

## What is forced labour, human trafficking and slavery? Do definitions matter, and why?

### Glossary of international legal definitions

Date: 21 April – 2 May 2014, Venue: <http://apflnet.ilo.org/discussions>

---

<b>Child servitude</b>	Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour. (Article 1(d), <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i> , 1956.)
<b>Child trafficking</b>	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 in Article 3(a) of the Trafficking Protocol. (See <b>Trafficking in persons</b> .) (Article 3(c), <i>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime</i> , 2000.)
<b>Debt bondage</b>	The status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined. (Article 1(a), <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i> , 1956.)
<b>Enslavement</b>	The exercise of any or all of the powers attaching to the right of ownership over a person, and includes the exercise of such power in the course of trafficking in persons, in particular women and children. (Article 7(2)(c), <i>Rome Statute of the International Criminal Court</i> , 1998.)
<b>Exploitation</b>	(See <b>Trafficking in persons</b> .)
<b>Forced labour</b>	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. (Article 2(1), <i>Forced Labour Convention</i> , 1930 (No.29).)  Forced labour does not include: (a) compulsory military service for work of a purely military character; (b) normal civic obligations; (c) compulsory labour of convicted persons, carried out under the supervision and control of a public authority and provided that the persons are not hired to or placed at the disposal of private individuals, companies or associations; (d) cases of emergency, including war and calamities, such as fire, flood or famine; and (e) minor communal services performed by the members of the community in the direct interest of the community (Article 2(2), <i>Forced Labour Convention</i> , 1930 (No.29).)

<b>Serfdom</b>	The condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status. (Article 1(b), <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i> , 1956.)
<b>Servile marriage</b>	Any institution or practice whereby: <ul style="list-style-type: none"> <li>(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or</li> <li>(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or</li> <li>(iii) A woman on the death of her husband is liable to be inherited by another person. (Article 1(c), <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i>, 1956.)</li> </ul>
<b>Slave trade</b>	All acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves. (Article 1(2), <i>Slavery Convention</i> , 1926.)
<b>Slavery</b>	The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. (Article 1(1), <i>Slavery Convention</i> , 1926.)
<b>Trafficking in persons</b>	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. <b>Exploitation</b> 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. (Article 3(a), <i>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime</i> , 2000.)
<b>Worst forms of child labour</b>	<ul style="list-style-type: none"> <li>(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;</li> <li>(b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;</li> <li>(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;</li> <li>(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. (Article 3, <i>Worst Forms of Child Labour Convention</i>, 1999 (No. 182).)</li> </ul>