

Committee: Special Conference

Issue: The issue of bonded labor

Student Officer: Katerina Seni

Position: Deputy President

Introduction

Bonded labor has been a very prevalent type of existing slavery for hundreds of years- and occurs when a person's labor is used as a means of repayment for a loan. Although it is illegal, this form of slavery exists and has become so widespread due to the extreme poverty and striving for survival which makes people desperate and vulnerable to exploitation and finally leads them to exchange their labor for a small amount of money or a loan. Marginalized groups and discriminated ones due to their ethnic origins or caste are mostly affected by bonded labor. Other causes of this issue apart from poverty and discrimination are social exclusion, lack of education and insufficient implementation of legislation. Bonded laborers are most of the times forced to work hard in order to repay their loans and it is often the case that the value of their work becomes

significantly greater than the original sum of money they owe. These people are not allowed to work for anyone else except for their initial employer from whom they have borrowed the money and their debts are often passed onto the next generations. Various forms of violence and threats are common ways that employers use for forcing them to stay and they are often even kept under surveillance or under lock and key. Most of the times

bonded laborers work in agriculture, in the logging industry, in factories, in mills, in brick kilns and they are often subject to sexual exploitation or forced to do domestic work. Millions of people are debt-bonded slaves worldwide and based on the International Organization a minimum 11.7 million people are bonded laborers in the Asia-Pacific region only.



Definition of Key-Terms

Labor: work and most of the times physical work

Forced Labor: Any type of labor (work or another service) in which someone is not voluntarily engaged and is forced or intimidated by threat and violence to stay.

Bonded labor: It is a special type of forced labor and mainly practiced in Asian and agricultural societies. This type of forced labor occurs when financial deals such as loans are closed and if the debtor, who is usually exploited by the creditor, is unable to repay, then they have to work for a defined or undefined period of time.

Slave: "a person who is owned by another person and is forced to work for them" (Oxford Dictionary)

Debt Bondage (debt slavery, peonage, bonded labor): A form of forced labor as a means of a debt repayment most of the times for an undefined period of time. The employer or the enforcer takes advantage of the worker by adding exorbitant interest and deliberately increasing the time of work that the individual should do for the repayment of the debt. In addition to that, debts pass on from generation to generation and as a result, a circle of poverty arises with no realistic chances for freedom.

Illegal: forbidden by the law

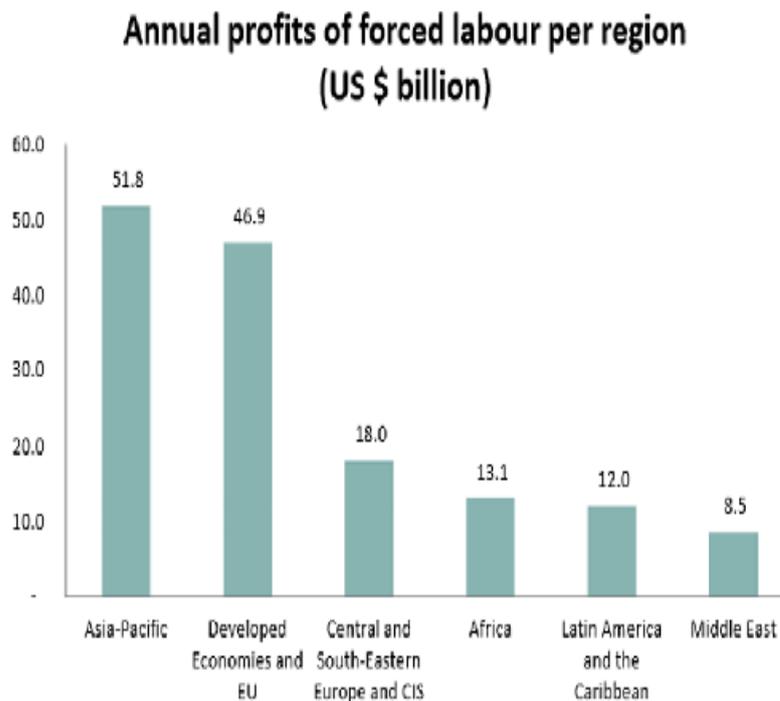
Involuntary Domestic Servitude: It occurs when a person becomes a domestic worker with little or no pay and without being able to escape. These individuals become the property of their employers or enforcers and apart from suffering from different types of violence, abuses and threats they are also isolated from any type of social network or even their family.

