EMERGING EVIDENCE REPORT 3

ADDRESSING INFORMAL LABOUR INTERMEDIARIES IN THE CONTEXT OF CHILD LABOUR: EVIDENCE REVIEW ACROSS NEPAL, BANGLADESH, AND MYANMAR

Raudah M. Yunus
June 2020

ABOUT THIS REPORT

This Emerging Evidence Report gathers and analyses evidence on informal labour intermediaries (ILIs) involved in facilitating the worst forms of child labour in three countries – Bangladesh, Nepal, and Myanmar. More specifically, it attempts to identify who the ILIs are and how they work, and what interventions exist to address them. A systematic literature review was conducted, focusing on academic and grey literature from various sources within the last ten years. Findings showed that ILIs are mostly individuals known and close to the child. They can be parents, siblings, relatives, neighbours, friends, village members, influential figures in the community, etc. To some extent, ILIs and their modes of operating vary according to the work sector and location. Their roles and motives also differ; some are exploitative while some are well intentioned. Most existing interventions have targeted the more formal recruitment agencies at the upper end of the labour supply chain, while the more informal intermediaries remain largely unaddressed/under-discussed.

Authors

Raudah M. Yunus, Department of Public Health Medicine, Faculty of Medicine, Universiti Teknologi MARA (UiTM), Malaysia

Reviewers

Dr Amrita Saha (Institute of Development Studies) and Dr Pauline Oosterhoff (Institute of Development Studies)

Suggested citation

Yunus, R.M. (2020) *Addressing Informal Labour Intermediaries in the Context of Child Labour: Evidence Review across Nepal, Bangladesh, and Myanmar*, CLARISSA Emerging Evidence Report 3, Brighton: IDS

The Child Labour: Action-Research-Innovation in South and South-Eastern Asia (CLARISSA) is a consortium of organisations committed to building a participatory evidence base and generating innovative solutions to the worst forms of child labour in Bangladesh, Myanmar, and Nepal.

CONTENTS

ACKNOWLEDGEMENTS

ACRONYMS

AES adult entertainment sector

BSAF Bangladesh Shishu Adhikar Forum

CDW child domestic work(er)

CLARISSA Child Labour: Action Research in South and South Eastern Asia

CSE commercial sexual exploitation

CTDC Counter-Trafficking Data Collaborative

DFID Department for International Development

DWCP Decent Work Country Programme

ILI informal labour intermediary

ILO International Labour Organization

IOM International Organization for Migration

IRIS International Recruitment Integrity System

NGO non-governmental organisation

PRA private recruitment agency

PTSD post-traumatic stress disorder

SCT supply chain transparency

WFCL worst forms of child labour

Section 1:

INTRODUCTION

1 INTRODUCTION

Labour intermediaries or labour recruiters are individuals or organisations that connect a person seeking employment to the employer. They refer to both private and public entities that offer labour recruitment services (Andrees, Nasri and Swiniarski 2015). The former are independent of public authorities, and can be formal such as registered employment agencies or informal such as illegal sub-agents and brokers. Informal labour intermediaries (ILIs) are generally unregistered and may comprise small enterprises or individual brokers who recruit workers in remote areas that the larger private recruitment agencies (PRAs) cannot reach. PRAs are generally located in big cities and thus rely heavily on these sub-agents and brokers to obtain clients and sustain their businesses. There is a wide spectrum of ILIs, ranging from criminal networks and traffickers to semi-legal private agencies or individual middlemen (Chakrabarty and Grote 2009).

In Nepal, there are approximately 1,000 licensed PRAs, mostly based in the capital city of Kathmandu, and 30,000 unregistered brokers acting as intermediaries between potential workers and employment agencies (Baumann and Dharel 2014). In Bangladesh, there are almost 900 recruitment agencies in operation, along with a large number of sub-agents and intermediaries across the country (ILO 2014). In Myanmar, while the number of unregistered brokers is difficult to determine, 259 employment agencies are licensed by the country's Ministry of Labour, Immigration and Population (ILO 2018). Most of these PRAs send migrant workers to foreign countries and perform various tasks and transactions related to the migration process. While not all PRAs – including sub-agents and brokers – are fraudulent, many forms of abuse, deception, and exploitation have been extensively documented. Common violations include employment contract substitution, 'false promises' of high salary, exorbitant recruitment fees, and confiscation of identity documents (IOM 2015). In extreme cases, aspiring workers – including children – become trapped in forced labour, as they are trafficked into different sectors such as domestic work, the fishing industry, and commercial sexual exploitation (CSE).

In the context of child labour, the type and role of labour intermediaries vary according to the job sector or industry in which the child is exploited, or whether international vs internal migration occurs. Common types of the worst forms of child labour (WFCL) in Bangladesh, Nepal, and Myanmar occur in the agricultural sector, brick kilns, the seafood industry, garment factories, domestic work, CSE, army recruitment, and many other sectors. Each of these sectors has its own dynamics of recruitment, with some degree of overlap. For example, involvement of children in brick kilns in Nepal usually happens through recruitment of the head of the family when a loan is taken from a contractor (Lieten *et al.* 2010), while recruitment into child domestic work (CDW) in Myanmar is sometimes facilitated by teachers and monks (ILO 2019d). International border-crossing involving children is often mediated by traffickers (under different guises) when the migration is irregular, and PRAs when legal channels are attempted. In this review, discussion on child labour in the context of international migration is limited by the relatively small amount of evidence found.

One common notion in the narratives of child labour and exploitation is the perpetrator being a stranger to the child, forcing him or her into labour through trafficking or abduction against the family's knowledge and will. However, growing evidence shows a different picture. Worldwide, the Counter-Trafficking Data Collaborative (CTDC) reported family complicity in almost half of child-trafficking cases (United Nations 2017). In Nepal, entry of minors into the adult entertainment sector (AES) is said to be largely facilitated by friends and relatives rather than the more formal 'labour intermediaries' or 'brokers' (Oosterhoff and Hacker 2020). It has also been reported that many CSE cases among young girls occur through jobs made possible with the help of someone close to them such as a female relative or sibling with prior experience in the sex industry (GMACL 2014). Similarly, child domestic workers (CDWs) in Bangladesh are said to be given away by parents to employers – facilitated by relatives or neighbours – at times for economic reasons or in the hope of protecting and giving the child access to education (Chodhuary, Islam and Akter 2013). In other instances, children migrate from the village to the city to find work – with friends or peers as intermediaries – but end up in hazardous and exploitative working conditions.

Despite the various legislations and initiatives such as mandatory registration and licensing, regulating the recruitment industry has been difficult due to the continued presence of ILIs. ILIs are not easy to detect given their operation outside the legal framework, without any legal identity or fixed premises. The heavy dependence of formal PRAs on ILIs is another factor; it is much easier, faster, and cheaper for recruitment agencies to obtain clients through ILIs than having to manage offices in remote areas. By using ILIs, recruitment agencies can also easily escape regulatory oversight

and avoid taking responsibility for any complaints or occurrences of fraud during the recruitment process (IOM 2015). In the context of child labour, the highly informal setting and relationships involved – along with socio-cultural norms that permit it – have rendered the identification of intermediaries and intervention efforts even more problematic.

This review aims to gather and review existing evidence on ILIs in the context of WFCL in Nepal, Myanmar, and Bangladesh. Findings are meant to support the Child Labour: Action Research in South and South Eastern Asia (CLARISSA) research programme led by the Institute of Development Studies (IDS), and inform policymaking. Specific objectives of this review are to:

• **Identify ILIs, describe their characteristics, and understand how they work;**

• **Study the outcomes of ILI-mediated labour or migration;**

• **Identify existing interventions that target labour intermediaries – formal and informal – linked to WFCL; and**

• **Study the outcomes of these interventions.**

The report is structured as follows. Following this introduction, Section 2 outlines the methodology used. Section 3 examines the background and driving factors of ILIs and their types, characteristics, and modes of operating in each of the three countries. It then looks at the outcomes of ILI-mediated labour or migration and the interventions that address formal and informal labour intermediaries. A discussion follows in Section 4 and the report concludes by outlining the report's limitations.

THIS PAGE IS INTENTIONALLY LEFT BLANK

Section 2:

METHODOLOGY

2 METHODOLOGY

The political economy framework with sector-level analyses was adopted in this review (DFID 2009). To understand the role of ILIs in the context of WFCL, a broad overview of political and economic processes in Nepal, Bangladesh, and Myanmar was initially obtained. This was followed by attempts to unpack power imbalances, interests, and incentives of different groups (e.g. child workers vs employers, or child vs recruiter), roles of formal and informal institutions (e.g. PRAs vs informal brokers), and impacts of values and ideas (*ibid*.) (e.g. social norms that enable child labour or discriminate against girls) – all of which provide clues to the research questions. Sector-level analyses categorised findings according to country and job sector/industry; for example, CDW, brick kilns, garment factories, etc. Based on each sector/industry, ILIs were identified and characterised.

This review gathered evidence from within the last ten years (January 2010 to March 2020) through a desk-based search that comprised mainly three tracks: academic literature search, snowballing, and capture of grey literature. Search in academic databases was performed using a set of terms in *title/abstract/keywords*. The complete list of search terms and their combinations can be seen in Annexe B.

Snowballing involved scanning through the list of references of selected publications to identify potential papers. Relevant works previously known to the author were also gathered and a backward citation was performed on their bibliographies. Similarly, the references of all identified systematic reviews were screened.

Capture of grey literature included a thorough search of databases and websites to look for publications other than peer-reviewed journal articles, such as policy documents, donor and government reports, proposals, evaluations, and many more. While searching for grey literature, a more flexible approach was adopted; search terms mentioned were not followed strictly, rather they were modified or combined differently according to what the database/website search function permitted.

Selection criteria included: (a) studies/reports/webpages that mentioned any form of intervention or programme targeting labour intermediaries or the recruitment industry in Nepal, Bangladesh, or Myanmar; (b) studies that described why (causes and risk factors) and how (processes and pathways) WFCL occurs; (c) evaluation reports on programmes related to child labour or the recruitment industry; (d) studies or reports that discussed issues related to labour rights, codes of conduct, or recruitment guidelines within the context of Southeast Asia or South Asia; and (e) studies that addressed CSE within Nepal, Bangladesh, or Myanmar from any perspective. The following were excluded: studies with only abstracts available, conference proceedings, reviews on WFCL without specification of a country or location, and reviews or articles on labour intermediaries that did not specify a country or location.

Sources of academic and grey literature were:

- **Academic databases: Web of Science, Scopus, CINAHL, Social Policy and Practice;**
- **Online research libraries: 3ie Impact Evaluation Repository, BRIDGE Global Resources, ELDIS;**
- **UN/banks/government agency websites: International Organization for Migration (IOM) publications/external evaluations, International Labour Organization (ILO) publications/project evaluations, Department for International Development (DFID) Research for Development Outputs, UNICEF Data and Evaluation Database, and United States Department of Labor (USDOL);**
- **Donor/non-governmental organisation (NGO) websites: The Freedom Fund (monitoring and evaluation), Walk Free Foundation Resources, Free the Slaves (monitoring and evaluation), Save the Children (research and reports), Terre des hommes (publications), Global March Against Child Labour (research and publications), Bangladesh Shishu Adhikar Forum (BSAF), and Aparajeyo;**
- **Systematic review databases: 3ie, Cochrane (CDRS), Campbell, EPPI Centre; and**
- **Google and Google Scholar.**

Publications/studies/reports included were restricted to the context of Bangladesh, Nepal, and Myanmar, and those written in English. Types of WFCL covered in this review are the brick kilns industry; the seafood industry; the carpet, leather, and garment sector; portering; child domestic work (CDW); and child trafficking mainly for CSE. The topic of child soldiers or recruitment of children for use in armed conflicts is beyond the scope of this report. Definition of key terminologies and concepts such as the worst forms of child labour (WFCL), labour recruiter, private recruitment agency (PRA) and others are available in Annexe A. In this review, the definition of an intermediary is broad: it encompasses any individual, group, or entity – whether or not they are considered a labour recruiter or view themselves as such – that offers, assists, facilitates, or mediates employment for a potential (child) worker.

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

Section 3:

FINDINGS

3 FINDINGS
3.1 Background and driving factors of ILIs

The continued presence of ILIs who facilitate child labour is attributed to a number of factors. Other than poverty, these include elements that push children into labour and pressure from the demand side. Despite the diversity in economic and socio-cultural circumstances across the three countries under study, some similarities are evident. They include: poverty and lack of social protection among the poor; limited access to formal education; widespread existence of informal, unregulated industries and job sectors; employers' preferences for youths or children; dependency of formal PRAs on ILIs; familiarity of rural families with ILIs; and social acceptance. To a great extent, these factors have enabled the continued presence of ILIs and made them an inherent part of society.

