

REPORTING ON FORCED LABOUR AND FAIR RECRUITMENT

AN ILO TOOLKIT FOR MONGOLIAN JOURNALISTS

[INTERNATIONAL LABOUR STANDARDS](#) FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK
FREEDOM OF ASSOCIATION AND THE EFFECTIVE RECOGNITION OF THE RIGHT TO COLLECTIVE BARGAINING
THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSARY LABOUR [THE EFFECTIVE ABOLITION OF CHILD LABOUR](#)
THE ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION GENERAL PRINCIPLES AND OPERATIONAL
GUIDELINES FOR FAIR RECRUITMENT [DEFINITION OF RECRUITMENT FEES AND RELATED COSTS](#) LABOUR MIGRATION DECENT WORK
[MIGRANT WORKERS](#) WORKERS RECRUITERS [DOMESTIC WORKERS](#) EMPLOYERS' AND WORKERS' ORGANIZATIONS

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The first edition of the ILO toolkit for Mongolian journalists was developed by Oyuntsetseg Jargalsaikhan and Charles Autheman, consultant journalists for the ILO, in collaboration with the National Human Rights Commission of Mongolia (NHRCM). The second (revised) edition with an updated section on national legislation was prepared by Oyuntsetseg Jargalsaikhan along with NHRCM's team.

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This toolkit was developed by the International Labour Organization (ILO). The ILO is a specialized agency of the United Nations which, since 1919, has brought together government, employers and workers of 187 member States to set labour standards, develop policies and devise programmes promoting decent work for all women and men.

Many organizations and actors have contributed to this toolkit, including, amongst others, the International Federation of Journalists (IFJ), the United Nations Alliance of Civilizations (UNAOC), and journalists from many countries around the world. The original ILO Media Toolkit was developed by Charles Autheman, Kevin Burden, Cassandre Guibord Cyr, Nicolás Castellano, Lou Tessier, Jane Colombini, Maria Gallotti, Mélanie Belfiore and Clara van Panhuys based on the lessons learned from several media engagement programmes of the ILO and other agencies.

In 2020, Oyuntsetseg Jargalsaikhan and Charles Autheman, ILO consultants, adapted the toolkit to Mongolia's context in close collaboration with a team from the National Human Rights Commission of Mongolia (NHRCM) including Altangerel Chojoo, Agar-Erdene Gankhuyag and Unurjargal Zagdaa. Bharati Pflug, ILO Senior Specialist on Fundamental Principles and Rights at Work provided her support and comments on the adapted toolkit.

Given the recent major developments in the national legislative framework on forced labour and labour migration, the toolkit has been updated under the ILO Bridge II Project, which is funded by the United States Department of Labor (USDOL). The Bridge II Project aims at supporting global and national efforts to combat forced labour under the 2014 ILO Protocol and Recommendation on Forced Labour.

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INTRODUCTION

WHY USE THIS GUIDE?

This toolkit was created to help you report on fair recruitment and forced labour. You don't need any prior knowledge to browse through the content of the guide. You can work your way through the material in your own time and at your own pace.

We recommend that you follow the course in logical order, but it is not strictly necessary. If time is short, you can dip in to find the information you need most at the moment and return later to expand your knowledge.

THE ROLE OF THE MEDIA

"I HAD TO EAT THE DOG'S FOOD TO SURVIVE"¹

– Hugo Bachega

Maria (not her real name) had arrived in Brazil from the Philippines as a hired domestic worker by a wealthy family who lived in Sao Paulo.

She had to help the mother with the three school-aged boys and a baby. Then clean the large apartment, walk the family's dog, and put all the children to bed. Weeks would pass without Maria's employers giving her a day off. With so much to do, she often had no time left to eat. One morning when she woke up her stomach hurt from the lack of food, but her tasks were already waiting for her. Only hours later did she find something to eat: she was cooking meat for the family's dog and took half of it for herself.