Background information

Short history of bonded labor

In classical antiquity bonded labor was a legal situation for which poor individuals or others with exorbitant debts "voluntarily" opted in order for them to avoid any other terms or types of repayment during the Greco-Roman world.

However, this concept has changed throughout the years with many individuals or groups of individuals taking advantage of vulnerable and minor groups and enslaving them and their families for the rest of their lives. Bonded labor is now illegal and the



Source: ILO

International Labor Organization with the Forced Labor Convention (Convention Concerning Forced or Compulsory Labor 1930) and seven more Conventions tackles this issue by prohibiting the use of forced labor. Although there are also

various national laws in affected countries forced labor is still prevalent with governments failing to tackle the issue mainly due to the corrupted police force or insufficient implementation of the national law. It is also worth mentioning that the exorbitant profits from bonded labor are an underlying reason why this type of slavery still exists.

Today the International Labor Organization estimates that 20,9 million people are victims of bonded labor globally from which:

- 18, 7 million are workers in the private sector including sexual exploitation, manufacturing, domestic work, agriculture, and construction.
- 11,4 million are girls and women whereas 9,5 million are men and boys
- 74% of all bonded laborers are adults and the remaining 26% are children
- 10% of all the victims and more specifically 2,2 million workers work under conditions that violate the ILO standards.

Most affected regions

Bonded Labor is a truly international problem since it affects less or more every country, however, statistics show that some particular regions are affected a lot more than others and thus there is an urgent need for intensified action in those

specific regions with Asia, for instance, containing more than a half of all victims of bonded labor. More specifically based on the International Labor Organization (ILO) the order of regions based on the prevalence of bonded labor (victims per thousand inhabitants) is the following:

- Central and south-eastern Europe (non-EU) and the Commonwealth of Independent States (4.2 per 1,000 inhabitants),
- Africa (4 per 1,000 inhabitants),
- Middle East (3.4 per 1,000 inhabitants),
- Asia-Pacific Region (3.3 per 1,000 inhabitants),
- Latin America and the Caribbean Islands(3.1 per 1,000 inhabitants),
- More Economically Developed Countries and Countries of the European Union (1.5 per 1,000 inhabitants).



Types of Bonded Labor

- Debt Bondage: (see Definition of Key Terms)
- Involuntary Domestic Servitude: (see Definition of Key Terms)
- Sex Trafficking and Commercial Sexual Exploitation of Children: recruitment and sexual exploitation that takes place both domestically and across international borders. Diseases such as HIV/AIDS, both physical and psychological trauma, unwanted pregnancy and possible death are some of the most common consequences of sex trafficking both for children and

adults. According to the ILO, 4.5 million people are victims of sexual exploitation

- **Child Labor:** the physical work and exploitation of children most of the times in hazardous for their health, psychology and schooling conditions. Child labor covers the demand for cheap labor since children are more easily manipulated and need much fewer resources for their survival. There are an estimated 168 million child laborers globally.
- **Slavery:** the condition in which a person becomes “property” of another and consequently a victim of forced labor.

Indicators of Bonded Labor

In order to determine whether a practice is considered bonded/forced labor or not we have to examine whether the working conditions are similar to those of other workers of a country for instance:

- Whether the wages paid are equal or above the minimum wage. If they are lower than the minimum wage of the country or than the amount that was initially agreed then the practice is considered as bonds.
- Whether the employer makes the improper deduction from the wages.
- Whether wages are directly paid to the workers.
- Whether daily working hours are within the terms of the law (8 hours per day 48 hours per week).
- Whether the worker has the right to choose overtime work. If this is the demand of the employer and it is not within the terms of the law then the employer is treating the worker as a bonded laborer.
- Whether the worker has the freedom of employment/movement so whether they can leave their current work and start working for another employer or move to start a new work.
- Whether the worker keeps his own identity documents such as passports, educational degrees, identity cards etc.)

