

# SEE Questionnaire

## Human Rights Q1



## Does your company have a policy to ensure that neither the company nor its suppliers or contractors use forced, bonded or child labour?

Question developed with [ActionAid](#)

### Rationale for question

The International Covenant on Civil and Political Rights and subsequent human rights documents set out protection against servitude and forced labour as a fundamental human right, i.e. a right from which there can be no derogation. It can never be right to tolerate forced labour in the supply chain.

Forced and bonded labour is not an issue limited to companies operating in developing countries. For example, research from [Anti-Slavery International](#) has uncovered forced labour in the United Kingdom. The NGO explains that forced labour occurs primarily in industries that depend on casual and temporary labour, offer low-wages and predominantly subcontract, which often makes it hard to track supply chains. Forced labour is most likely to be found in agriculture (along with related businesses, such as food processing, packaging and shellfish picking), construction, services (restaurants, hotels), domestic work, nursing and care, and the sex trade. In addition to the damage to the individual, society also suffers the effects of the criminal activity generally associated with forced and bonded labour.

Some forced or bonded labourers may be children. However, other children may take on work 'voluntarily' as a means for survival. As pointed out by the [United Nations Children's Fund \(UNICEF\)](#) and other child and labour advocacy groups, the question of acceptable and unacceptable work done by those under 18 years old is a complicated one that is dependant on numerous factors, including the child's age, type of work, and conditions of work.

### Defining terms

As stated in International Labour Organisation (ILO) Convention No. 29 concerning Forced or Compulsory Labour, 'forced labour' is 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. The individual may be paid little or no wages for the work. Another example is an employer holding the identity papers or travel documents of workers so they are unable to leave their employment.

One form of forced labour is 'bonded labour', which is work exacted from a person as means of repayment for a loan or a debt. Such bondage is designed to hold the person in perpetual servitude, long after the value of the original debt has been paid off. It may even be inherited. Debt bondage is the most widely used method of enslaving people, with at least 20 million bonded labourers around the world according to the ILO.

According to the United Nations Convention on the Rights of the Child, 'child labour' is work done by children that amounts to economic abuse (e.g. unpaid work) and/or work that is likely to be hazardous, interfere with the child's education, or harm the child's health or physical, mental, spiritual, moral or social development.

'Light work' will not be considered as child labour for the purposes of this question. The ILO identifies 'light work' as work that is not likely to be harmful to children's health or development and not likely to be detrimental to their attendance at school or vocational training.

**Primary and Secondary answer requirements**

**ANSWERING YES**

Companies must:

1. describe their policy against the use of forced, bonded or child labour in their operations and those of their suppliers and sub-contractors;
2. explain how they communicate the policy to workers and suppliers; and
3. specify how they ensure that the policy is being observed, e.g. through independent verification and/or contract specifications.

Companies may:

1. state where this policy is published and provide a hyperlink, if available;
2. describe any other good practice they implement, such as setting out directives to follow should forced, bonded or child labour be discovered in the supply chain and ensuring that adequate returns are given to suppliers; and
3. state whether they are members or supporters of any organisations seeking to improve labour standards in supply chains.

**ANSWERING NO**

Companies must:

1. explain why they do not or cannot answer YES to this question, listing the business reasons, any mitigating circumstances or other reasons that apply.

Companies may:

1. explain the extent to which they do follow any of the practices detailed above; and
2. mention any future intentions regarding this issue.

**DON'T KNOW** is not a permissible answer to this question.

**NOT APPLICABLE** is not a permissible answer to this question.

**NO ANSWER YET** is only permissible under extraordinary circumstances and then for only a limited period.