"I didn't have [any other] choice to survive. "Maria paid \$2,000 (£1,500) in fees to the agency that recruited her. Her employer paid the agency \$6,000 and the cost of the flights to Brazil.

What they were not told when they applied for their jobs was that their visas would be tied to their employment. So even when they found conditions to be bad, they felt they could not just walk out and look for a new job. And to get a new work permit, they would have to leave Brazil."

¹ Bachega, H. [Modern slavery: 'I had to eat the dog's food to survive'](#). BBC News, 2017.

As a human being, you may be outraged by this story. As a journalist, you may be able to do something about it.

Journalists have a voice that many people do not. They have the ability to shine a light on abusive practices and denial of fundamental human rights as well as to alert readers or viewers to the abuses. Journalists have the opportunity to change public opinion, even policy, impacting on the lives of workers. In addition, journalists have a clear ethical duty not to make matters worse, which can happen when reporters and editors use derogatory language for workers and sensationalist headlines.

Writing stories on a human rights issue such as forced labour and fair recruitment is not like writing a routine news story. It takes more time because effort to investigate, speak to a variety of sources, weigh and verify them are should needed in the process.

Many stories of forced labour and fair recruitment are “glocal”: they have a local impact and produce repercussions globally. For instance, workers who are trapped in the garment industry may be producing clothing that some of your readers wear. Therefore, understanding contemporary economic interactions and global production mechanisms are also important for the reporting.

In the following pages, information and advice are provided to help report more and effectively on forced labour and on fair recruitment. Many examples of good reporting are included as well as tips from journalists experienced in covering these often-challenging subjects.

A WORD ABOUT US

This toolkit was basically developed by the International Labour Organization (ILO). The ILO is a specialized agency of the United Nations which, since 1919, has brought together government, employers and workers of 187 member States to set labour standards, develop policies and devise programmes promoting decent work for all women and men.

The toolkit aims at fostering contributions to the United Nations TOGETHER campaign, promoting respect, safety and dignity for refugees and migrants, and to the 50 for Freedom campaign, which aims to mobilize support for the ratification of the ILO Forced Labour Protocol.

It also aims to further contributions to Alliance 8.7, the global partnership committed to achieving Target 8.7 of the Sustainable Development Goals on eradicating forced labour, modern slavery, human trafficking and child labour around the world.

Many organizations and actors have contributed to this toolkit, including, amongst others, the International Federation of Journalists, the United Nations Alliance of Civilizations (UNAOC), and journalists from many countries around the world.

MODULE 1

UNDERSTANDING THE STORY



UNIT 1.1 - LOOKING FOR A COMMON TERMINOLOGY

While telling stories on forced labour and fair recruitment, it is important to know that some words are legally defined while others aren't. Understanding the definitions and interpretations is part of the preparatory work that should be done before any reporting. If you do not have a clear understanding of the meaning(s) of the words you use, your capacity to report accurately and to challenge the discourse of your sources of information is weakened.

Dictionaries, glossaries and media stylebooks are key resources to gain expertise and improve the quality of media productions. The ILO and the UNOAC developed a media-friendly glossary² on migration, which serves as a guideline for journalists and other actors writing about migration.

UNIT 1.2 - FORCED LABOUR

Forced labour can take many different forms. Victims are often tricked into jobs where they are paid little or nothing at all and then cannot leave because they have been manipulated into debt or had their identity documents confiscated. Poverty, illiteracy, discrimination and migration are some of the factors that make workers more vulnerable to forced labour.

A. WHAT IS FORCED LABOUR?

The term forced labour covers a wide variety of coercive labour practices where work is exacted from individuals under the threat of penalty. People who are in forced labour did not give their free and informed consent to start working and/or are not free to leave their work. Human trafficking, debt bondage, bonded labour, slave labour and modern-day slavery are terms that are used by news and media to describe forced labour situations. There are an estimated 27.6 million victims of forced labour around the world. The ILO says forced labour can be found almost anywhere, whether that is in Asia and the Pacific, Europe, Central Asia, Africa, the Arab States or the Americas.