For instance, in Bangladesh's seafood industry, informal recruitment may have thrived for several reasons. Due to its high concentration in specific localities and availability of job opportunities, many parents persuade their children to engage in work as a way of increasing family income. This practice is reinforced by the high rates of school dropouts, and employers' preferences for children because they are a source of cheap labour and said to be more obedient and less likely to organise themselves to demand for rights (Ferdousi and Faruk 2016). In addition, the highly informal setting and nature of the industry and surrounding entities make it difficult, if not impossible, to formalise recruitment practices. Similarly, the huge presence of garment factories in Bangladesh – many unregistered – has created a lot of demand for female workers, to which ILIs bring young girls from villages for work. Most of these ILIs are known to the children or their families – they are often friends, existing workers, relatives, or neighbours – and out of trust, parents are not hesitant about letting their children go.

Another example of how ILIs emerge and remain relevant can be seen in the need for child protection in times of political crisis – a commonality between Nepal and Myanmar – and natural disasters, a common problem in Nepal and Bangladesh. The armed conflicts in Myanmar which mostly affected ethnic minorities were said to have forced many poor families to send away their children to the cities and place them either in Burmese households to work as CDWs or in the monasteries where they are managed by monks. Monks have been reported to act as ILIs supplying CDWs to urban families who, in turn, prefer children as they are seen as being more honest,

obedient, and easy to handle compared to adult workers (ILO 2019d). Likewise, evidence shows that both the civil war between Maoists and the Nepalese government and the 2015 earthquake in Nepal had compelled some families to give away their children to middlemen who took them to cities for work, and caused the resurgence of traffickers who posed as aid workers or labour recruiters (Dharel, Rai and Thapa 2015; Free the Slaves 2015).

The effect of social norms on ILI roles can be seen in the involvement of children in brick kilns in Nepal as a result of parents taking loans from brokers or employers. A comparable situation exists in the *Kamlari* system where families accept advance payments from middlemen in exchange for their child's service (Basnet 2016). These traditions or practices enabled ILIs to continue operating – while taking advantage of the poor's trust and vulnerability – in order to gain profit. In CSE, the dynamics of social norms also play a crucial role in allowing ILIs to thrive and easily 'recruit' young girls into sex work. For instance, occurrences of daughters being sold by parents to traffickers, or young girls being given away by family members in exchange for money for sex work have been documented. Such practices are condoned by the existing culture of patriarchy and gender discrimination (ECPAT 2014).

3.2 ILI types, characteristics, and modes of operating

While formal labour intermediaries generally refer to registered public and private entities that offer labour recruitment services (Andrees *et al*. 2015), ILIs are difficult to define. The term 'recruiter' used in many studies to describe labour intermediaries – including informal ones – assumes and formalises a relationship that does not always reflect actual practice (Heissler 2013). Typically, ILIs were reported as unregistered sub-agents, sub-contractors, brokers, or middlemen, but in reality a wide range of entities played the role of intermediaries. These include traffickers, community members (teachers, friends, neighbours, and religious figures) and family members (parents, siblings, and relatives). In many circumstances, the main sources of child recruitment are individuals close to or known to the children (*ibid*.). Similarly, many children who migrate to cities for labour travel with family members or persons from the same village rather than traffickers or strangers (Tamang and Frederick 2006). Numerous terms have been used to describe the person(s) who assumed the role of intermediary or facilitated work for children. They varied according to the socio-cultural contexts, and some

were interchangeable while others were not. Examples were 'contacts', 'brokers', '*dalal*', 'middleman', 'agents', 'friend', 'kin', 'fictive kin', '*apon*', '*naike*', 'relative', '*kala*' and many more.

3.2.1 Bangladesh

In Bangladesh, ILIs are generally known as sub-agents or by the local term '*dalal*'. These are individuals who operate at the village level and recruit potential workers, often for international migration. Sub-agents – often without any legal identity – are usually the first point of contact whose main functions are to provide information and perform all necessary transactions on the worker's behalf. Many of these sub-agents are returnee migrants, who have become familiar with migration procedures. Some sub-agents perform a single task such as processing a client's passport, while others perform multiple tasks for them. These may include all the required steps and processes prior to migration. While the terms 'sub-agent' and '*dalal*' are interchangeable, in some studies distinctions are made between the two. *Dalals* are described as the first point of contact for recruitment, or in other words the front-line person who actually recruits a potential worker from the village. Sub-agents, on the other hand, refer to the next tier of recruitment who connects *dalals* to the employment agencies in the city. Often, sub-agents originate from the same village but are based in a town or city (Abrar *et al*. 2017).

The relationship between potential workers and *dalals* is often very informal, as the *dalal* can be the worker's relative or friend, or a village member. *Dalals* are usually individuals well respected in the community and while acting as a broker they may: (a) act as referees for moneylenders so that the aspiring worker can obtain a loan to finance his migration; (b) become a conduit for information about the wellbeing of the worker upon departure; and (c) sometimes even advise a potential migrant on which job and visa to apply for (Abrar *et al*. 2017; Rahman 2011; Lindquist, Xiang and Yeoh 2012). In other instances, *dalals* themselves offer loans, thus assuming the role of moneylender. Employment agencies which are mostly located in cities rely heavily on sub-agents and/or *dalals* to obtain clients, the majority of whom live in remote villages. Similarly, many people in rural areas turn to these *dalals* for finding jobs because they live closer, are easier to approach, are known to them, and often provide practical, step-by-step guidance for the worker (MFA 2019a). The role of sub-agents/ *dalals* is especially important for those seeking to migrate overseas.

The seafood industry

Child labour is prevalent in the seafood industry in Bangladesh. Studies showed that involvement of children in the dry fish industry occurred in several ways: (a) they became entrapped because their parents had taken an advance payment (cash/loan) from the employer, in exchange for their child's labour; (b) parents might have debts or other contracts with the employer; (c) children were deceived by false promises about the nature of the work and the salary – often made by recruiters – before landing in this sector; and (d) children got involved through the employer's pressure on parents (BBS 2011).

An interview conducted among child labourers in the dry fish industry revealed that more than half (56 per cent) were recruited by friends, relatives, or other workers. This was followed by self-contact with employers (24.2 per cent), employers approaching parents (12.6 per cent), and middlemen or recruiters (7.2 per cent) (BBS 2011). Another study among 100 child labourers in the seafood (fish and shrimp) industry showed that approximately half (48 per cent) were involved through their parents, 32 per cent through friends and relatives, 12 per cent through brokers, and 7 per cent through self-contact. However, little information was provided about the brokers (Ferdousi and Faruk 2016).

Child domestic work

CDW is a common phenomenon in Bangladesh. More than 150,000 CDWs were estimated to be in Dhaka alone, employed in 9 per cent of mostly middle-class households (Lieten *et al*. 2010). Children as young as six years old work as CDWs – cooking, cleaning, washing, and caring for their employer's young children or old parents/relatives. Not all CDWs are paid or compensated with money. Some are only given shelter and food – necessities considered 'good enough' compared to their harsh rural lives. CDWs often work long hours with little or no rest, are kept isolated (i.e. not allowed to leave the house), are forbidden from contacting their parents or family members, and are highly vulnerable to physical, verbal, and sexual abuse.

Different people play the role of intermediary in CDW. They include:

- **Formal employment agencies. It was reported that these agencies advertised their services in newspapers and residential areas; but their roles were minimal and most employers preferred hiring CDWs through known contacts.**

- **Parents or mothers. Mothers working as domestic helpers often brought their children with them, who eventually ended up being employed as CDWs (Chodhuary *et al*. 2013; Pelto 1997). This usually occurred in poor families who migrated to urban areas due to poverty, family breakdown, or natural disasters (Zohir 2001; Farhana, Marchi and Rahman 2010). Sometimes, parents who lived in the urban slum of Dhaka city actively sought to send their children away for domestic work in order to cope with poverty (Chodhuary *et al*. 2013).**

- **Relatives or neighbours. This group plays a huge role in getting children involved in CDW. A study by Bangladesh Shishu Adhikar Forum (BSAF) found that 57 per cent of CDWs found work through relatives (BSAF 2015). Similarly, major sources used by employers to find CDWs were relatives followed by neighbours (BSAF 2016). The term 'relative', however, has multiple meanings and does not necessarily indicate someone with blood relations. 'Relative' could mean kin or fictive kin, or simply someone close. For instance, '*apon*' was used to describe kin or fictive kin, i.e. a figure that is known and trusted who makes a child worker feel 'safe' and confident to move to the city for work. In other instances, older children reported that they approached older female relatives called '*kala*' for help in finding work. For most people in rural areas, kinship networks were preferred over associations based on other affiliations (Heissler 2013).**

- **Community members, arbitrators, or middlemen. Members of the community who were influential and trusted could act as intermediaries. For example, a union *Parishad* (council) member could act as a middleman between the child and employer to facilitate domestic work (Heissler 2013). The term 'arbitrator' described a recruiting middleman who was neither family of the employer nor the child, but usually recruited CDWs from his immediate network. An arbitrator was often an influential and respected figure in a locality/ village who could easily gain parents' trust. The honourable position could be attributed to land ownership or having a position in a political or educational institution. This arbitrator thus could be a politician, schoolteacher, or an NGO worker. Also called middlemen, at times they deceived parents by fabricating pleasant stories about the child's potential employer and life as a CDW in the city (Lieten *et al*. 2010).**

- **Others – siblings or other CDWs. There were reports of employers in the cities who found CDWs from the village through another CDW who happened to be the child's friend (BSAF 2016).**

Not all parents who agreed to send their children away to be engaged as CDWs did so out of desperation (poverty). While this was the case with many families (as CDWs contribute to the family's income), the underlying reasons for children's involvement in domestic work could be more complex. For instance, some employers actively sought CDWs from their own home town (village) and approached poor families known to them. The child's parents were usually in a weak bargaining position when they agreed. While negotiating, employers may give promises to arrange for the child's marriage in the future or offer help to the family in times of crisis. In other situations, the employers may have extended help to the family in the past (e.g. a loan or medical treatment), so the parents felt obliged to agree.

On the other hand, some parents readily agreed to give their children away with the intention of forging a relationship with a rich, influential household. This relationship was deemed important to assist the poor family in times of difficulty. Another reason for sending children away for domestic work was the assumption (sometimes due to promises made by employers) that the rich household would provide the child with good care and the opportunity for education, in exchange for household chores.

Other industries – garment, leather, etc.
Involvement of children in other sectors such as the garment and leather industries often occurred through pathways similar to some of those described for CDWs. Children either actively searched for, or were offered jobs by contacts who usually consisted of individuals known to them: relatives, kin or fictive kin, siblings, friends, or influential/trusted community members (Heissler 2013). Some were able to secure the job they wanted, while others were deceived and ended up with a job they did not want. The garment sector is dominated by female workers, and many of the girls were said to have either approached the employer directly (usually the case with older and more experienced girls) or obtained the job through a friend or sibling already working there.

3.2.2 Nepal
ILIs in Nepal who recruit potential migrant workers for working overseas are somewhat similar to those in Bangladesh. Termed 'local agents', they connect people in the village to employment agencies (often referred

to as 'manpower agencies') in the city. As described earlier, local agents are often individuals who are known to villagers and have informal relationships with them (family, relative, or friend, etc.) (MFA 2019b).

Brick kiln industry

In 2016, total of 1,100 brick kilns were estimated to be operating in Nepal, producing approximately 15,000 to 50,000 bricks a day to fulfil the high demand for construction. The brick industry is seasonal, often operating during the winter for six months (HERD 2016). Brick-making is a highly labour-intensive process and despite the poor working conditions, the industry provides jobs to thousands of unskilled labourers. It has been estimated that 200,000 workers – including 32,000 children – work in brick kilns (GFI n.d.). Due to its highly informal nature and little government oversight, the brick kiln industry is deeply implicated with exploitative labour practices such as bonded and child labour.

Even though some children have been reported to work in brick kilns out of choice (to earn income), the vast majority were entrapped in the industry by following their parents – many of whom were bonded labourers – and thus were expected to contribute. Families were usually recruited by a 'contractor', or '*naike*', in the village who provided cash in advance, forcing them into debt bondage (Larmar *et al.* 2017; Musa and Olsen 2018). These *naikes* visit households in the village and act as middlemen between families (workers) and kiln owners (Lieten *et al.* 2010). The tradition of handing out cash in advance – known as *peshgi* – was learned from Indian contractors. Poor families often felt compelled to accept *peshgi* as it was needed either to survive during the monsoon months when work was scarce and subsistence was hardest (Hoffmann 2017), or for celebrations and paying off loans during the festival season (Lieten *et al.* 2010).

The head of the family who accepted these advance payments would then 'take his own children or make arrangements with other families or neighbours to take other children from their village in order to fulfil their work obligations, repay the advances and earn some extra money' (Lieten *et al.* 2010: 22). Children were thus not directly recruited by *naikes*, but taken along by adult members of the family.

