South Central Coast	729,292	4.4	1.5	2.9	3.3	93.8
Central Highlands	217,286	4.4	1.6	1.5	3.3	95.2
Southeast	1,278,134	4.4	1.4	0.6	0.3	99.1
Mekong River Delta	532,798	4.4	1.4	2.7	2.3	95.0

Geographical code	Total number of households	Size of household		Economic situation		
		Average household size (person)	Average household size with children aged 5-17 years (person)	Poor households	Nearly poor households	Non-poor households
				%	%	%
RURAL	8,550,558	4.4	1.5	8.3	5.7	86.0
Red River Delta	1,661,920	4.4	1.5	1.6	1.8	96.6
Northern Midlands and Mountains	1,515,593	4.6	1.6	22.2	10.0	67.8
North and South Central Coast	1,995,531	4.4	1.5	8.0	7.0	85.0
Central Highlands	621,188	4.6	1.7	16.2	11.8	72.0
Southeast	924,013	4.3	1.5	0.9	1.5	97.6
Mekong River Delta	1,832,313	4.3	1.4	4.3	4.5	91.2

6.2. Economic sectors of involvement of the households

Of the total number of 12,740,594 households comprising persons aged 5-17 years, over 2 per cent were running small-scale handicraft businesses. These households had registered for traditional handicrafts and industrial handicrafts and were engaged in producing hand-made and fine-art goods.¹⁶ In this survey, about 22.5 per cent of the households were engaged in several occupations at the same time, many engaged in at least two production and business activities. 14.8 per cent of the households were engaged in running businesses in the services sector which include small traders and/or services providers.

About 26.4 per cent were purely agricultural households which were only engaged in the production and business activities in the agriculture sector. The remaining, over 34 per cent, comprised other households that were not in the four groups mentioned above. These include households with members who were civil servants, officials, workers, or served in the armed forces, etc. The distribution of household types varies greatly between urban and rural areas. In urban areas, business households, those specializing in services provisions, multi-occupation households and other types of households were more prevalent. In contrast, in rural areas, households working in the agriculture - forestry - fisheries sector and multi-occupation households were more prevalent.

¹⁶ Normally, the handicraft industry forms and develops over generations with its own typical products.

► Table 6.2.

Economic sectors of involvement of households comprising children aged 5-17 years

Geographical code	Total number of households	Economic field				
		Handicraft households	Multi-occupation households	Service business households	Agriculture - forestry - fisheries households	Others
		%	%	%	%	%
NATIONWIDE	12,740,594	2.2	22.5	14.8	26.4	34.1
Red River Delta	2,768,534	3.4	28.7	16.5	9.7	41.7
Northern Midlands and Mountains	1,841,505	1.0	19.1	8.8	45.0	26.1
North and South Central Coast	2,724,823	1.9	23.7	15.2	31.3	27.9
Central Highlands	838,474	1.3	18.7	7.9	60.7	11.4
Southeast	2,202,147	3.2	23.2	18.2	7.2	48.2
Mekong River Delta	2,365,111	1.5	17.1	16.6	31.7	33.1
URBAN	4,190,036	2.1	21.3	22.8	6.5	47.3
Red River Delta	1,106,614	2.3	22.2	22.0	2.0	51.5
Northern Midlands and Mountains	325,912	1.6	15.5	20.4	9.6	52.9
North and South Central Coast	729,292	2.8	18.8	26.3	9.2	42.9
Central Highlands	217,286	0.9	20.8	19.1	35.1	24.1
Southeast	1,278,134	2.3	23.0	21.7	1.0	52.0
Mekong River Delta	532,798	2.1	22.1	25.1	11.6	39.1
RURAL	8,550,558	2.1	23.1	11.0	36.2	27.6
Red River Delta	1,661,920	4.1	33.0	12.8	14.9	35.2
Northern Midlands and Mountains	1,515,593	0.8	19.9	6.3	52.6	20.4
North and South Central Coast	1,995,531	1.6	25.4	11.1	39.4	22.5
Central Highlands	621,188	1.5	18.0	4.0	69.6	6.9
Southeast	924,013	4.6	23.4	13.2	15.8	43.0
Mekong River Delta	1,832,313	1.2	15.7	14.1	37.6	31.4

6.3. Sources of income of households comprising children aged 5-17 years

The household's income is considered as the total income of all household members who contribute to it and is often managed by the head of the household. Most households have more than one source of income. The survey results show

that households with persons aged 5-17 years were involved in agriculture, forestry and fishery activities (50.2 per cent) and non-agriculture activities such as business, trade, and services (33.7 per cent). The percentage of households with other sources of income beyond those mentioned above was low, ranging from 2-7 per cent. These sources of income included asset leasing, individual supports or governmental supports.