B. HOW DO PEOPLE GET TRAPPED?

Some workers are more vulnerable to the risk of forced labour because they face discrimination (for example, minorities) or because they are isolated (for example, migrant workers). The risk of abuse is higher when the work is performed out of sight, behind closed doors, such as the case of domestic workers.

C. WHAT TYPE OF WORK OR WHICH SECTOR?

Forced labour can happen in any type of activity inside the labour market, in formal or informal sector, even though some low-wage jobs are more prone to abusive practices and exploitation.

² The glossary is available at: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_310235.pdf

D. RECRUITMENT PRACTICES

The use of coercion is often very subtle and hard to detect. Recruitment through deception, including making false promises, is very common when it comes to forced labour. Private recruiters and informal intermediaries may be the only source of employment information available to migrants. This makes it easy for them to lie about the nature of jobs and conditions of work. In Mongolia, the government handles very few recruitment processes, but plays a key role in regulating and monitoring. The government concludes bilateral agreements on employment with receiving countries, implements a licensing system for recruiters in the country and oversees their activities. Nonetheless, chances of unfair recruitment and abuses remain high for many aspiring migrants and jobseekers.

E. IMPUNITY AND PROFITS

Unscrupulous recruiters and employers reap huge illegal profits, facilitated by an environment of impunity where abuses are not always effectively investigated or prosecuted. Victims and their families lose income and as a result cannot escape poverty. It also creates unfair competition for ethical companies and risks tarnishing the reputation of entire industries. Therefore, such environment must be tackled with the contribution of all relevant parties including recruiters, employers, and regulators. They do take their responsibility seriously and stick to the law.

F. LABOUR MIGRATION AND THE RISK OF FORCED LABOUR

Migrant workers are one of the groups most vulnerable to forced labour. Around 44% of forced labour victims are migrant workers, either moving within their own country or internationally. Once workers have left their country of origin for a country of destination, they can find themselves more vulnerable to exploitation, especially when they don't speak the language.

Debt bondage

Debt bondage is the most common form of coercion used to entrap workers. It affects 51% of all victims of forced labour in the private sector. Accepting credit for expenses such as travel costs immediately places a worker in debt to their employers. This debt can then be manipulated through sudden "rises" in interest rates or hidden charges.

Retention of passports

The retention of passports and other identity documents is one of the most common forms of coercion, restricting a migrant worker's freedom of movement, preventing them from seeking help and trapping them in forced labour. It is one of eleven indicators of forced labour. In many countries, this is even a common practice for certain kinds of workers, for example, for domestic workers who live in the household of their employers.

Wage withholding

Wages may be withheld in order to cover housing or tools and equipment. This creates a situation where the worker becomes dependent on the employer for food and shelter.³

³ Debt bondage, retention of passports and wage withholding are different types of indicators of forced labour. The ILO has identified eleven indicators of forced labour, available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf

G. ENDING FORCED LABOUR

Forced labour is a severe violation of human rights and is considered a crime under international law. It should be punishable through penalties reflecting the gravity of the offence and deterring perpetrators to repeat. Although most countries outlaw forced labour, human trafficking and slavery-like practices in their national legislation, successful prosecutions of offenders sadly remain few.

H. THE IMPORTANCE OF REGULATION

When labour markets fail and workers are left unprotected, the most vulnerable among them are at risk of exploitation. In its effort to promote decent work, the ILO has developed over time several international labour standards that tackle forced labour. Some address force labour in general while others focus on specific issues such as child labour or domestic work.

Combating forced labour requires the effective regulation of labour markets, at both international and national levels, and proper enforcement of labour laws.