Child domestic work

In the *Kamlari* system, ex-bonded labourers would trade their daughters to the landowner in exchange for a right to own a piece of land or to pay off previous debts (Fauconnier 2019). As a result, girls – many as young as six years old – lived in servitude and worked as domestic servants in higher-caste or urban middle-class households, usually for a period of one year or sometimes until the employer decided to set them free. Despite being officially banned in 2006, practices similar to *Kamlari* still exist (*ibid*.). The recruiters (termed 'middlemen' in some studies) travelled to rural areas during the annual *Maghi* festival in January in search of children (girls) for their clients. Recruiters were said to arrive on motorbikes and roam the area, looking for potential *kamlaris*. They often tried to convince the girl's parents by promising free education for her in a reputable school or by offering cash to the male head of the household. Upon agreement, children would be pledged as CDWs for the following year (Hoffmann 2017; CWA 2007). This system has been increasingly used by freed *Kamaiyas*[1] who lived in dire poverty.

In the aftermath of the 2015 earthquake, there were reports of traffickers (sometimes posing as aid workers or labour recruiters) who made offers of relief support (food and essentials), training, job opportunities, education, loans, and even marriage to foreigners. Victims – usually children and youths from isolated areas – ended up being trafficked to multiple destinations which included Kathmandu and other cities in Nepal, India, and Gulf countries where they were forced to work in different sectors and industries, including as CDWs (Dharel *et al.* 2015; Free the Slaves 2015).

The practice of 'sheltering' was another phenomenon that led to CDW in Nepal, mainly as a result of the armed conflict between Maoists and government forces. Families in remote areas were reported to hand over their children to strangers in urban areas to avoid being recruited by Maoists. These children were employed as CDWs in exchange for food and accommodation. However, this was not always the case. In fact, the majority of children who migrated to the city for jobs received assistance from, and travelled with, family members or persons from the same village (Tamang and Frederick 2006). Other intermediaries were relatives and trusted individuals who usually came from the same village or home town (Dharel *et al.* 2015).

---

1 The *Kamaiya* system is a traditional practice in which labourers work under the contract with their landlords in order to clear their debt. In July 2000, the Kamaiya Movement brought revolution for the *Kamaiya* by forcing the government of Nepal to abolish the *Kamaiya* system through the Kamaiya Labor (Prohibition) Act, 2002 (https://caveeta.wordpress.com/2011/11/14/the-movements-of-kamaiya/).

Other sectors – the carpet industry, portering, restaurants/tea stalls, etc.

Child labour in the carpet industry occurs when parents receive advance payments from a recruiter (known as a '*thekedar*'), which put the family in debt bondage and results in the child being taken away to work in a carpet factory, sometimes against his or her will. Children could also be entrapped in bonded labour (in carpet factories) by inheriting their parents' or other family members' debt, or by being individually pledged (CWA 2007).

On the other hand, most child porters were said to find work through relatives and friends who were older and had previous experience of working in markets. Getting a job as a porter was relatively easy and not impossible without contacts (Lieten *et al*. 2010; de Groot 2010). Those who worked in restaurants or tea stalls sometimes came to the city with older siblings, peers, or known adults, whereas some others were recruited directly by employers from the same village who made arrangements with the child's parents (Lieten *et al*. 2010). Children could also end up working in any of these sectors/industries through deception by traffickers as described earlier (Dharel *et al*. 2015).

3.2.3 Myanmar

Little is known about labour brokerage and ILIs in Myanmar in comparison to Bangladesh and Nepal. However, existing evidence indicates that ILIs operating in Myanmar – usually known as 'agents' – mostly facilitate migration to Thailand for jobs in different sectors (e.g. the fishing industry, manufacturing, etc.). Other common foreign destinations for Burmese migrant workers are Malaysia, Singapore, and China. These agents can work as individuals or in small groups; they are usually well connected to other local agents, foreign (Thai) agents, or government officers in Thailand (Sakaew and Tangpratchakoon 2009). Many of them are former migrant workers who have become familiar with the system and have established connections with Thai officers, and they are known to the workers and their families as they often recruit people from the same village. Indeed, some agents have been reported to be either relatives or neighbours (*ibid*.). Most Burmese families and youths, however, migrate internally in their search for jobs and safety, and are more frequently facilitated by friends, relatives, and acquaintances than commercial brokers (Oh 2019).

Child domestic work

CDW is prevalent in Myanmar and driven by multiple factors such as poverty, armed conflict, social acceptance, and lack of educational and job opportunities for children and youths. Many CDWs come from poor families of ethnic minority origin, and they are sent away by their parents as a way of 'saving' them from hardship and danger. The practice of adoption by childless employers and teachers, and the demand for obedient and cheap labour are other reasons why CDW thrives in the country (ILO 2019d).

The pathway through which children become CDWs involves a number of intermediaries. Other than 'brokers', family members and friends play a role. A direct relationship could exist between the employer and the child's family. Originating from the same village and having known each other, arrangements were sometimes made and the child would be taken to the city by a relative to work as a CDW.

Brokers, on the other hand, could be lay people, but many of them were respected or influential figures in the community such as religious leaders (e.g. monks) and teachers. Monks were reported to bring children from areas affected by poverty and conflict to Yangon as some parents preferred to send their children to the city for safety, and asked that they be placed in 'foster' households (ILO 2019d). In other cases, parents wanted their children – particularly boys – to be taken to monastic schools where they could receive education. Given the high status enjoyed by monks, parents generally trusted them to keep their children safe, while employers approached these monks with requests for 'good' children to employ. Children were thus released to employers – often in good faith but without the permission or knowledge of their parents – to work as CDWs. Likewise, Christian congregations, centres, and orphanages were said to have facilitated CDWs by liaising between poor, rural families and potential employers. However, evidence pertaining to their role in recruitment was limited, warranting further research (*ibid*.).

When mediated by brokers, parents are often given a three-month advance of their children's salary – from which brokers draw their commission – as a 'guarantee', to prevent the child from quitting or running away. This practice puts great pressure on CDWs to remain in their job, as violation of their employment would compel the parents to pay twice the amount of the child's salary. On the other hand, some children and youths through the influence of peers and social media actively sought work and became CDWs. They were usually assisted by friends who linked them to brokers. The Kyimyindaing train station in Yangon was reported as an infamous spot where brokers often gathered to receive CDWs off the

Table 1: Labour intermediaries and their modes of operating

Country	Job sector	Intermediary	Characteristics/modes of operating
Bangladesh	General (usually for international migration)	Sub-agent/*dalal**	The most common type of broker approached by people in rural areas who aspire to migrate overseas to work. Many sub-agents are returnee migrants who live in the same village/locality and have links with PRAs in the city. They are known to villagers and can be relatives, friends, or influential figures. They offer information and provide step-by-step guidance on the migration process. They have no legal identity or fixed premise/office and are sometimes reachable only via mobile phone. They may act as a moneylender and offer loans to aspiring migrant workers, usually with high interest. They often charge high recruitment fees and will perform various tasks such as passport and visa processing, document preparation, transport arrangements, etc.
	Seafood industry	Parents	• Parents have taken a loan/advance payment from the employer in exchange for their child's labour; or • parents have debts or other forms of contracts with the employer, necessitating the child to work; or • the child gets involved through the pressure put on his/her parents by the employer.
		Friends, relatives, other workers	Recruit or assist children who are seeking jobs. They may or may not receive incentives for recruitment.
		Middleman/broker	Recruits adults/children seeking jobs, sometimes through deception and false promises about the nature of the work and the wages. Receives remuneration for recruitment.
	CSE	Trafficker	Can appear as a broker or recruiter who offers a job with good salary (false promises). In many instances, they are known to the child/victim and can be relatives, friends, or neighbours. Sometimes, they are female siblings or family members who are already working in the sex industry. Others are strangers, operating in small (criminal) groups.
		Parents/husband/in-laws	Sell child to the trafficker.
		Others (law enforcers, border security officials, moneylenders, villagers, etc.	Collaborate with traffickers, or facilitate trafficking activities through receiving bribes.
	CDW	Employment agencies	Advertise services in newspapers or residential areas. Their role is minimal.
		Parents	• Mother works as domestic help and takes her child to work. The child ends up as a CDW. • Parents send away their child to the employer through negotiations. In such a case, usually the two families have known each other and come from the same village. • Parents send away their child through a middleman – usually a relative – who approaches them on behalf of employer.
		Relatives/neighbours	• Relatives – assist parents searching for a household for their child, either to work as a CDW (for economic reasons) or as a 'foster family' in the city. • Relatives/neighbours – link employer in the city to a rural family known to them. • Relatives include cousins, distant family members, kin or fictive kin, or someone close and trusted. Other terms for 'relative': *apon, kala.* • Older children sometimes approach relatives directly to get help in finding jobs.
		Community members/ arbitrators	Usually someone respected, trusted and influential in the village/ community such as a teacher, politician, council member, NGO worker, etc. They may not necessarily be related to the child/family. Parents trust them to mediate between the child and employer.
		Other CDWs	Assist employers in the city to obtain CDWs by getting/recruiting their own friends.
	Garment, leather, etc.	Friends/siblings	Girls/young women who are already in the garment sector often facilitate recruitment for their friends and siblings.
		Others	Other intermediaries are somewhat similar to those described in CDW.

Country	Job sector	Intermediary	Characteristics/modes of operating
Nepal	Brick kiln	Contractor/*naike*	Visits houses in the village and offers advances/cash (*peshgi*) to poor families in need. Families who accept *peshgi* debt bondage have to work in brick kilns to repay the advances and earn money. Children are brought along with the family to work/contribute.
	CDW	Recruiter/middleman	Travels to rural areas during the annual *Maghi* festival in January in search of children (girls) for their clients. Lures parents by promising free education for the child in a reputable school or by offering cash to the male head of the household. Upon agreement, children would be pledged as CDWs for the following year.
		Trafficker	Poses as an aid worker or recruiter and offers food, job opportunities, training, education, etc. Traffics victims into various sectors, including CDW.
		Stranger	Under the practice called 'sheltering', rural families send away their children to strangers to avoid them being recruited by Maoists. The child works in a household in exchange for food and shelter.
		Family members/relatives/friends	Facilitate different kinds of jobs for the child, including CDW.
	CSE	Trafficker	Works in small groups, often in collaboration with employers (e.g. brothel owners), local officials, and border officials. Some work independently by selling victims to brothel owners, while some are employed by brothel owners to 'recruit labour'. Some are known to the victims by living in the same village or through friends/relatives.
		Spouse/parents	• Some husbands/parents sell their wives/daughters to traffickers. • When parents are indebted to an employer/recruiter, their children are pledged for labour – including sex work.
		Female siblings/relatives/friends/neighbours	Usually those who are already working in the sex industry. Facilitate trafficking of, or directly lure, victims into CSE – sometimes by deception, sometimes with the victim's knowledge.
	Others – carpet, portering, restaurant	Recruiter/*thekedar*	Offers advances/loans to the family, putting them into debt bondage that compels the child to work (e.g. carpet industry).
		Parents	A child is entrapped in bonded labour (e.g. carpet factories) by inheriting his parents' or other family members' debt, or by being individually pledged.
		Relatives/friends	Commonly mediate between a child looking for a job and the employer. Many of these relatives/friends are already working in the city/in the same sector.
Myanmar	CDW	Broker	Lay person who links the family to a potential employer in the city. Often gives parents a three-month advance of the child's salary – from which their commission is drawn – as a 'guarantee', to prevent the child from quitting or running away. Some brokers are reported to supply children to traffickers and forced labour agents.
		Teachers/religious figures (monks)/institutes	• Teachers/monks sometimes act as brokers. They are in charge of children entrusted by parents for protection and education in monastic schools. Monks are approached by employers in search of 'good children' to work as CDWs. • Some Christian orphanages/institutions are said to act as a recruitment point for CDWs, but further research is warranted.
		Family/friends/peers	• Family/friends facilitate jobs as CDWs for some children, usually in cases where the child's family and employer belong to the same village/home town. • Friends/peers link a child (who is searching for a job) to a broker.
	Child trafficking	Trafficker/broker	Works in small, family-based groups that operate along with Burmese and foreign criminals at destination sites. Some are fraudulent recruitment agencies and criminal gangs. Others pose as brokers, offering jobs to young women and girls. Many of these brokers are relatives and friends of the victims.

* In some studies, *dalals* and sub-agents are not interchangeable. *Dalals* refer to village-level brokers and sub-agents represent the next tier of recruitment that connects *dalals* to PRAs in the city.

train. One of the channels used by these brokers was a messaging service (e.g. Viber) to advertise candidates' photos to potential employers or customers who may include traffickers and forced labour agents (ILO 2019d).

3.2.4 CSE of children in Bangladesh, Nepal, and Myanmar

CSE covering all three countries is elaborated on in this sub-section. There is intersectionality and potential overlap between CSE and other job sectors or types of WFCL. For instance, children who work as CDWs or street vendors or those who migrate to the city searching for jobs could easily get trapped in CSE or trafficked into sex work (ILO 2018). Similarly, elements of sexual exploitation can coexist with other types of WFCL.