Major countries and Organizations Involved

- **International Labor Organization (ILO)**
Operating since 1919 the International Labor Organization is a tripartite U.N. agency that unites the representatives and thus governments and employers of 187 Member States and aims at setting labor standards and developing policies and programs for ensuring proper work conditions for

every individual. The international labor standards, set by ILO, can be either conventions (legally binding international treaties) that countries are to ratify or recommendations (non-binding guidelines) that can either recommend how a convention can be applied or they can be autonomous i.e. not related to any convention. The Governing Body of the ILO has identified eight "fundamental" conventions that are related to basic principles of individuals and their rights to work with one of them being the "Forced Labor Convention (1930)" and its supplement "Abolition of Forced Labor Convention (1957)". ILO does also regular research and examines statistics concerning the evolution of bonded labor.

- **India**

A significant number of individuals and whole families become victims of bonded labor in India and more specifically they are most of the times workers from the poorest sections of the country's society who are recruited in order to repay a loan by an employer and are enforced to work for them for as long as the employer decides. Realistically, however, they remain forever in the 'employment'. The majority of India's bonded laborers works in the country's brick kilns. They are usually internal migrants, recruited from poorer regions, and usually belong to castes such as Dalits or indigenous groups and suffers from discrimination. The extreme imbalance between people from different castes fuels bonded labor in India and although it has been legally abolished since 1976 its prevalence indicates the weakness of the government's law enforcement since it is apparent that bonded laborers are "invisible" to the authorities.



- **Pakistan**

The majority of bonded laborers in Pakistan work in agriculture, brick kilns, in mines, in cottonseed production, and in the carpet industry. Based on estimations of the United Nations there are millions of bonded laborers in Pakistan and a research carried out by the Federal Bureau of Statistics in 2004 indicated that a 90 percent of the country's brick kiln workers were bonded laborers although it is a country that has ratified numerous international conventions against forced labor, slavery and debt bondage. For

instance under Article 11 of the Constitution of the Islamic Republic of Pakistan, "Slavery is non-existent and forbidden and no law shall permit or facilitate its introduction into Pakistan in any form. All forms of forced bonded labor and traffic in human beings are prohibited". Moreover, the "Bonded Labor System (Abolition) Act "in 1992 and the "Bonded Labor System (Abolition) Rules in 1995 are two more conventions that the government of Pakistan has enacted in order to eradicate the action of forced labor in the country.

- **Nepal**

Bonded labor is very prevalent in Nepal -despite its illegality- and the laborers mainly work in agriculture, brick kilns, they do domestic work or enter into other sectors such as small restaurants, embroidery shops or tea shops. There are many systems in Nepal which "fuel" bonded labor in the country, two of which being the following:

Kamaiya system: a traditional system of bonded slavery that is usually to be found in the western plains of Nepal. Kamaiya laborers are bonded by loans taken from their landlords which they cannot repay because they receive little if any wages and they are also encouraged to take additional loans in order to cover food or healthcare expenses which they will never be able to pay back. Although it has been legally abolished since 2002 it is still prevalent today. Despite its illegality the government has not managed to identify, release and rehabilitate the affected ones.

Aaliyah (tiller) system: mainly practiced in the western hills of Nepal the haliya or "tiller" system is an agricultural practice of bonded labor in which indebted bonded laborers work for their landlord with little or no pay. Although it has been abolished since 2008 its eradication in the interior parts of the country has proven to be unreachable and the ILO estimates that 20,000 people are haliya bonded laborers in far western Nepal.

- **Brazil**

Brazil is the country where bonded labor is very prevalent with many bonded laborers working for more than 14 hours for at least six days a week and receiving around US\$1 per day if paid. Although the Brazilian government established a Special Mobile Inspection Unit and rescued approximately 2.000 bonded laborers the persistence of bonded slavery in the country indicates the need for more intensified action.