UNIT 1.3 - DECENT WORK OPPORTUNITIES THROUGH FAIR RECRUITMENT

In today's globalized economy, millions of people are looking for job opportunities beyond their community or country of origin and the recruitment and employment of workers along global supply chains is ever more common. Migration today is more and more about the world of work. In addition, millions of workers migrate within their own country in search of decent work. Making sure that the recruitment process is fair is a key aspect in securing decent work opportunities for all.

A. WHAT IS FAIR RECRUITMENT?

Fair recruitment is a concept that is not defined in international law but that has become central to international debates and ILO work. The Fair Recruitment Initiative is an ILO global initiative looking to improve recruitment practices. It is based on a four-pronged approach: improving global knowledge on national and international recruitment practices (1), improving laws, policies and enforcement (2), promoting fair business practices (3), and empowering and protecting workers (4).

The concept of fair recruitment is embedded in the ILO General Principles and Operational Guidelines for Fair Recruitment⁴, which look at various aspects of the recruitment process, and in particular the following:

Information on job opportunities

Fair recruitment starts at the beginning of the recruitment process when information on the existence of a job opportunity is shared. Unfair practices such as deception can happen at that moment, for example through the publication of false promises in the classifieds section of a newspaper. Governments can issue press releases or can publish advertisements to reject such lies.

An example of this is a public warning, issued by the Ministry of Labour and Social Protection of Mongolia (MLSP), on misleading, deceptive and fraudulent conduct in the name of recruitment and employment in other countries including Korea, Japan, the United States, Hungary, the Republic of Poland and the Czech Republic. This warning, published on the news website, highlights that the General Authority for Labour and Welfare Services of Mongolia and the Human Resources Development Service of Korea (HRD Korea) jointly manage sending Mongolian workers to the Republic of Korea without any involvement of individuals or enterprises. Translation of a news report⁵ on this warning dated 24 November 2019 from News.mn website is provided below.

⁴ ILO, [General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs](#), 2019.

⁵ News.mn, [Сэрэмжлүүлэг: Гадаадад зуучлах нэрээр иргэдийг залилж байна](#), 24 November 2019.

Warning: People are deceived in the name of sending abroad



The following warning has been issued due to recent misleading, deceptive or fraudulent conduct in the name of recruiting people for overseas jobs, in countries such as the Republic of Korea, Japan, the United States, the Republic of Hungary, the Republic of Poland and the Czech Republic. Currently, the MLSP and the General

Authority for Labour and Welfare Services (GALWS) are officially recruiting citizens for employment in South Korea and Japan.

The Ministry states that the GALWS and the Human Resources Development Service of Korea (HRD Korea) jointly manage sending Mongolian workers to the Republic of Korea without any involvement of individuals or enterprises.



Registration for the language proficiency test for those who want to work in Korea, 2018.

In the case of Japan, two documents, namely a Memorandum of Cooperation (MOC) on technical intern training program and an MOC on a basic framework for proper operation of the system pertaining to foreign human resources with the status of residence of “specified skilled worker”, were signed in 2017 and 2019 respectively. Under these MOC, there are two programmes

on sending skilled workers (regular employees) and technical interns.

An organization licensed by the MLSP is responsible for sending technical intern trainees. The licensed sending organization arranges an interview for a prospective technical intern trainee with a receiving company in Japan. If the applicant passes this stage, he or she will proceed with a medical examination. In case he or she is considered medically fit, the receiving company should obtain and send a residence permit for that worker. Only after this he/she will be able to apply for a visa at the Japanese Embassy. This multi-step process depends entirely on the intermediary (sending) organization. It is not true, therefore, such organizations licenced by the MLSP promise or advertise as if they can send people only after taking a language training course offered by them and paying recruitment fees and deposit.

According to the MOC on skilled workers with Japan, only the GALSW under the MLSP is responsible for sending these workers. Therefore, we caution that any individuals, Japanese language training centres, organizations licenced by the MLSP for sending technical interns shall not participate in this process.