In the context of child labour, CSE is often not a standalone entity; rather, it intersects with the various types of WFCL. Children can be primarily recruited for sexual exploitation purposes (e.g. child prostitution) or become trapped in CSE following their engagement in other work sectors (ECPAT 2014). In the latter situation, the initial job could have put the child at a greater vulnerability to sexual exploitation (e.g. child workers in bars or dance parlours), or the same intermediary could be involved in multiple criminal activities (ILO 2019d; GMACL 2014). For instance, half of CSE victims in Bangladesh reported being involved in different types of child labour prior to sexual exploitation (ECPAT 2011). CDWs and children working on the streets (e.g. street-begging) are at a particularly high risk of CSE (ECPAT 2014). In South Asia, CSE is a common outcome of child-trafficking and child marriage (*ibid*.). Similarly, in Myanmar, CSE is often a consequence of child-trafficking which can happen to children seeking jobs for the first time, or to those already working in teashops, agricultural plantations, the fishing industry, and home industries (UN-ACT 2014).

In Bangladesh, the ring of CSE is complex and often involves multiple layers of intermediaries. Traffickers have established circuits for trafficking girls along with village heads and law enforcement officials (GMACL 2014). Interviews conducted with CSE victims revealed that some of the traffickers were individuals close and known to them including siblings, parents, and brothers-in-law. Female siblings who were involved in prostitution were reported to have fetched their younger siblings and sold them to brothels. Similarly, mothers were said to have sent their daughters (with pimps) to work in brothels, and brothers-in-law to have sold victims in exchange for money (*ibid*.). Research showed that many individuals

took part in the exploitation of victims by facilitating CSE in order to make a profit. These were – other than traffickers and brothel owners (sometimes called 'madam' or 'pimp') – moneylenders, law enforcement officials, lawyers, and the judiciary.

Traffickers employed a number of tactics to lure victims. Some deceived young girls by promising them jobs as domestic workers in the Gulf countries but sold them off instead to the sex-trade industry (Human Rights Watch 2016). Some of the victims worked as domestic workers first, before being forced into prostitution. It was suggested that there are strong links between the mechanism of trafficking for CDW and CSE, and that the trafficking rings of both could be linked to the same groups or individuals (GMACL 2014).

Cross-border movements of minors for various labour-related purposes, including CSE, from Bangladesh to India were mediated by a number of actors: villagers, Indian Border Security Force (BSF) officials, and customs officials. Some villagers were also complicit by offering shelter to migrants and traffickers/recruiters in exchange for money. Shelter was needed for the traffickers to wait until night – when border-crossing often took place – and to hide the victims until transactions were completed. BSF officials were reported to receive bribes through money and sexual services (Banerjee 2010).

In Nepal, CSE is a complex phenomenon that often begins with the child entering risky work sectors, like the AES. Most young people reported having joined the AES voluntarily (Dank *et al*. 2019). Even though trafficking by criminal groups exists, research suggests that their role in CSE is smaller compared to the more common route; namely, informal job mediation through family members, friends, and neighbours. Young women and girls who initially seek jobs are 'assisted' by individuals they know to enter different AES venues as workers. Some were aware from the beginning of the nature of working in the AES while others were misinformed. The high-risk environment in the AES where sexual harassment and poor treatment of girls are normalised eventually leads to CSE. More details on social norms, labour intermediaries, and trajectories of minors in the AES and CSE in Nepal are available in Oosterhoff and Hacker (2020).

In cases of trafficking minors, which can be for various purposes including CSE, most perpetrators were found to be Nepalese nationals – both men and women. Traffickers worked in small groups, often in collaboration with community members, employers (e.g. brothel owners), local officials, border officials, and those who

operated 'safe houses' (where trafficked persons are kept before sale). Evidence showed that traffickers could be either 'freelancers' who sold victims to brothel owners in a specific location, or a person (usually a woman) mobilised by brothel owners to 'recruit labour' (Tdh 2005). There was little evidence linking Nepalese traffickers to Indian criminal networks, so trafficking in Nepal was said to be an independent system (*ibid*.).

A study among Nepalese girls and women brought to India for CSE revealed that 25 per cent of victims were recruited directly or indirectly by someone they knew in the village or workplace. Some CSE victims reported having either an aunt, cousin, friend, neighbour, or relative already working in an Indian brothel. Victims were deceived by promises of jobs, higher wages, better working conditions, or marriage, or they followed a 'man' out of love. Meanwhile, a smaller number reported being trafficked from carpet factories in Kathmandu by other girls or women they knew (Tdh 2005; Koirala, Banskota and Khadka 2004). In other instances, trafficking was facilitated by parents and husbands who sold their daughters and wives (Deane 2010).

Following the 2015 earthquake in Nepal, there were reports of traffickers posing as aid workers or labour recruiters. They would offer jobs, education, loans (for labour migration), food, and other essentials, or even marriage to lure innocent children and youths. Victims were eventually trafficked to Kathmandu, India, or Gulf countries and forced to engage in CSE or to work in the AES (in cabin restaurants and dance bars) (Dharel *et al*. 2015; Free the Slaves 2015). Similarly, the practice of pledging children among the freed *Kamaiya* contributed to CSE. Pledging happened when parents/families were indebted to their employers or recruiters, forcing them to give away their children for labour, which included sex work (CWA 2007).

In Myanmar, recruited children are primarily from poor socioeconomic backgrounds and marginalised ethnic minorities. Young women and girls became victims after being deceived by promises of better job opportunities and higher wages. Destinations of trafficking included foreign countries (e.g. Thailand, China) and within Myanmar (UN-ACT 2014). Girls were often forced to serve in karaoke lounges or massage parlours before getting entrapped in sex work. In other instances, children ended up in agricultural plantations, the fishing industry, home industries, teashops, small factories, and forced begging (van de Glind and Coenjaerts 1998). Victims trafficked to China were often sold into marriage or forced

surrogacy, with most cases mediated by brokers who were either the victims' relatives or friends (UN Women 2019). Other traffickers consisted of small, family-based groups that operate along with Burmese and foreign criminals at destination sites (UN-ACT 2014). Trafficking activities usually involved a number of actors like trip managers, sub-agents, police, guards, and job placement agencies, each having a specific role and profit in the process (van de Glind and Coenjaerts 1998).

Table 1 describes the different types of entities/individuals who act as labour intermediaries and how they work.

3.3 Outcomes of ILI-mediated labour and migration

ILIs who engage in abusive and fraudulent recruitment practices have proved to cause adverse immediate and long-term outcomes. A common example of the most immediate outcome is that the aspiring worker is charged with excessive recruitment fees, compelling the person to take loans either by borrowing money from different sources or selling possessions (e.g. land, house, cattle, paddy fields, gold, etc.). Often, loans are taken from informal sources such as 'loan sharks' that come with extremely high interest rates. Delay or inability to repay debts can easily plunge the worker into further exploitation such as forced labour, poor working conditions, deduction of wages, debt bondage, etc. – all of which may eventually lead to trafficking in persons (UNODC 2015). However, it is worth highlighting that moneylenders can come in various forms, and that some play an important role in assisting those in need and driving the informal economy. Elaboration on the nature, scale, and impact of informal moneylending can be found in Idris (2020). Exploitative working conditions – rife with threats, violence, and different forms of abuse – are usually a result of deception about the nature of employment and wages (Lieten *et al*. 2010; BBS 2011). Those who migrated or were trafficked to foreign countries often had their documents forged or confiscated, turning them into irregular migrants. This status made them vulnerable to arrests and extortion, and deprived them of access to social services. In addition, involvement of ILIs made it difficult for workers to lodge complaints because employers tend to relinquish their responsibility (ILO 2019c).

Across all job sectors within WFCL, experiences of deception and abuse as described above are common. However, it is important to highlight that to some extent, outcomes of ILI-mediated labour are influenced by the

Table 2: Outcomes of ILI-mediated labour

Job sector	Outcomes/consequences
GENERAL/ CROSS-CUTTING	Common outcomes across all sectors: 1 Deception by ILIs about wages and the nature of job. 2 Exploitation and abuse – physical, psychological, and/or sexual. 3 Poor and hazardous working and living conditions. 4 Excessive recruitment fees, leading to debt or debt bondage. 5 Forging and confiscation of identity documents. 6 Trafficking in persons.
SPECIFIC: **CDW**	1 Families giving away their child as a domestic worker to repay debts/loans. 2 Families giving away their child through deception about comfortable working conditions, access to formal education, arrangement for marriage, etc. 3 Children given away to households as domestic workers without parents' knowledge. 4 Exploitation and abuse – physical, psychological (isolation, verbal abuse, etc.), and/or sexual. 5 Poor working conditions, deprivation of basic needs. 6 Debt and debt bondage. 7 Child unable to quit due to advance or 'guarantee' money offered to, and accepted by, parents. 8 Trafficking in persons, which leads to CSE or forced labour in other sectors.
Seafood industry	1 Children pressured or forced to engage in work to repay loans/advances taken by parents. 2 Deception about wages and the nature of the job. 3 Hazardous working conditions.
Garment industry	1 Deception about wages and the nature of the job. 2 Exploitation and abuse, e.g. long working hours, low salary. 3 Hazardous working conditions. 4 Inability to complain about or demand for rights as informal recruitment enables employers to deny responsibility.
Brick kilns	1 Debt bondage and bonded labour – the whole family including children are forced to work to repay loans. 2 Hazardous working conditions. 3 Unable to attend/continue school.
CSE*	1 Debt bondage and bonded labour. 2 Abuse and violence – physical, psychological, and/or sexual 3 Extremely hazardous working and living conditions. 4 Exposure to drug abuse, mental health problems, sexually transmitted diseases. 5 Unable to return, kept isolated, and movement controlled. 6 Families receive threats.
Others	1 Abuse and exploitation. 2 Deception about wages and the nature of the job. 3 Hazardous working conditions. 4 Trafficking in persons.

*CSE is often an outcome of child trafficking. It can also overlap with other job sectors.

Note: Not all ILI-mediated labour outcomes are negative. Positive outcomes have been documented to a smaller extent. These include: regular income, contribution to family's earning, access to formal education (through employers), forging a trusted relationship with employers, a more comfortable living and working environment (for CDWs), and successful migration.

relationship between ILIs and the child, and their motives. A closer relationship can act as a 'buffer' or 'protective mechanism' against exploitation and abuse, or at least dampen its effects, while a more formal relationship (e.g. a stranger, or a distant friend) renders the child more prone to adverse consequences. Likewise, the motives of ILIs may influence the outcome. The intermediaries whose main interest is profit gain are more likely to deceive and push the child into exploitative working conditions, while those who mediate jobs out of 'good intention' – perhaps as a sense of familial duty – to either forge relationships with other households or maintain a good reputation in society, tend to take greater responsibility in ensuring the child's wellbeing (Heissler 2013). As the relationship between the worker and broker becomes less personal, the moral consequences of breaking verbal contracts are less severe (Wise 2013). Nevertheless, this does not always mean that recruitment by trusted individuals is without negative outcomes. In fact, many documented accounts show that deception occurs even when work is facilitated by close family members or those in a relationship of trust (United Nations 2017).

For CDWs, exploitation can begin during the recruitment process, or later in the workplace. At the recruitment phase, some ILIs are said to deceive the child's family by promising either good wages, comfortable working conditions, access to formal education, or a dowry for marriage. Sometimes, ILIs offer cash or loans to the desperate family and demand the child's service until the loans are repaid. Also, there have been accounts of families feeling obliged to send away their daughters as CDWs when approached by ILIs or employers who had extended help to them in the past. In these two situations, the child's pleas can be easily dismissed despite the abuses endured. In other instances, children were given away as CDWs without the parents' knowledge. This happened when poor families – often in times of political crises – entrusted their children to strangers (e.g. Buddhist monks in Myanmar) to act in the child's best interest (ILO 2019d).

In the workplace, common outcomes include different forms of maltreatment and abuse (BSAF 2016). CDWs often reported being forced to work long hours with little rest or days off and not being given a proper sleeping area or enough food. Studies also claimed that many were denied formal or non-formal education, despite the promises given earlier by ILIs or employers to the parents (Lieten *et al*. 2010; ILO 2019d; Tamang and Frederick 2006). Parents of CDWs were often left without hearing from the child – sometimes having to

depend on ILIs for news – thus living in constant worry and anxiety (Hoque 1995). Conflicts have also been reported between spouses or among family members due to the different reactions to the offer of a job and the decision to send away the child as a CDW (Lieten *et al*. 2010). Nevertheless, positive outcomes have also been documented. These include a more continuous and steady source of income for the family, forging a trusted relationship with the employer which was deemed important especially in times of difficulty, CDWs perceiving their new life and working environment as safer and more comfortable than conditions back home, and access to formal education (Baumann and Dharel 2014; Blagbrough 2007).

With regard to CSE, young girls are often lured by ILIs promising them decent work in the city or a foreign country (e.g. as domestic or factory workers). The high recruitment fees forced them to borrow money or give up some possessions, putting them in debt. Many of these girls end up being trafficked into the sex industry or sold off as brides. Where inadequate payment is made, children would be indebted to the trafficker or employer (who claimed to have covered their expenses related to travelling, etc.), and thus had to work for a specific period of time until the debt was repaid. Many trafficked children become bonded labourers living in extremely hazardous conditions which can even be life-threatening (van de Glind and Coenjaerts 1998). Long-term consequences of such exploitation are mental health problems like depression, anxiety, post-traumatic stress disorder (PTSD), sexually transmitted diseases, and attempted suicide (Rimal and Papadopoulos 2016; Kiss *et al*. 2015). Many girls who are initially forced into prostitution continue working as commercial sex workers or later as pimps, as they are left with little option and reintegration is extremely difficult (Jha and Madison 2011; Biraj 2012).