► **Table 6.3.**

Sources of income of households comprising children aged 5-17 years

Geographical code	Total number of households	Sources of income						
		Income from wages and salaries	Agriculture - forestry - fisheries activities	Non-agriculture business activities	Asset leasing	Individual supports	Governmental supports	Others
		%	%	%	%	%	%	%
NATIONWIDE	12,740,594	67.6	50.2	33.7	2.0	3.5	6.3	6.1
Red River Delta	2,768,534	77.0	42.6	39.1	2.1	2.6	5.8	10.2
Northern Midlands and Mountains	1,841,505	57.8	75.1	22.5	0.9	2.1	9.6	3.8
North and South Central Coast	2,724,823	70.5	60.1	33.8	0.9	3.5	10.0	6.5
Central Highlands	838,474	53.3	77.7	20.5	0.5	0.5	2.6	0.7
Southeast	2,202,147	75.1	15.0	40.2	2.9	3.1	3.2	6.4
Mekong River Delta	2,365,111	59.0	51.2	34.9	3.7	7.0	4.1	4.5
URBAN	4,190,036	74.2	15.9	44.2	2.9	2.9	6.5	10.9
Red River Delta	1,106,614	78.8	12.4	42.4	3.5	1.9	8.1	16.9
Northern Midlands and Mountains	325,912	74.8	24.0	39.4	2.1	1.4	8.5	9.0
North and South Central Coast	729,292	74.0	25.0	45.7	1.4	2.0	10.9	11.8
Central Highlands	217,286	56.4	54.9	34.4	0.7	0.3	1.0	0.9
Southeast	1,278,134	77.9	2.9	45.0	2.8	4.0	3.5	8.4
Mekong River Delta	532,798	63.1	21.2	51.1	5.2	5.8	5.0	8.7
RURAL	8,550,558	64.4	67.0	28.6	1.5	3.8	6.2	3.8
Red River Delta	1,661,920	75.9	62.7	36.8	1.1	3.1	4.3	5.7
Northern Midlands and Mountains	1,515,593	54.2	86.1	18.9	0.6	2.2	9.8	2.7
North and South Central Coast	1,995,531	69.2	72.9	29.4	0.7	4.0	9.6	4.6
Central Highlands	621,188	52.2	85.6	15.6	0.5	0.6	3.1	0.6
Southeast	924,013	71.2	31.8	33.7	3.0	1.8	2.7	3.6
Mekong River Delta	1,832,313	57.8	59.9	30.2	3.2	7.4	3.8	3.2

6.4. Awareness and attitude to children's participation in economic activities

Awareness and attitudes of parents with regard to children's participation in economic activities is a very important factor which influences their position on whether to allow their children to work or not. It is also the most important factor preventing children from labour exploitation and abuses.

The survey estimated that 41.8 per cent of parents were aware that children were allowed to participate in some age-appropriate work which does not affect their health, education or recreation. Parents also considered children's participation in age-appropriate work as a

measure to help children become more aware of the meaning and role of work in life. Nonetheless, the survey results also indicate that about 57.1 per cent of the parents believed that children should not be allowed to participate in any sort of work, even that which may not affect the child's development. In particular, less than 1 per cent of parents thought that children could participate in all kinds of work regardless of the type of job, or were not aware of the issue of children being able to work or not.

Given their level of awareness, 67 per cent of parents decided not to allow their children to participate in economic activities; 17.4 per cent decided to let children participate in appropriate work; and 15.6 per cent said that they did not know how to make a decision at the time of the survey.

► Table 6.4.

Parents' awareness towards child labour and their intention of letting children participate in economic activities

Geographical code	Total number of households	Awareness toward children's participation in economic activities			Decision on letting children participate in economic activities			
		Not allowed to participate in any work	Can participate in some age-appropriate work	Can participate in all types of work	Do not know	Will let children participate	Will not let children participate	Do not know/ have not made any decision
NATIONWIDE	12,740,594	57.1	41.8	0.9	0.2	17.4	67.0	15.6
Red River Delta	2,768,534	60.7	38.5	0.6	0.2	12.3	73.7	14.0
Northern Midlands and Mountains	1,841,505	45.2	53.6	0.8	0.4	25.6	55.3	19.1
North and South Central Coast	2,724,823	53.4	45.9	0.6	0.1	18.9	64.1	17.0
Central Highlands	838,474	48.0	50.6	1.3	0.1	29.4	55.2	15.4
Southeast	2,202,147	64.2	35.0	0.4	0.4	11.7	74.2	14.1
Mekong River Delta	2,365,111	63.1	34.9	1.8	0.2	16.4	68.9	14.7
URBAN	4,190,036	64.4	34.9	0.5	0.2	11.3	75.1	13.6
Red River Delta	1,106,614	65.9	33.9	0.1	0.1	7.7	79.5	12.8
Northern Midlands and Mountains	325,912	52.3	47.4	0.2	0.1	13.3	70.2	16.5
North and South Central Coast	729,292	62.0	37.1	0.7	0.2	15.5	67.7	16.8
Central Highlands	217,286	57.3	42.2	0.5	0.0	20.7	68.4	10.9
Southeast	1,278,134	67.5	31.8	0.5	0.2	9.3	79.0	11.7
Mekong River Delta	532,798	67.3	31.3	1.1	0.3	12.8	72.5	14.7
RURAL	8,550,558	53.6	45.1	1.0	0.3	20.4	63.0	16.6
Red River Delta	1,661,920	57.2	41.6	0.9	0.3	15.3	69.9	14.8