This is to alert you of the recent fact that some individuals and language training centres have extensively advertised on social and online media platforms to send workers for regular employment in Japan, in which some local government organizations may be involved. It should be pointed out that there is no organization licenced by the MLSP to send Mongolian citizens for employment in the United States, the Czech Republic, Hungary, Poland and other countries.

We recommend you to report immediately to the MLSP, the General Agency for Specialized Inspection, the police or law enforcement agencies if you face any misconduct associated with recruitment process, fees or deposit involved.

Source: Ministry of Labour and Social Protection

Direct recruitment or agents?

Recruitment processes can be complex and involve different private or public actors. The more intermediaries there are between the employer and the worker, the more risks there are of unethical practices. One of the common problems workers face is the payment, directly or indirectly, of recruitment fees or costs.

The ILO principles and guidelines for fair recruitment state that workers should not pay recruitment fees or related costs, and yet in many countries, recruitment fees are still legally charged to the workers whether in part or fully. In addition, it is important to understand the whole range of costs that workers end up paying. These can include “recruitment fees”, usually charged by a recruitment agency for the services of connecting a worker with an employer, but can also include related costs, such as costs for identity documents, travel documents, medical checks and pre-departure training.

Appropriate job matching

The recruitment process should ensure that an efficient job matching is made so that workers are offered a placement with job opportunities that are best suited for their qualifications, abilities and aspirations.

B. ELIMINATING WORKER-PAID RECRUITMENT FEES AND RELATED COSTS

The recruitment process often involves third-party intermediaries charging high fees, which frequently burdens migrants in the lowest-paying jobs. ILO-World Bank surveys⁶ show that low income migrants-likely the least skilled or educated-are paying the highest costs relative to their earning. The ILO General Principles and Operational Guidelines for Fair Recruitment clearly call for recruitment fees and related costs to be borne by employers, not workers.

C. WHO ELSE HAS A ROLE TO PLAY IN THIS STORY?

Many different actors have a role to play in promoting fair recruitment and ensuring its effective implementation. Governments bear the ultimate responsibility for advancing fair recruitment and should adopt and enforce laws and policies meeting international standards. Enterprises

- including labour recruiters, public employment services, private and public employers
- as well as trade unions and civil society organizations-are all essential to promote fair recruitment. Finally, the media can also play a role, by making sure that workers are informed and by exposing malpractices publicly.

D. ETHICAL RECRUITERS

Some private recruitment companies/agencies have made the choice to be “ethical recruiters”. The terms and conditions they offer to employers and workers are transparent and respect fair recruitment guidelines. Their experience is important in demonstrating that compliance with the law and ethical behaviour in recruitment works.

⁶ The World Bank. [KNOMAD - ILO Migration Costs Surveys](#), 2017.

UNIT 1.4 - LEGAL FRAMEWORKS

The legal framework addressing forced labour and fair recruitment is both international and national. At the international level, several instruments have been adopted through time. Some of these instruments are legally-binding for the countries who have ratified them (all conventions and protocols) and some provide non-binding guidance to strengthen national frameworks (recommendations). In addition, the elimination of all forms of forced labour is one of the ILO's five fundamental principles and rights at work. As a consequence, the instruments related to forced labour must be respected, enforced and promoted by all ILO member states, whether they have ratified it or not.

A. INTERNATIONAL LABOUR STANDARDS

To date, the International Labour Conference has adopted 191 Conventions (ten fundamental, four governance, and the rest are technical Conventions), six Protocols and 208 Recommendations.⁷ The fundamental Conventions include:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

The following timeline presents relevant ILO instruments:⁸

1930 1949 1957 1958 1975 1997 1998 1999 2011 2014

1930

FORCED LABOUR CONVENTION, 1930 (NO. 29)⁹

Convention No. 29 requires ratifying States to suppress all forms of forced or compulsory labour (Article 1(1)). As the first convention on the subject, it provides the definition of "forced or compulsory labour" (Article 2(1)) and lists 5 exceptions. It also requires ratifying States to ensure that the use of forced labour is punishable as a penal offence and that penalties are "really adequate and strictly enforced" (Article 25).