In the garment sector, informal recruitment has been shown to hinder workers' efforts to demand higher wages and decent working conditions, as outsourced contractual relationships to a third party enable employers to evade accountability (ILO 2019c).

Table 2 provides a list of ILI-mediated labour outcomes.

3.4 Interventions targeting labour intermediaries

Interventions that target labour intermediaries and recruitment processes can be broadly categorised into two types: legal and socioeconomic. Legal interventions

include international conventions and standards, codes of conduct, national policies and laws, and advocacy work. Socioeconomic interventions are initiatives and programmes designed and implemented by the government, private sector, and NGOs (e.g. social labelling, training of recruitment practitioners, cash transfer, etc.) to promote fair recruitment and eliminate exploitative and fraudulent practices.

International instruments

A number of international instruments have been laid down to promote higher labour standards, protect workers from abuse and exploitation and combat human trafficking and child labour. Examples are the ILO Declaration on Fundamental Principles and Rights at Work, 1998; Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); and the Worst Forms of Child Labour Convention, 1999 (No. 182). These core conventions, along with the United Nations Universal Declaration of Human Rights, have been widely ratified. Some instruments which are more focused on recruitment practices – such as the Private Employment Agencies Convention, 1997 (No. 181); Domestic Workers Convention, 2011 (No. 189); and the ILO Multilateral Framework on Labour Migration – have not been adopted by many countries, including Bangladesh, Nepal, and Myanmar. Other instruments are related to disclosure, transparency, and due diligence such as the United Nations Guiding Principles on Business and Human Rights, the ILO Declaration of Principles concerning Multinational Enterprises and Social Policy (the 'MNE Declaration'), and the OECD Guidelines for Multinational Enterprises (ILO 2019b).

National policies and laws

In Bangladesh, two key policies to combat child labour – the National Child Labour Elimination Policy, 2010 and Child Labour National Plan of Action (2012–2016) – do not target labour intermediaries directly. Rather, they attempt to reduce the risks of fraudulent recruitment practices by pressuring employers to comply to a set of standards and raising public awareness. These policies, however, along with the National Plan of Action for Combating Human Trafficking (2015–2017), directly target traffickers, or other perpetrators complicit in trafficking. Similarly, the Domestic Workers and Welfare Protection Policy, 2010 does not explicitly address employment agencies or labour recruiters, but focuses on working conditions, salary, minimum working age, and other aspects (IDWFED 2015). National legislation that aims to regulate recruitment businesses and operations includes the Overseas Employment and

Migrants Act, 2013 and associated Rules; Rules for Conduct and Licensing Recruitment Agencies (2002); Rules for Wage Earners' Welfare Fund (2002); and the Prevention and Suppression of Human Trafficking Act, 2012 (IOM 2015; Imam and Munier 2020). These laws are more often referred to in the context of international migration. Currently, there are no clear rules or policies on Bangladeshis who act as ILIs abroad and the existing regulatory framework does not hold labour recruiters responsible for the conduct of illegal brokers or intermediaries who act on their behalf (Barkat, Hossain and Hoque 2014).

In Nepal, there are three key policies designed to combat child labour: the National Master Plan to End Child Labour, the School Sector Development Plan, and the National Plan of Action on Combating Trafficking in Persons, Especially Women and Children. The latter directly targets perpetrators of human trafficking. National legislation includes the Human Trafficking and Transportation (Control) Act, 2007; Human Trafficking Control Act, 1986; and the Child Labor (Prohibition and Regulation) Act, 2000 (Baumann and Dharel 2014; Deane 2010). Laws aiming to regulate the recruitment industry are the Foreign Employment Act, 2007 (No. 18) and Foreign Employment Rules, 2008 (Baumann and Dharel 2014; USDOL 2018). Among the efforts by the Nepalese government deemed effective in controlling labour intermediaries was the incorporation of joint liability into bilateral agreements with other countries (ILO 2019b).

The government of Myanmar has established a number of key policies to tackle child labour and promote decent work. Examples are the Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes, the Myanmar Child Labour Eradication Project, the National Plan of Action to Combat Human Trafficking, the Myanmar Sustainable Development Plan (2018–2030), and the Myanmar Decent Work Country Programme (2018–2021). Existing national laws include the Child Labour Act, the Human Trafficking and Transportation Control Act, and the Children's Act (USDOL 2018).

Transparency legislation and due diligence laws

A number of countries have adopted transparency legislation and due diligence laws, targeting human trafficking, child labour, and forced labour in the supply chain of large retailers and manufacturers. Examples of transparency legislation are the Transparency in Supply Chains Act (2010) in California, the Modern Slavery Act (2015) in the UK, and the Modern Slavery Act (2019) in

Australia. Meanwhile, examples of due diligence laws include the Corporate Duty of Vigilance Law (2017) in France and the Child Labour Due Diligence Law (2019) in the Netherlands (ILO 2019b). While the nature and scope of these laws may vary and not necessarily target labour intermediaries, employment agencies and recruitment practices can be among the components assessed (Burberry 2018). However, little is known about the outcomes and effectiveness of supply chain transparency and due diligence as they are relatively new and have not been fully evaluated (ILO 2019b).

Programmes and initiatives by international organisations, governments, and the private sector
Some programmes that have been carried out by the government, private sector, NGOs, and international organisations to promote ethical recruitment and combat fraudulent practices in the recruitment industry are outlined in this section.

The International Organization for Migration (IOM) **International Recruitment Integrity System (IRIS)** project[2] is a global initiative that promotes ethical international recruitment through: (a) defining and setting a benchmark for ethical recruitment (the IRIS standard); (b) establishing a voluntary certification scheme for ethical labour recruiters; and (c) compliance and monitoring mechanism. Multiple stakeholders are involved such as governments, the private sector (employers, suppliers, brands, etc.), and civil society organisations. Activities supported by IRIS include awareness-raising, advocacy and capacity building, recruitment regulation, and monitoring international recruitment practices (ILO 2019b).

IRIS was launched in Nepal at the end of 2018. The training of labour recruiters was carried out in Nepal and Myanmar to increase their understanding of ethical recruitment practices. However, no published evidence on the outcome of IRIS in these countries was found.

The ILO–DFID **Work in Freedom** programme aims to promote empowerment, fair recruitment, safe migration, and decent work for South Asian women and girls, with the final goal of preventing human trafficking. It focuses on domestic work and the garment sector in five countries (Bangladesh, India, Nepal, Jordan, and Lebanon) and involves multiple stakeholders including governments, trade unions, businesses, employers, recruitment agencies, NGOs, and migrant workers. Work in Freedom

targets the recruitment industry through promoting 'ethical practices by raising awareness of the provisions of the ILO Private Employment Agencies Convention, 1997 (No. 181) and industry good practice, and by promoting the implementation of codes of practice based on full respect for workers' rights' (ILO 2015: 3). The programme also works to enhance the monitoring and regulation of the recruitment industry through capacity building. To date, approximately 600 labour recruiters have been identified and included in the pilot study where training on ethical recruitment practices was given (ILO 2013).

The **ILO Fair Recruitment Initiative** is a multi-stakeholder programme that places social dialogue at its centre and focuses on four aspects: (a) enhancing global knowledge on national and international recruitment practices; (b) improving laws, policies, and enforcement mechanisms to promote fair recruitment practices; (c) promoting fair business practices; and (d) empowering and protecting workers (ILO 2019b).

Under this initiative, a pilot project was conducted among Nepalese female workers who migrated to Jordan to work in the garment sector. Workers were made to undergo a fair recruitment process, in which they paid no (or very minimal) recruitment fees, were properly educated on their contract terms, and were provided with transparent information on their working conditions and salary at an earlier stage. When compared to conventionally recruited workers, fair recruitment had the following impacts: (a) a better relationship between workers and the supervisor; (b) positive traits among workers (such as feeling proud of their work, being emotionally stable, etc.); (c) higher levels of trust; (d) greater confidence to lodge complaints against mistreatment; and (e) less absenteeism and higher productivity. Overall, fair recruitment was found to have improved the working environment, work performance, and workers' wellbeing. It also led to less migration-related debts (ILO 2019a).

The **Better Brick Nepal (BBN) project** was jointly implemented by the Brick Clean Group Nepal (BCN), Global Fairness Initiative (GFI), and GoodWeave International (GWI) from August 2013 in Nepal (GoodWeave 2015). The two broad objectives of BBN were to reduce forced, bonded, and child labour on brick kilns and facilitate the development of a market-based model to certify bricks. The intermediaries, known as labour contractors, were targeted in this project in the following ways (*ibid*.):

---

2   See https://iris.iom.int/.

a   Recruitment of children younger than 14 years old was prohibited. If underage recruitment occurred, the employer had to intervene and reunite the child with his or her family with the cost borne by the employer and labour contractor. Any advance loans given to the family could not be taken back.

b   Employers had to educate and generate awareness among labour contractors on the prohibition and restrictions in employment of children and young workers through meetings, training sessions, etc.

c   Employers had to require the labour contractor to verify the age of all workers who appeared to be on the borderline of 14, 16, and 18 years.

d   Debts incurred through advance payments or loans (given by labour contractors or kiln owners) could not be used to bond or force workers into employment.

e   Labour contractors and employers were not allowed to withhold any original documents of workers.

f   Where payment (salary) was made by contractors, it had to be overseen by relevant kiln representatives.

g   Labour contractors must register themselves and obtain permission from the regional administrative office in order to recruit workers.

It is unclear to what extent the impact of BBN is, or what the outcomes are. But the limited available evidence indicates that the initiative has resulted in a safer working environment, higher satisfaction among workers, greater worker retention, and access to education for the workers' children (Shrestha and Thygerson 2019).

The ILO **Decent Work Country Programme (DWCP)** operates in Nepal and Myanmar. The DWCP in Nepal aims to promote decent work and provide a framework to determine priority areas of cooperation in accordance with the ILO's mandate and strategic objectives. The three priority areas are promotion of employment-centric and inclusive growth, improved labour market governance and industrial relations, and promotion of fundamental principles and rights at work (ILO 2013). To improve recruitment services, ILO has worked with the government and private sector – such as Nepal Association of Foreign Employment Agencies (NAFEA) – and improved the monitoring and reporting mechanisms as a way of protecting migrant workers during employment. Support services in destination countries have also been built (de Groot 2010). Currently, audit tools are being developed so that recruitment

agencies can engage in independent audit exercises (ILO 2018a).

The DWCP in Myanmar has promoted and facilitated registration of recruitment agencies and encouraged them to adopt a Code of Conduct (ILO 2018b). The outcomes of these interventions, however, have not been clearly studied as the programme is ongoing.

The **Code of Conduct for the Members of Myanmar Overseas Employment Agencies Federation (MOEAF)** was developed by the MOEAF and Ministry of Labour, Immigration and Population (MOLIP), with technical input from the ILO TRIANGLE in ASEAN project, with the goal of promoting fair recruitment practices. These mainly included transparency on migration costs and accountability for the return and reintegration of migrant workers. Through this initiative, technical training was provided to PRAs on their obligations to abide by certain ethical standards. As a result, to date, approximately 183 PRAs have signed the Code of Conduct and agreed to be monitored by the authority (ILO 2018c).

The **United Nations Inter-Agency Project on Human Trafficking (UNIAP)** was an anti-trafficking project in the Greater Mekong Sub-region (GMS) that ran from 2000 to 2013 in three phases. One of the six initiatives under **Phase III** was the Strategic Information Response Network (SIREN) that aims at delivering high-quality and up-to-date data on emerging issues within the human trafficking sector (UNIAP 2013). Under SIREN, a public–private sector consultation was carried out to discuss exploitative brokering and human trafficking in the shrimp supply chains in Thailand. As a result, 'US suppliers made some purchase policy changes, including consolidating and auditing regional suppliers, and getting their processors to source exclusively from them'. Another outcome was a private sector-driven programme by US suppliers and their partners to address trafficking in Thai export supply chains (*ibid*.). One of the other Phase III initiatives was the Worst Offenders Project, in which UNIAP – along with police and selected NGOs – tracked human trafficking offenders, exploiters, employers, and brokers in GMS to assist investigation, prosecution, and compensation for victims. Training was also conducted with recruitment agencies in Myanmar to raise awareness on human trafficking (*ibid*.).