- Paraguay**
 Based on the estimations of the International Labor Organization, 10 percent of Paraguay’s indigenous populations are victims of bonded labor as they compose only 1.7 per cent of the whole population. Approximately 8,000 indigenous people are engaged in types of forced labor or find themselves at risk of being involved in it. The country has done significant efforts for the elimination of all forms of forced labor such as strengthening legal protections for adolescents in order to eradicate child labor; however, there is still a high percentage of bonded laborers in the country.
- Bolivia**
 Bolivia is the country with the highest percentage of indigenous people in the world which together with many migrants become bonded laborers or are at risk, especially those in the Chaco region, of becoming forced labor victims in the country. Approximately 7,000 Guarani are subjected to forced labor in the Chaco Region only. Although Bolivia has done some “law enforcement efforts” against certain types of forced labor such as sex trafficking there is a need for adequate law enforcement and thus the government is running a project for this exact reason.
- Peru**
 Forced labor has significantly affected the Peruvian population. More specifically 75 percent of all indigenous people are affected with 33,000 people being subject to forced labor in the logging industry only. According to US non-profit “Verite” one fifth of the gold that is exported from Peru is illegally mined with forced laborers working continuously and under unhealthy working conditions. The need for intense efforts both by the Peruvian government and by the international community for the protection of these people is apparent.

Timeline of events

| Date | Description of event |
|------|---|
| 1919 | The International Labor Organization (ILO) is founded for the establishment of global labor standards |

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| 1930 | Forced Labor Convention |
| 1956 | The supplementary Convention on the Abolition Of Slavery |
| 1962 | Saudi Arabia and Yemen abolish Slavery |
| 1976 | India passes a law which bans bonded labor |
| 1990 | Cairo Declaration on Human Rights in Islam is formally adopted at the 19 th Conference of foreign ministers of the organization of the Islamic conference |
| 2005 | ILO estimates the number of Slaves at a 12.3 million worldwide whereas it updates the information in 2012 and reports a 20,9 million slaves worldwide |
| 2015 | The UN adopts 17 Sustainable Development Goals, and 169 targets that include ending slavery. |

Relevant UN Treaties, Resolutions, and Events

Cairo Declaration on Human Rights in Islam:

After being embraced by 54 countries in the 1980s, it was formally adopted by the 19th Conference of Foreign Ministers of the Organization of the Islamic Conference in 1990 and states that: "Human beings are born free and no one has the right to enslave, humiliate, oppress or exploit them"

Forced Labor Convention 1930 (No.29)

It is a fundamental convention of the ILO that outlaws each and every form of forced and compulsory labor with its definition being: "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." However, there are also some exceptions concerning required work by compulsory military service, minor services for the interest of the community, emergency cases, and a conviction in a court of law or normal civic obligations. Additionally, the convention requires that the illegal

practice of forced labor is a penal offense and thus be accordingly punishable and that all the ratifying states take action in order to ensure that there are adequate and strictly enforced penalties imposed by the law.

Abolition of Forced Labor Convention 1957 (No.105)

It is a fundamental convention that outlaws forced or compulsory labor as a means of punishment for the expression of political views or generally views that don't meet the standard and prevailing ones in the economic, political and social stage, as a means of political persuasion and education, as a method of economic growth, labor discipline, as a means of strike eradication or expression of any type of discrimination.

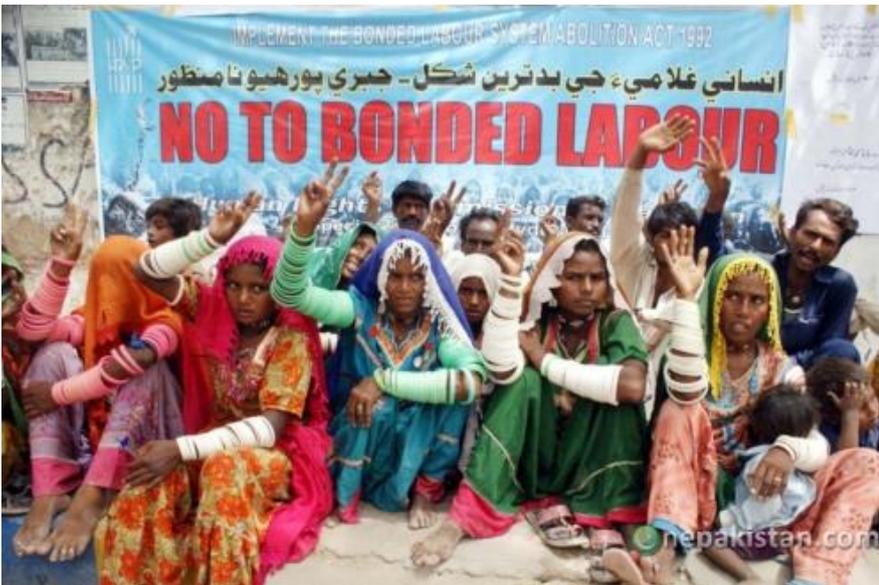
Protocol of 2014 to the Forced Labor Convention 1930 and Forced Labor (Supplementary Measures) Recommendation, 2014 (No.203)