1949

MIGRATION FOR EMPLOYMENT CONVENTION (REVISED), 1949 (NO. 97)

The Convention requires ratifying states to facilitate international migration for employment by establishing and maintaining a free assistance and

⁷ ILO. *Rules of the Game: An introduction to the standards-related work of the International Labour Organization*, 2019.

⁸ The full text of each instrument can be found on the ILO website, <https://www.ilo.org/global/standards/lang-en/index.htm>

⁹ Mongolia ratified this Convention in 2005. Law of Mongolia on Ratification of ILO Forced Labour Convention (No. 29), <https://legalinfo.mn/mn/detail/10259>

information service for migrant workers and taking measures against misinformation and disinformation relating to emigration and immigration; includes provisions on appropriate medical services for migrant workers and the transfer of earnings and savings. States have to apply treatment no less favourable than which applies to their own nationals in respect to a number of matters, including conditions of employment, freedom of association and social security.

1957**ABOLITION OF FORCED LABOUR CONVENTION, 1957 (NO. 105)¹⁰**

Convention No. 105 prohibits explicitly five situations where forced labour is imposed by state authorities, namely forced labour as punishment for the expression of political views, for the purposes of economic development, for participation in strikes, as a means of racial or other discrimination or as labour discipline.

1958**DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 (NO. 111)¹¹**

Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof (Article 2). The convention requires states to enable legislation which prohibits all discrimination and exclusion on any basis including of race or colour, sex, religion, political opinion, national or social origin in employment and repeal legislation that is not based on equal opportunities.

1975**MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1975 (NO. 143)**

The Convention provides for measures to combat clandestine and illegal migration while at the same time setting forth the general obligation to respect the basic human rights of all migrant workers. It also extends the scope of equality between legally resident migrant workers and national workers beyond the provisions of the 1949 Convention to ensure equality of opportunity and treatment in respect of employment and occupation, social security, trade union and cultural rights, and individual and collective freedoms for persons who as migrant workers or as members of their families are lawfully within a ratifying state's territory. Calls upon ratifying states to facilitate the reunification of families of migrant workers legally residing in their territory.

1997**PRIVATE EMPLOYMENT AGENCIES CONVENTION, 1997 (NO. 181)¹²**

The Convention recognises the “role private employment agencies may play in a well-functioning labour market”. The purpose of the Convention is to allow the operation of private employment agencies as well as to

¹⁰ Mongolia ratified this Convention in 2005. Law of Mongolia on Ratification of ILO Abolition of Forced Labour Convention (No.105), <https://legalinfo.mn/mn/detail/10260>

¹¹ Mongolia ratified this Convention in 1969. <https://legalinfo.mn/mn/detail/1185>

¹² Mongolia ratified this Convention in 2015. Law of Mongolia on Ratification of ILO Private Employment Agencies Convention (No. 181), <https://legalinfo.mn/mn/detail/10898>

protect the workers using their services (Article 2.3). According to Article 7 of the convention, private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers.

1998**DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK, 1998**

The Declaration defines the five core labour standards that all Member States must “respect, promote and realize”, whether or not they have ratified the relevant Conventions. The five principles are freedom of association and the right to collective bargaining, the elimination of forced labour, child labour and discrimination, as well as a safe and healthy working environment.

1999**WORST FORMS OF CHILD LABOUR CONVENTION, 1999 (NO.182)¹³**

This Convention calls for the prohibition and elimination of the worst forms of child labour as a matter of urgency. The worst forms of child labour include all types of slavery, including the sale and trafficking of children; forced labour to pay off a debt; any other type of forced labour, including using children in war and armed conflict. Other worst forms of child labour include the sexual exploitation of children, the involvement of children in illicit activities, and work which is likely to harm the health, safety or morals of children.