There have been **initiatives by business companies to improve recruitment practices**. As part of their Corporate Social Responsibility (CSR) strategies, some companies have taken steps to adopt supply chain transparency and combat abuses that occur along this

Table 3: Programmes/initiatives that target labour intermediaries in Bangladesh, Nepal, and Myanmar

Intervention/ programme	Brief description	Targeted intermediary	Outcome(s)
International Recruitment Integrity System (IRIS) project by IOM	A global initiative that promotes ethical international recruitment through setting a benchmark for ethical recruitment, establishing a voluntary certification scheme for ethical labour recruiters, and a compliance and monitoring mechanism. Training of labour recruiters was carried out in Myanmar and Nepal.	Mainly private recruitment/ employment agencies (PRAs)	Not found/not available yet
Work in Freedom by ILO-DFID	A programme that promotes empowerment, fair recruitment, safe migration, and decent work for South Asian women and girls, with a focus on domestic work and the garment sector in five countries: Bangladesh, India, Nepal, Jordan, and Lebanon. To date, 600 labour recruiters have been trained on ethical recruitment.	Mainly PRAs	Not found/not available yet
Fair Recruitment Initiative by ILO	A multi-stakeholder programme that places social dialogue at its centre and aims at promoting fair and ethical recruitment, and empowering workers. Under this initiative, a pilot project was conducted among Nepalese female workers who migrated to Jordan to work in the garment sector.	PRA	Less absenteeism, higher productivity, and improved working environment and workers' wellbeing. Less migration-related debts.
Better Brick Nepal (BBN)	A project by the Brick Clean Group Nepal (BCN), Global Fairness Initiative (GFI), and GoodWeave International (GWI). Objectives were to reduce forced, bonded, and child labour on brick kilns and facilitate the development of a market-based model to certify bricks.	Labour contractors	Safer working environment, higher satisfaction among workers, greater worker retention, and access to education for the workers' children
Decent Work Country Programme (DWCP) in Nepal and Myanmar by ILO	A project to promote decent work and improve recruitment services through collaboration with the government and private sector. Other than developing audit tools, DWCP promotes and facilitates registration of recruitment agencies and encourages them to adopt a Code of Conduct.	Mainly PRAs	
Code of Conduct for the Members of Myanmar Overseas Employment Agencies Federation (MOEAF)	A Code of Conduct to promote fair recruitment practices, focusing on transparency of migration costs and accountability for the return and reintegration of migrant workers. To date, 183 PRAs have signed the Code of Conduct and agreed to be monitored.	PRAs	Not published/not available yet

Table 3: Programmes/initiatives that target labour intermediaries in Bangladesh, Nepal, and Myanmar (cont.)

Intervention/ programme	Brief description	Targeted intermediary	Outcome(s)
The United Nations Inter-Agency Project on Human Trafficking (UNIAP) Phase III	Anti-trafficking project in the Greater Mekong Sub-region (GMS). Under its SIREN initiative, a public–private sector consultation was carried out to address exploitative brokering and human trafficking in the shrimp supply chains in Thailand. Under its Worst Offenders Project, traffickers, exploiters, employers, and brokers in GMS were tracked.	Traffickers, brokers	Purchase policy changes made by US suppliers as a response to consultation on Thai shrimp industry
Supply chain transparency initiatives by business companies	As part of CSR, some companies have adopted supply chain transparency to combat abuses that occur along this chain, particularly unethical recruitment. For example, Arcadia Group provided recruitment guidelines to all its suppliers.	Whole supply chain	No published evidence on outcome yet

*The programmes listed in this table are not comprehensive. Some initiatives were not included for reasons such as labour intermediaries not being directly targeted and initiatives not being relevant to Nepal/Bangladesh/Myanmar. Evidence of the outcomes of listed programmes may not be fully available yet, as some programmes are relatively new or ongoing.

chain, particularly unethical recruitment (UNODC 2015). For instance, Arcadia Group, a British multinational retailing company, developed recruitment guidelines for all its suppliers, conducted training to promote ethical recruitment, and provided Migrant Worker Guidelines that specifically prohibit recruitment fees, mandatory deposits, and retention of identity documents (Arcadia n.d.). Bangladesh is among Arcadia's suppliers. Little is known about the outcomes of these efforts.

Various **local NGOs in Nepal** have carried out interventions to fight forced labour, CSE, and child labour with the help of government institutions and international organisations. Activities that targeted labour recruiters were mainly in: (a) the legal field, through advocacy work, capacity building, and provision of legal aid to victims in order to facilitate prosecution of traffickers and fraudulent recruiters; (b) businesses, through promoting codes of conduct; and (c) the criminal justice response, through conducting raids with law enforcers (Baumann and Dharel 2014). However, evidence on the outcomes of these interventions was not reported.

Some **indirect interventions** may have affected recruiters. For instance, initiatives or programmes that did not target labour intermediaries led to the establishment of a child protection committee or vigilance groups at the

village and district level (Dharel *et al*. 2015); negotiation with employers to ensure transparency and better working conditions (Save the Children 2014); capacity building of law enforcers and relevant organisations (Banerjee 2010); and awareness-raising activities such as campaigns, cultural programmes, and meetings with community members including parents, employers, teachers, and religious leaders (Save the Children 2014; WVI 2017; Sjoblom and Chowdhury 2014). Generating public awareness is especially important given that ILIs are often living in the same community and known to victims.

There were also interventions in the form of providing a hotline for trafficking victims (e.g. the UNIAP Myanmar-language hotline in Thailand) and training to raise awareness about online safety among children, parents, and relevant stakeholders. The former was reported to have shown mixed results: while less than one-third of lodged complaints led to action by law enforcers in Thailand, a number of victims were identified and given support, and some offenders were arrested (UNIAP 2013). The latter, on the other hand, specifically targeted the emerging trend of online grooming through social media platforms by traffickers who duped children into CSE through promises of work (The Freedom Fund 2019). Complaint mechanisms have also been officially

established in Bangladesh (2013) and Nepal (2010) to enable workers to lodge reports of fraud, deception, or exploitation committed by employers or recruiters (IOM 2015).

Another intervention which impacted labour intermediaries indirectly was provision of microcredit to families at risk. Evidence showed that access to microcredit was a protective factor against trafficking and child labour, as it reduced families' dependency on loans offered by middlemen (who could act as both recruiters and moneylenders) (World Education 2009). However, this is beyond the scope of this review.

Table 3 summarises the programmes/initiatives that target labour intermediaries.

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

Section 4:

DISCUSSION

4 DISCUSSION

While stories of fraudulent and exploitative recruitment and its consequences are not new to rural communities, the presence of ILIs remains palpable with no sign of decline. This is a possible indication that society – regardless of socioeconomic status – continues to seek their assistance or at least accept their operation and activities. Existing literature has largely painted a negative impression of ILIs which is without doubt corroborated by ample evidence. However, positive outcomes of ILI-mediated labour (Abrar *et al*. 2017) – documented to a much lesser extent – could be one reason why ILI 'help' or services continue to be sought after. In a study among a group of Bangladeshi migrant workers, a positive perception of informal brokers was found; they were seen as helpful, efficient, 'able to keep promises', and a stepping stone that had enabled the workers to economically thrive (*ibid*.). Likewise, some interviewed brokers admitted to trying hard to deliver their promises and avoid 'failures' in order to maintain a good reputation in the community, which is an essential element for every broker (*ibid*.). They also expressed joy to see a rural family grow out of poverty as a result of their help (MFA 2019a, 2019b). Another study among CDWs across seven countries – many of whom entered the sector through family members, relatives, neighbours, etc. – showed mixed outcomes. While some CDWs reported maltreatment, others had positive experiences such as having regular earnings, establishing a trusted relationship with the employer, getting access to formal education, and enjoying more comfortable living conditions (Blagbrough 2007). These positive perceptions and 'success stories' are perhaps the reason why ILIs continue to thrive. In other instances, even when workers found themselves deceived by ILIs, they still continued working as they had to weigh up the risks of poverty at home vs the disadvantages of abuse in the workplace.

Interventions at the legal/policy level – in the forms of international instruments and national policies/laws – to regulate labour intermediaries are relatively detailed and comprehensive. The problem appears to lie in weak enforcement and lack of implementation (UNODC 2015). Therefore, it is difficult to assess the outcomes of such policies and legislation. This review did not find any robust evidence on the outcomes of international conventions or national policies and legislation with regard to labour intermediaries that can be linked to child labour.

Most programmes targeting labour recruiters included in this report have focused on PRAs or their associations. These were usually registered entities, or entities with clear legal identities with premises located in cities. None of the programmes described in Section 3 – with the exception of Better Brick Nepal (GFI n.d.) – directly involved ILIs. It is unclear how targeting formal PRAs can affect informal agents or sub-agents, or other intermediaries operating independently in rural settings, in a meaningful way. Prior studies had similarly pointed out that 'recruitment regulations commonly only cover recruiters operating at the upper end of the labour supply chain, leaving the various labour intermediaries and subcontractors acting on behalf of the recruiters outside the government's regulatory authority' (ILO 2019b: 41).

It has also been argued that the tendency to focus on 'ethical recruitment' among PRAs may not be effective in some Asian countries mainly because 'there is not currently a market for ethical recruitment in this region on any significant scale' and employers are not willing to pay for the costs of ethical recruitment (IOM 2015: 108). In addition, the excessive emphasis on recruiters could render employers 'less noticeable' when they in fact hold greater power and ability to influence recruitment business practices (*ibid*.). For instance, the 'Promoting Decent Work in Brick Kilns' pilot project in Tamil Nadu, India was regarded as among the good practices in addressing child and bonded labour. Even though recruiters and moneylenders were identified as entry points through which poor families became entrapped in debt and subsequently labour in brick kilns, the successful intervention was largely driven by employers (IPEC-ILO 2010). The project described 'sensitisation of both employers and recruiters' as a necessary condition for such an initiative to be effective (*ibid*.).

Most interventions in the recruitment industry have been designed in the context of international migration. While this did not exclude children, there was rarely any specific mention of, or discussion on, child labourers (e.g. young girls who migrated to foreign countries to work as domestic help or in garment factories). The link between existing programmes (aiming to regulate the recruitment industry) and WFCL has not been made explicit, thus leaving a huge gap. In addition, none of the listed initiatives has targeted the less known – but larger – group of individuals who generally do not view themselves as labour intermediaries but often act as one; namely, parents, siblings, relatives, peers, friends, teachers, religious figures, and institutions. Findings in this review showed that most labour intermediation that

is associated with WFCL was kinship-based, an aspect largely overlooked in policy responses. While it might sound impossible to regulate these 'intermediaries' due to the nature of relationships and the extremely informal settings in which recruitment occurs, future initiatives need to at least take into account these dynamics.

Few interventions reported on their outcomes or impacts. This could be attributed to the lack of evaluation capacity or their in-progress status. For instance, a number of local NGOs in Nepal carried out anti-trafficking programmes but did not have the capacity to monitor and evaluate their impact or effectiveness. Similarly, despite the growing popularity of supply chain transparency (SCT) and due diligence among multinational businesses, little evidence is available on their outcomes. However, a number of companies have attempted to address recruitment issues in their SCT effort, with considerable success (UNODC 2015; Arcadia n.d.; Apple 2020). One example is Apple's fee reimbursement programme that forced Apple's suppliers to refund recruitment fees charged to workers to get them out of debt bondage. As a result, suppliers ended contracts with recruitment agencies that had illegally charged exorbitant fees (IOM 2015; Apple 2014). Supply and labour chain transparency thus can be considered a promising intervention, deserving further attention and research.

It is interesting to note that among the documented good practices addressing WFCL in agricultural sectors across seven countries – Brazil, Dominican Republic, Indonesia, the Philippines, Tanzania, Thailand, and Nicaragua – most designed interventions did not include or target recruiters (IPEC-ILO 2014). This was despite the fact that deceptive recruitment and trafficking were shown to have played a role (Verité 2013). For example, while some children entered the *jermal* fishing industry in Indonesia through deceptive recruitment, programmes had focused on other actors like employers, labour inspectors, parents, NGOs, teachers, and the local community. Similarly, even though many workers (including children) were trafficked into the Thai fishing industry, interventions had mainly targeted employers, with promising outcomes (IPEC-ILO 2014; Human Rights Watch 2018). While the reason for this 'omission' is unclear, it could imply that because addressing ILIs is extremely challenging, it is more practical to direct the focus and resources to other stakeholders. Alternatively, it could mean that not much is known about ILIs in these settings, hence the lack of initiatives addressing them. Nevertheless, a common theme across all these good practices is the importance of mixed modalities of interventions.

One challenge to tackle ILIs in WFCL is to bring about more fundamental changes to the values, ways of thinking, and societal norms. Evidence showed that many ILIs did not perceive their action as erroneous or saw themselves as recruiters, despite being aware of the possible consequences of the job they were facilitating. In fact, they viewed themselves positively – as helpers, mediators, and service providers. For example, monks in Myanmar were entrusted by parents in remote or conflict-ridden areas to provide shelter and protection for their children. Some of these children were taken to the city or monastic schools, and later given away to employers seeking domestic workers. This was often done with good faith, said to be in the 'best interest' of the child (ILO 2019d). Similarly, relatives, friends, or siblings facilitating jobs for a child may do so with good intentions, even if the child is subsequently exploited or entrapped in slavery-like conditions. With a background of poverty and illiteracy, the tendency among rural families to excessively trust people known to them, or those with influence and power, has made it easy for intermediaries to take advantage of the situation.