This new legally binding protocol concerning Forced Labor, with the support of a Recommendation (No.203) focuses on the advancement of the preclusion, eradication, protection and compensation measures and on intensifying actions for the elimination of the contemporary forms of slavery.

Previous Attempts to solve the Issue

Stopping bonded labor has been a major issue for the global community throughout the years. The efforts of the International Labor Organization and of the United Nations that date back to the 1920s under the request of the League of Nations are of very high significance. First of all the Forced Labor Convention 1930, adopted by the International Labor Organization, and then the 1950s when attention was given to other forms of forced labor, either as a means of punishment or as traces of the agricultural feudalism which was very prevalent at that time, where two determining stations for the efforts to eradicate bonded labor.

In 1956 the United Nations took action and responded with a Convention for the abolition of slavery and the next year, 1957, ILO responded with the "Abolition of Forced Labor Convention (No.105)" It is also worth mentioning that the United Nations still tries to eliminate bonded slavery and one typical example is that it has included the end of slavery in its 17 Sustainable development goals with the 169 targets in 2015.



The international community with the governments U.N. agencies and its NonGovernmental Organizations has taken serious action on the issue of eradicating bonded labor. Governments sign and ratify conventions concerning this issue and they have also declared any type of forced labor

illegal. However bonded labor is still persistent and there is a very high percentage of victims even in countries that have adopted strict legislations against it.

Many national and international organizations establish charities and campaigns that aim at raising public awareness and encouraging people to contribute to the eradication of forced and bonded labor. Such organizations are "Anti-Slavery International", "Walk Free", "Free the Slaves", "End Slavery Now" and much more.

Possible Solutions

The intense persistence of bonded labor even after so many legislations, conventions and major efforts for the preclusion and eradication of the problem is an apparent proof that we should intensify our efforts and come up with more effective solutions that will manage to eradicate bonded labor both from its core and from other factors that "fuel" its existence.

The main cause of the problem, and thus its core, is the extreme poverty and lack of education that makes individuals and groups of individuals unaware of their rights and liberties, desperate and thus vulnerable to exploitation. We should try to secure rehabilitation and empowerment both economic and social to all those that belong to the "lower castes" and find ways to remove the barriers to their access to justice and ensure their participation in the processes of decision making. The most vulnerable ones to slavery and bonded labor should be a priority when finding measures to stop it and therefore we should take into account their specific needs and based on that ,adopt a human rights-based approach to our development programs.

Another issue that has to be tackled is discrimination. Coming up with institutional, legal and policy measures and adopting a multidimensional approach in order to

combat discrimination that is associated with customs and beliefs, prejudices and value systems would be an effective way for eliminated bonded labor.

Another significant measure that has to be taken is accelerating a sufficient and effective implementation of the already existing laws, legal systems, programs, policies and conventions with the support of the international community in order to guarantee the protection of human rights and their access to justice, healthcare and resources. Unfortunately, the police force of many countries is corrupted and the nation is unable to control the implementation of laws alone thus we should highlight the significance and urgent need for assistance by the global community for the acceleration of a common goal.

We should finally not forget that raising awareness about slavery, forced and bonded labor would not only make individuals and whole nations aware of slavery, its causes, effects and encourage them to assist in a variety of ways in the eradication of forced labor but it would also inform the ones that are already victims or belong to these "lower castes" about the issue and how they can take action in order to change their "fortune". So media campaigns, charities, and programs might be an effective way to combat bonded labor and other forms of forced labor and slavery.

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