Geographical code	Total number of households	Awareness toward children's participation in economic activities			Decision on letting children participate in economic activities			
		Not allowed to participate in any work	Can participate in some age-appropriate work	Can participate in all types of work	Do not know	Will let children participate	Will not let children participate	Do not know/ have not made any decision
Northern Midlands and Mountains	1,515,593	43.6	54.9	0.9	0.6	28.3	52.1	19.6
North and South Central Coast	1,995,531	50.3	49.1	0.6	0.0	20.2	62.8	17.0
Central Highlands	621,188	44.8	53.6	1.5	0.1	32.4	50.6	17.0
Southeast	924,013	59.7	39.4	0.2	0.7	15.0	67.5	17.5
Mekong River Delta	1,832,313	61.9	36.0	2.0	0.1	17.4	67.9	14.7



► Conclusions and recommendations

7.1. Conclusions

1. The size of the population of working children and the accompanying trend show a positive change with the percentage of children aged 5-17 years classified as working children decreasing to 9.1 per cent in 2018 from 15.5 per cent in 2012. Nonetheless, in 2018, the proportion of working children doing hazardous work still reached 29.6 per cent and most of them are working in the industry, construction and service sectors.
2. In Viet Nam, child labour still exists and is prevalent in the informal sector, which is difficult to reach and address through law enforcement and interventions. Over 84 per cent of children in child labour lived in rural areas and over 43 per cent of them were involved in household work. Most of these children worked as unpaid workers in small scale production and business establishments in the informal sector, participating in supply chains by directly creating goods, products and services within small household enterprises.
3. The rate of children aged 5-17 years working in urban areas was low; however, once urban children participate in economic activities, most of them will become involved in child labour and, even worse, in hazardous work. This shows the severity of the child labour issue in urban areas and the necessity of applying the measures to eliminate child labour in hazardous work in urban areas as a priority.
4. The survey results indicate that households' economic conditions, poverty, and pressures on income generation are the major causes for children's participation in economic activities and child labour. Child labour is depriving children of educational and vocational training opportunities and puts them in the vicious circle of poverty and child labour.
5. The majority of working children are aged 15-17 years; however, more than 18 per cent of children in the 5-12 age group were still classified as children in child labour; these children are too young to participate in economic activities. Thus, essential measures need to be adopted as soon as possible to eliminate the involvement of children of this young age group in child labour.
6. The survey results indicate that children in child labour participated in 89 different jobs in all three economic sectors of the national economy, as well as in the production of many different types of goods and services. These children may be involved in the various stages/activities of a value chain because these can exist in small factories or households and are not necessarily detected by the corporations and big companies operating the supply chain and by state management agencies.
7. Awareness of and attitudes toward child labour are still limited and inconsistent among parents. This requires further awareness raising for households and parents to ensure that they make the right decision on allowing/disallowing their children to work. Moreover, awareness raising will help households and parents have a better understanding of the negative impact of child labour on child development and national interests. It will also contribute to the appreciation of the importance of complying with related laws and policies.
8. The criteria for working hours to determine child labour of the 2018 National Child Labour Survey applied the criteria according to the 2012 Labour Code, while the 2012 Survey applied them according to the 2007 Labour Code. However, the 2012 Labour Code Amendments to the 2007 Labour Code regarding these criteria¹⁷ should make a difference to those applied for measuring child labour between the two surveys. Therefore, it is not possible to assess the change in the child labour situation between the two surveys.

17 The 2012 Labour Code, Article 163 states "The working hours of minor employees from 15 full years of age to fewer than 18 years of age shall not exceed 08 hours in 01 day and 40 hours in 01 week. The working hours of minor employees less than 15 years of age shall not exceed 04 hours in 01 day and 20 hours in 01 week".

The 2007 Labour Code, Article 122 states "The normal working hours of a junior worker shall not exceed 7 hours per day or 42 hours per week".