Given the rapid adoption of technology and social media among children and youths even in rural communities, recruiters are increasingly using this medium for preying on potential victims (ECPAT 2018). There is ample evidence of traffickers or criminals using social media for online grooming and recruiting of children. Victims could be then physically trafficked into different work sectors, especially the sex industry, or tricked into online sexual exploitation such as child pornography (Mera 2019). More research is urgently needed in this field, where recruiters can be invisible and recruitment is done virtually.

Abusive and fraudulent practices by ILIs thrive in conditions where corruption is rife and law enforcement is weak. Similarly, trafficking activities are facilitated by the presence of law enforcers, border security officials, community members (villagers, taxi drivers, etc.), and even families who readily 'lend support' to traffickers to gain profit. Such complicity is intricate, often arising from an interplay between poverty, ignorance, greed, corruption, absence of rule of law, and weak governance. Therefore, interventions that target the recruitment industry or ILIs alone are unlikely to be effective. Structural factors that allow their abusive practices to continue need to be equally addressed. Similarly, elements that are not directly related to recruitment issues but can act as protective mechanisms – such as microfinance and access to schools – should be combined with interventions targeting labour intermediaries.

THIS PAGE IS INTENTIONALLY LEFT BLANK

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

Section 5:

LIMITATIONS

5 LIMITATIONS

This review has a number of limitations. First, being desk-based research, it relied almost entirely on published material. Thus, some relevant information was simply not available or could not be captured. This might be due to data or evidence on programmes/interventions not being officially documented or published by the organisation running them. For instance, local NGOs may not have the capacity to publish, or the incentive to systematically document their programmes, so the only way to access this information is by physically reaching out to them. Second, restriction to studies/reports written in English could have excluded a wealth of information published or available in other languages like Bengali, Nepali, and Burmese. Third, this review did not include perspectives of qualitative data from interviews with field experts or key informants. Findings need to be viewed in the light of these constraints.

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

REFERENCES

REFERENCES

Abrar, C.R. *et al*. (2017) *Emic Perspectives on Brokering International Migration for Construction from Bangladesh to Qatar*, Working paper 49, Brighton: Migrating Out of Poverty Research Programme Consortium, www.migratingoutofpoverty.org/files/file.php?name=wp49-abrar-et-al--emic-perspectives-on-brokering-international-migration.pdf&site=354 (accessed 20 May 2020)

Andrees, B.; Nasri, A. and Swiniarski, P. (2015) *Regulating Labour Recruitment to Prevent Human Trafficking and to Foster Fair Migration: Models, Challenges and Opportunities*, Geneva: International Labour Organization

Apple (2020) *Supplier Responsibility*, Apple Inc., www.apple.com/supplier-responsibility/

Apple (2014) *Supplier Responsibility 2014 Progress Report*, Apple Inc., www.apple.com/supplier-responsibility/pdf/Apple_SR_2014_Progress_Report.pdf (accessed 20 May 2020)

Arcadia (n.d.) *Fashion Footprint: Fashioning a Sustainable Future*, www.arcadiagroup.co.uk/fashion-footprint (accessed 20 May 2020)

Banerjee, P. (2010) *Foot Soldiers at the Frontier: Community Based Organisations against Trafficking*, Kolkata: Groupe Developpement

Barkat, A.; Hossain, M. and Hoque, E. (2014) *The Cost: Causes of and Potential Redress for High Recruitment and Migration costs in Bangladesh*, Dhaka: International Labour Organization, www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_303633.pdf (accessed 20 May 2020)

Basnet, B.B. (2016) *Indentured Servitude to Post-Freedom Predicament. A Study of Oppression of Young Tharu Kamlari Women of Dang*, Nepal: UiT Norges Arktiske Universitet

Baumann, G. and Dharel, M. (2014) *Modern Slavery in Nepal: Understanding the Problem and existing Responses*, Perth: Walk Free Foundation

BBS (2011) *Working Children in Dry Fish Industry in Bangladesh*, Dhaka Bangladesh Bureau of Statistics and International Labour Organization

Biraj, A. (2012) 'Bangladesh's 'Teenage' Brothels Hold Dark Steroid Secret', *Reuters*, 19 March, https://uk.reuters.com/article/us-bangladesh-prostitution/bangladeshs-teenage-brothels-hold-dark-steroid-secret-idUKBRE82I02A20120319 (accessed 20 May 2020)

Blagbrough, J. (2007) '*They Respect their Animals More': Voices of Child Domestic Workers*, London: Anti-Slavery International

BSAF (2016) *Hidden Slavery: Child Domestic Workers*, Dhaka: Bangladesh Shishu Adhikar Forum, https://idwfed.org/en/resources/hidden-slavery-child-domestic-workers/@@display-file/attachment_1 (accessed 20 May 2020)

BSAF (2015) *Need Gap Analysis of Child Domestic Labour in Bangladesh*, Dhaka: Bangladesh Shishu Adhikar Forum

Burberry (2018) *Modern Slavery Act 2015 and Transparency in Supply Chains Act of 2010: Burberry Group plc Statement*, www.burberryplc.com/content/dam/burberry/corporate/Responsibility/Responsibility_docs/Policies-and-Commitments-assets/Modern%20Slavery%20-%20California%20Statement%20-%20June%202018.pdf (accessed 20 May 2020)

Chakrabarty, S. and Grote, U. (2009) 'Child Labour in Carpet Weaving: Impact of Social Labelling in India and Nepal', *World Development* 37.10: 1683–93

Chodhuary, S.; Islam, M. and Akter, J. (2013) *Exploring the Causes and Process of Becoming Child Domestic Worker*, Gazipur: BRAC

CWA (2007) *Understanding Bonded Child Labour in Asia: An Introduction to the Nature of the Problem and How to Address It*, Bangkok: Child Workers in Asia, https://childhub.org/en/system/tdf/library/attachments/bonded_child_labour_270407.pdf?file=1&type=node&id=17774 (accessed 20 May 2020)

Dank, M. *et al*. (2019) *Prevalence of Minors in Kathmandu's Adult Entertainment Sector*, New York NY: John Jay College of Criminal Justice Research, https://freedomfund.org/wp-content/uploads/Prevalence-of-minors-in-Kathmandus-adult-entertainment-sector-FINAL-print.pdf (accessed 20 May 2020)

Deane, T. (2010) 'Cross-Border Trafficking in Nepal and India – Violating Women's Rights', *Human Rights Review* 11: 491–513

de Groot, A. (2010) *Child Labour in Kathmandu, Nepal*, Leiden: Institute for Research on Working Children (IREWOC)

DFID (2009) *Political Economy Analysis: How to Note*, London: Department for International Development

Dharel, M.; Rai, W. and Thapa, N. (2015) *Community-Based Integration of Anti-Trafficking and Human Rights Protections within Post-Earthquake Recovery Efforts in Sindhupalchok District, Nepal August–December 2015: Report on Learning from an Action Research Project*, Kathmandu: Swatantrata Abhiyan, GMSP, The Freedom Fund, Free the Slaves

ECPAT (2018) 'Sexual Exploitation of Children is an Increasing Concern across Southeast Asia: New report', *End Child Prostitution and Trafficking (ECPAT)*, 28 February, www.ecpat.org/news/sexual-exploitation-children-increasing-concern-across-southeast-asia-new-report/ (accessed 20 May 2020)

ECPAT (2014) *The Commercial Sexual Exploitation of Children in South Asia*, Bangkok: ECPAT International, www.ecpat.org/wp-content/uploads/2016/04/CSEC_Overview_SouthAsia.pdf (20 May 2020)

ECPAT (2011) *Global Monitoring Status of Action against Commercial Sexual Exploitation of Children: Bangladesh*, ECPAT International, www.ecpat.org/wp-content/uploads/2016/04/A4A_V2_SA_BANGLADESH.pdf (accessed 27 May 2020)

Farhana, M.; Marchi, D. and Rahman, S. (2010) 'Surviving Pattern of Women and Children Migrants in Urban Bangladesh', *Bangladesh e-Journal of Sociology* 7.2: 50–64

Fauconnier, M. (2019) 'An Alarming Observation: Women are Disproportionally Affected by Modern Slavery', *Humanium*, 13 March, www.humanium.org/en/women-modern-slavery/ (accessed 20 May 2020)

Ferdousi, K. and Faruk, M. (2016) 'Involvement of Child Labour in Aquaculture Activities in Mymensingh District, Bangladesh', *Research in Agriculture, Livestock and Fisheries* 3.3: 433–42

Free the Slaves (2015) 'Update on Earthquake Impact and Recovery in Nepal', *FTS Blog*, 8 May, www.freetheslaves.net/update-on-earthquake-impact-and-recovery-in-nepal/ (20 May 2020)

GFI (Global Fairness Initiative) (n.d.) *Better Brick Nepal*, www.globalfairness.org/our-work/our-programs/better-brick-nepal (accessed 20 May 2020)

GMACL (2014) *Economics Behind Forced Labour Trafficking: Comprehensive Case Studies of Child Domestic Labour and Commercial Sexual Exploitation*, New Delhi: Global March Against Child Labour, http://globalmarch.org/wp-content/uploads/2017/09/Economic-Behind-Forced-Labour-Trafficking.pdf (20 May 2020)

GoodWeave (2015) *Better Brick Nepal (BBN) Standard Criteria*, GoodWeave International, https://goodweave.org/wp-content/uploads/2017/09/BBNDraftStandardv.4_2015.pdf (accessed 1 June 2020)

Heissler, K. (2013) 'Rethinking "Trafficking" in Children's Migratory Processes: The Role of Social Networks in Child Labour Migration in Bangladesh', *Children's Geographies* 11.1: 89–101

HERD (2016) 'Brick Kilns in Nepal – A Situation Report', *Health Research and Social Development Forum blog*, 31 March, www.herd.org.np/blogs/47 (accessed 20 May 2020)

Hoffmann, M. (2017) 'Unfree Labour after the Maoist Revolution in Western Nepal', *Contributions to Indian Sociology* 51.2: 139–62

Hoque, M. (1995) *Child Domestic Work in Dhaka: A Study of the Exploitative Situation*, Dhaka: Save the Children Fund Australia and Anti-Slavery International London

Human Rights Watch (2018) 'Thailand: Forced Labor, Trafficking Persist in Fishing Fleets, *Human Rights Watch*, 23 January, www.hrw.org/news/2018/01/23/thailand-forced-labor-trafficking-persist-fishing-fleets (accessed 20 May 2020)

Human Rights Watch (2016) *'I Was Sold': Abuse and Exploitation of Migrant Domestic Workers in Oamn*, 13 July, www.hrw.org/report/2016/07/13/i-was-sold/abuse-and-exploitation-migrant-domestic-workers-oman (accessed 20 May 2020)

Idris, I. (2020) *Interventions to Combat High-Interest Informal Moneylending*, CLARISSA Emerging Evidence Report 1, Brighton: IDS, https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/15360 (accessed 1 June 2020)

IDWFED (2015) *Bangladesh: Cabinet Adopts Domestic Workers Protection and Welfare Policy*, https://idwfed.org/en/updates/bangladesh-cabinet-clears-draft-policy-to-protect-domestic-workers-rights (accessed 1 June 2020)

ILO (2019a) *The Benefits of Fair Recruitment: Results of the Impact Study on the Nepal–Jordan Corridor*, International Labour Organization: 12, www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_727143.pdf (accessed 20 May 2020)

ILO (2019b) *Ending Child Labour, Forced Labour and Human Trafficking in Global Supply Chains*, Geneva: International Labour Organization, www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_716930.pdf (accessed 28 May 2020)

ILO (2019c) *Lessons Learned by the Work in Freedom Programme*, New Delhi: International Labour Organization

ILO (2019d) *Rapid Assessment on Child Domestic Work (CDW) in Myanmar*, Yangon: International Labour Organization

ILO (2018a) *Federal Democratic Republic of Nepal: Decent Work Country Programme 2018–2022*, Kathmandu: International Labour Organization

ILO (2018b) *Myanmar Decent Work Country Programme 2018–2021: A Tool to Advance Decent Work and Sustainable Development*, Yangon: International Labour Organization

ILO (International Labour Organization) (2018c) *Myanmar: 66 More Overseas Employment Agencies Sign Up to the Code of Conduct for Fairer Migration*, 22 March, www.ilo.org/yangon/press/WCMS_622783/lang--en/index.htm (accessed 20 May 2020)

ILO (2015) *Work in Freedom Technical Progress Report*, New Delhi: International Labour Organization and Department for International Development (DFID)

ILO (2014) *The Cost: Causes and Potential Redress for High Recruitment and Migration Costs in Bangladesh*, Dhaka: International Labour Organization Country Office for Bangladesh, www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_303633.pdf (accessed 20 May 2020)

ILO (2013) *Decent Work Country Programme (2013–2017)*, Nepal: International Labour Organization

Imam, H. and Munier, A. (2020) *Mapping of Labour Migration Recruitment Practices in Bangladesh*, Dhaka: International Organization for Migration (IOM) Bangladesh

IOM (2015) *Recruitment Monitoring and Migrant Welfare Assistance: What Works?*, Dhaka: International Organization for Migration

IPEC-ILO (2014) *Compendium of Good Practices on Addressing Child Labour in Agriculture*, Geneva: International Programme on the Elimination of Child Labour, International Labour Organization

IPEC-ILO (2010) *From Bondage to Schools in Brick Kilns (Tamil Nadu, India),* Geneva: International Programme on the Elimination of Child Labour,International Labour Organization

IPEC-ILO (2008) *Commercial Sexual Exploitation of Children and Adolescents: The ILO Response*, International Programme on the Elimination of Child Labour, International Labour Organization: 12, www.ilo.org/global/docs/WCMS_100740/lang--en/index.htm (accessed 20 May 2020)

Kiss, L.; Yun, K.; Pocock, N. and Zimmerman, C. (2015) 'Exploitation, Violence, and Suicide Risk among Child and Adolescent Survivors of Human Trafficking in the Greater Mekong Subregion', *JAMA Pediatrics* 169.9: e152278-e

Koirala, A.; Banskota, H.K. and Khadka, B.R. (eds) (2004) 'Cross Border Interception – A Strategy of Prevention of Trafficking of Women from Nepal', paper presented at the International Conference on AIDS, Thailand, 11–16 July

Jha, C.K. and Madison, J. (2011) 'Antecedent and Sequalae Issues of Nepalese Women Trafficked into Prostitution', *Journal of International Women's Studies* 12.1: 79–90

Larmar, S. *et al*. (2017) 'Hazardous Child Labor in Nepal: The Case of Brick Kilns', *Child Abuse and Neglect* 72: 312–25

Lieten, G.; de Groot, A.; Ensing, A.; Baum, N. and de Graaf, M. (2010) *The Worst Forms of Child Labour in Asia: Main Findings from Bangladesh and Nepal,* Leiden: International Research on Working Children (IREWOC)

Lindquist, J.; Xiang, B. and Yeoh, B.S. (2012) 'Opening the Black Box of Migration: Brokers, the Organization of Transnational Mobility and the Changing Political Economy in Asia', *Pacific Affairs* 85.1: 7–19

Mera, S. (2019) 'How the Internet Fuels Sexual Exploitation and Forced Labour in Asia', *South China Morning Post*, 2 May, www.scmp.com/comment/insight-opinion/article/3008403/how-internet-fuels-sexual-exploitation-and-forced-labour (accessed 20 May 2020)

MFA (Migrant Forum in Asia) (2019a) *Bangladesh: A Documentary on the Role of Sub-Agents in the Recruitment of Migrant Workers*, https://mfasia.org/

bangladesh-a-documentary-on-the-role-of-sub-agents-in-the-recruitment-of-migrant-workers/ (accessed 20 May 2020)

MFA (Migrant Forum in Asia) (2019b) *Nepal: A Documentary on the Role of Sub-Agents in the Recruitment of Migrant Workers*, https://mfasia.org/nepal-a-documentary-on-the-role-of-sub-agents-in-the-recruitment-of-migrant-workers/ (accessed 20 May 2020)

Musa, S. and Olsen, W. (2018) *Bonded Child Labour in South Asia: Building the Evidence Base for DFID Programming and Policy Engagement*, Manchester: Department for International Development (DFID)

Oh, S-A. (2019) Internal Migration in Myanmar: Patterns, Benefits and Challenges, Singapore: ISEAS-Yusof Ishak Institute, www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2019_98.pdf (accessed 3 June 2020)

OJJDP (2016) *Child Labor Trafficking*, Office of Juvenile Justice and Delinquency Prevention

Oosterhoff, P. and Hacker, E. (2020) *Social Norms, Labour Intermediaries, and Trajectories of Minors in Kathmandu's Adult Entertainment Industry*, CLARISSA Working Paper 1, Brighton: IDS

Pelto, B. (1997) *Daily Lives of Working Children: Case Studies from Bangladesh*, Bangladesh: UNICEF

Rahman, M. (2011) *Recruitment of Labour Migrants for the Gulf States: The Bangladeshi Case*, ISAS Working Paper 132, Singapore: Institute of South Asian Studies

Rimal, R. and Papadopoulos, C. (2016) 'The Mental Health of Sexually Trafficked Female Survivors in Nepal', *International Journal of Social Psychiatry* 62.5: 813–18

Sakaew, S. and Tangpratchakoon, P. (2009) *Brokers and Labor Migration from Myanmar: A Case Study from Samut Sakorn*, Labour Rights Promotion Network, www.arcmthailand.com/documents/publications/lpn-en.pdf (accessed 20 May 2020)

Save the Children (2014) *Working Children in Bangladesh – Inspiring Stories from the Field*, Dhaka: Save the Children, https://resourcecentre.savethechildren.net/node/9866/pdf/inspiring_stories_from_the_field_working_children.pdf (accessed 20 May 2020)

Shrestha, S. and Thygerson, S.M. (2019) 'Brick Kilns of Nepal: A Non-Governmental Organization Perspective', *Open Journal of Safety Science and Technology* 9.1: 1–6

Sjoblom, D. and Chowdhury, A.A. (2014) *Putting Child Sensitive Social Protection into Practice in Bangladesh*, Dhaka: Save the Children, https://resourcecentre.savethechildren.net/node/9540/pdf/approach_paper_bangladesh_final_version.pdf (accessed 20 May 2020)

Tamang, A. and Frederick, J. (2006) *Asylums of Exploitation: Internally Displaced Children in the Worst Forms of Child Labour Due to the Armed Conflict in Nepal*, Kathmandu: Save the Children, Crehpa and Terres des hommes

Tdh (2005) *A Study of Trafficked Nepalese Girls and Women in Mumbai and Kolkata, India*, Kathmandu: Terres des hommes

The Freedom Fund (2019) *Central Nepal Hotspot Annual Report 2018*, https://freedomfund.org/wp-content/uploads/Central-Nepal-Hotspot-Annual-Report-2018.pdf (1 June 2020)

UN-ACT (2014) *Myanmar: National Trafficking Trends*, United Nations Action for Cooperation against Trafficking in Persons, http://un-act.org/myanmar/ (accessed 20 May 2020)

UN Women (2019) 'Tackling Human Trafficking in Myanmar', *UN Women*, 3 January, www.unwomen.org/en/news/stories/2019/1/feature-tackling-human-trafficking-in-myanmar (accessed 20 May 2020)

UNIAP (2013) *United Nations Inter-Agency Project on Human Trafficking (UNIAP) Phase III (2007–2013)*, Bangkok: United Nations Inter-Agency Project on Human Trafficking

United Nations (2017) *Family Members Linked to Nearly Half of Child Trafficking Cases, New UN-Backed Data Reveals*, 28 November, https://news.un.org/en/story/2017/11/637532-family-members-linked-nearly-half-child-trafficking-cases-new-un-backed-data (accessed 20 May 2020)

UNODC (2015) *The Role of Recruitment Fees and Abusive and Fraudulent Practices of Recruitment Agencies in Tafficking in Persons*, Vienna: United Nations Office on Drugs and Crime, www.unodc.org/documents/human-trafficking/2015/Recruitment_Fees_Report-Final-22_June_2015_AG_Final.pdf (accessed 20 May 2020)

USDOL (2018) *2018 Findings on the Worst Forms of Child Labor*, US Department of Labor, www.dol.gov/agencies/ilab/resources/reports/child-labor/nepal (accessed 20 May 2020)

van de Glind, H. and Coenjaerts, C. (1998) *Combating Trafficking in Children for Labour Exploitation in the Mekong Sub-Region*, Bangkok: International Labour Organization

Verité (2013) *Reseach on Indicators of Forced Labour in the Supply Chain of Fish in Indonesia: Platform (Jermal) Fishing, Small-Boat Anchovy Fishing and Blast Fishing*, Amherst MA: Fair Labor Worldwide, www.verite.org/wp-content/uploads/2016/11/Research-on-Indicators-of-Forced-Labor-in-the-Indonesian-Fishing-Sector__9.16.pdf (accessed 20 May 2020)

Wise, A. (2013) 'Pyramic Subcontracting and Moral Detachment: Down-Sourcing Risk and Responsibility in the Management of Transnational Labour in Asia', *The Economic and Labour Relations Review* 24.3: 433–55

World Education (2009) *Improving Family Livelihoods to Address Child Labour*, http://3vvxza37b4sa2ci1ug2o2qwg-wpengine.netdna-ssl.com/wp-content/uploads/2014/02/bfp-improved-family-livelihoods.pdf (accessed 1 June 2020)

WVI (2017) *End Traficking in Persons Programme*, World Vision International, www.wvi.org/sites/default/files/ETIP%20Summary%20Report-FINAL-28%20Sep.pdf (accessed 1 June 2020)

Zohir, C. (2001) 'Social Impact of the Growth of Garment Industry in Bangladesh', *The Quarterly Journal of the Bangladesh Institute of Development of Studies* XXVII.4: 41–80

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

ANNEXES

Addressing Informal Labour Intermediaries in the
Context of Child Labour: Evidence Review across
Nepal, Bangladesh, and Myanmar

ANNEXE A: DEFINITION OF KEY TERMINOLOGIES AND CONCEPTS

Definition	
Labour recruiter	The term 'labour recruiter' as expressed in the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), can refer to both private and public entities that offer labour recruitment services. Private entities can take many forms: formal (e.g. registered under commercial or other law) or informal (not registered, such as informal sub-agents), profit-seeking (e.g. fee charging agencies), or non-profit (e.g. trade union hiring halls).
Private recruitment agencies (PRAs)	Private employment agencies fall within the definition of labour recruiters. In particular, they are defined by the ILO Private Employment Agencies Convention, 1997 (No. 181), as 'a natural or legal person, independent of the public authorities, which provides one or more of the following labour market services: (a) services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships that may arise therefrom; (b) services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a 'user enterprise') that assigns their tasks and supervises the execution of these tasks; (c) other services relating to job-seeking, determined by the competent authority after consulting the most representative employers and workers organisations, such as the provision of information, that do not set out to match specific offers of and applications for employment.' (Article 1(1)).
Sub-agents	Individual agents usually work in loose partnerships with PRAs. They are the first point of contact for individuals seeking foreign employment. Sub-agents charge fees (official and hidden) for their services, which distinguishes them from other individuals within 'social networks' that facilitate migration.
Worst forms of child labour	Based on Article 3 of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), WFCL comprises: 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.
Trafficking	The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Conventions Against Transnational Organized Crime, 2000 (the 'Trafficking in Persons' Protocol) defines human trafficking as 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 payments or benefits to achieve the consent of a person having control over another for the purpose of exploitation'.
Forced labour	The ILO Forced Labour Convention, 1930 (No. 29), defines 'forced or compulsory labour' as: 'all work or service which is exacted from any person under the menace of any penalty and to which the said person has not offered him voluntarily' (World Education 2009). 'Work and services' includes all types of work, employment or occupation, whether legal or not. 'Menace of any penalty' includes all forms of criminal sanctions and other forms of coercion, including threats, violence, retention of identity documents, confinement, non-payment or illegal deduction of wages, or debt bondage.

ANNEXE B: LIST AND COMBINATIONS OF SEARCH TERMS

For the academic literature search, the following terms were used in *title/abstract/keyword:*

(Intervention* OR program* OR measure* OR initiative* OR effort* OR action* OR response* OR legislat* OR regulat*)

AND

((informal labour intermediaries) OR intermediar* OR (employment agenc*) OR contractor* OR subcontractor* OR broker* OR middlem* OR trafficker* OR fixer* OR recruiter* OR (recruitment agen*) OR smuggler OR

(labour agen*) OR (quasi-labour agen*)) OR famil* OR friend* OR peer* OR kin* or (fictive kin*) OR neighb* OR contact* OR (religious figure*) OR monk* OR teacher* OR parent* OR community

AND

((child labour) OR (child labor) OR (child exploitation) OR (child slavery) OR (child soldier*) OR (child prostitut*) OR (child pornography) OR (child trafficking)) OR (sexual exploitation) OR (child domestic work*) OR (bonded labour) OR Kamaiya

AND

(Nepal OR Myanmar OR Bangladesh)

THIS PAGE IS INTENTIONALLY LEFT BLANK

THIS PAGE IS INTENTIONALLY LEFT BLANK

THIS PAGE IS INTENTIONALLY LEFT BLANK

CLARISSA works by co-developing with stakeholders practical options for children to avoid engagement in the worst forms of child labour in Bangladesh, Myanmar, and Nepal.

The participatory processes which underpin the programme are designed to generate innovation from the ground which can sustainably improve the lives of children and their families.

The programme's outputs are similarly co-designed and collaboratively produced to enhance local ownership of the knowledge, and to ensure that our research uptake and engagement strategy is rooted in the direct experience of the people most affected on the ground.