7.2. Policy recommendations

Child labour is covered by Viet Nam's legislation and the country has made commitments to eliminate child labour in the international arena; however, child labour still exists in Viet Nam. From a policy perspective, the following recommendations are made:

1. Although, the issue of child labour has been concerned by the Party and State and concretized by the State's legal documents; however, it is necessary to continue to further refine the national legal system regulating child labour to make it relevant to national conditions and international legal regulations in the field of labour, forced labour and child labour; promote the implementation of child labour legislation, strengthen sanctions against violations related to the use of children in child labour in contravention of laws, especially as regards children under the age of 13 years.
2. Facilitate the application of various measures to support children in child labour in accessing general education and vocational education through government implementation of education support policies (policies on tuition fee exemption and reduction, subsidies for textbooks, books and school supplies, etc.).
3. Review the jobs in the agriculture sector where children work in order to identify and update the relevant list of hazardous work according to ILO Convention No. 138; develop and sustain a child labour monitoring system; develop a plan to support families living in disadvantaged circumstances. This plan can be integrated into the new national and grassroots socio-economic development programmes, the programmes on poverty reduction and new rural development to ensure that the families with children aged 5-17 years are supported to develop their own production and business activities and generate higher income. Once the living standards of households are improved, the proportion of children in child labour in the agriculture sector will decrease and the number of children continuing their school attendance will increase.
4. Implement livelihood support for poor and near-poor households with child labour; at the same time, organizing vocational guidance suitable for children in these households.
5. Strengthen the role and responsibility of businesses in eliminating child labour through measures such as establishing operational rules and organizing national forums on child labour, and getting enterprises to share information and identify challenges and successes; develop a Code of Conduct on the prevention and reduction of child labour; promote Viet Nam's compliance with international labour standards through signing new-generation Free Trade Agreements and national commitments with various countries and stakeholders.
6. Strengthen the implementation of the Prime Minister's Decision No. 1023/ QD-TTg dated June 7th 2016 approving the Scheme for the prevention and reduction of child labour in the 2016-2020 period and the upcoming Scheme for the prevention and reduction of child labour for the period 2021 to 2025.
7. Further develop and implement national programmes on child protection with a focus on: (1) developing child protection systems at three levels (prevention, interventions and support); (2) forming and maintaining a group of commune-level child protection officers in accordance with Decree No. 56/2017/ ND-CP dated May 9th 2017 which details a number of articles in the Law on Children.
8. Develop and implement a communication strategy on child labour to attract the attention of the entire society to the issue. Priority must be given to the parents of children, the education sector and the agriculture sector, with particular emphasis on communication, on international standards related to child labour, and prevention of child labour from entering the supply chain.
9. Strengthen the capacity of the Inspectorate Department of the Labour, Invalids and Social Affairs sector, step up inspection and examination, especially in the informal sector.
10. Overall, the best practice is to mobilize the participation and maximize the role of stakeholders with a specialized agency taking on a leading role to eliminate child labour. Therefore, it is necessary to develop mechanisms to mobilize the participation of stakeholders and strengthen interdisciplinary cooperation, particularly the coordination between MoLISA, programmes of education and training, the police, socio-political organizations, and enterprises at the national, provincial, district and community levels.

► References

Laws and policies on child labour of Viet Nam

- Directive No. 20/CT-TW dated November 5th 2012 of the Politburo on strengthening the leadership of grassroots party committees in the work of child protection, care and education in the next context
- Amended Labour Code 2012
- Civil Code 2015
- Criminal Code 2015
- Law on Children 2016
- Law on Marriage and Family 2019
- Law on Domestic Violence Prevention and Control 2007
- Decision No. 2361/QĐ-TTg dated December 22th 2015 of the Prime Minister approving the Program of Child Protection for the 2006-2020 period
- Decision No. 1023/QĐ-TTg dated June 7th 2016 of the Prime Minister approving the Program on Prevention and Reduction of child labour for the 2016-2020 period
- Circular No. 10/2013/TT-BLĐTBXH dated June 10th 2013 promulgating the list of occupations and conditions allowing the employment of children under 15 years of age
- Circular No. 11/2013/TT-BLĐTBXH dated June 11th 2013 of the Minister of Labour, Invalids and Social Affairs detailing a list of light work that the persons under 15 years of age can do

International treaties and conventions

- United Nations Convention on the Rights of the Child, 1990
- ILO Minimum Age Convention, 1973 (No.) and the Minimum Age Recommendation, 1973 (No. 146)
- ILO Worst Forms of Child labour, 1999 Convention (No. 182) and the Worst Forms of Child Labour Recommendation, 1999 (No. 190)
- ILO Resolution No. 2 concerning statistics of child labour, December 5th 2008
- ILO Domestic Workers Convention, 2011 (No. 189) and the Domestic Workers Recommendation, 2011 (No. 201)

Reports

- MoLISA. 2015. Viet Nam National Child labour Survey 2012 Report, Hanoi.
- ILO. 2017. Global Estimates of Child labour: Results and trends, 2012-2016, Geneva.

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ISBN: 9789220321904 (Web PDF)