2011**DOMESTIC WORKERS CONVENTION, 2011 (NO. 189)**

This Convention focuses on decent work specifically for domestic workers. Articles 8 and 15 focus on the recruitment side of domestic work with notable provisions on the role of private recruitment agencies, on fees and on repatriation. According to Article 9, domestic workers:

- a) are free to reach agreement with their employer or potential employer on whether to reside in the household,
- b) who reside in the household are not obliged to remain in the household or with household members during periods of daily and weekly rest or annual leave; and
- c) are entitled to keep in their possession their travel and identity documents.

2014**FORCED LABOUR (SUPPLEMENTARY MEASURES) RECOMMENDATION, 2014 (NO. 203)**

Recommendation No. 203, which supplements both the Protocol and Convention No. 29, provides non-binding practical guidance concerning measures to strengthen national law and policy on forced labour in the areas of prevention, protection of victims and ensuring their access to justice and remedies, enforcement and international cooperation. It builds on the provisions of the Protocol and should be read in conjunction with it.

2014**PROTOCOL OF 2014 TO THE FORCED LABOUR CONVENTION, 1930 (P029)**

The Protocol is a legally-binding instrument that requires States to take effective measures to prevent forced labour and provide victims with protection and access to remedies, including compensation. It supplements Convention No. 29, so ILO member States must have ratified the Convention first to be able to ratify the Protocol.

¹³ Mongolia ratified this Convention in 2001.

B. GOOD PRACTICES IN SOME OF NATIONAL LEGISLATIONS

Armenia

2011 Criminal Code (Amendments) allowed for the confiscation of property from offenders. Additionally, victims of trafficking have been included in the list of priority groups.

Nigeria

Section 62 of the Nigeria's 2015 Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, provides that where "the circumstances so justify, trafficked persons shall not be detained or prosecuted for offences related to be a victim of trafficking, including non-possession of valid travel documents, use of a false travel or other document."

United Kingdom

The United Kingdom's 2015 Modern Slavery Act criminalizes forced or compulsory labour and human trafficking.

United States

In 2012, the United States Government emphasized the importance of due diligence in preventing forced labour and trafficking with Executive Order No. 13627. The Order, and its subsequent federal regulations, set out strict requirements for contractors and subcontractors who receive federal contracts.

C. NATIONAL LEGISLATION

Article 16.4 of the **Constitution of Mongolia (2021)**¹⁴ and article 8.1 of the **revised Labour Law (2021)**¹⁵ provide that no one shall be subjected to forced labour. All the persons, regardless of their legal status, are protected under these provisions. This protection is also important for protecting illegal immigrant workers in Mongolia from forced labour.

Section 8.4 of the Labour Law (2021) defines "forced labour" as follows: "*Forced labour* means forcing a person to work or provide services against his or her will by intimidation, use of force, or threat of any fine or punishment." Section 8.3 of this law provides for exceptions to the definition of forced labour. The latest revision of the Labour Law (2021) has expanded its scope and regulates the employment relationships of assistant herders, domestic workers, and labour supply contract workers. In addition, the law explicitly prohibits an employer to confiscate or demand money, items or original copies of personal documents from an employee.

The revised Criminal Code (2015)¹⁶ has criminalized forced labour by defining it as "forcing others to work without pay by using force, or threatening to use force, inflicting apparently undervalued conditions or terms, or subjugating others by taking advantage of wealth, health, disability, unpleasant family environment or other life hardships of others" (article 13.13.1). By thus making the absence of pay a defining element of the offence of forced labour, it is unduly narrowing the scope of the illegal exaction of forced labour to be punished as a criminal offence

¹⁴ <https://legalinfo.mn/mn/detail/367>

¹⁵ <https://legalinfo.mn/mn/detail?lawId=16230709635751>

¹⁶ <https://legalinfo.mn/mn/detail/11634>

in accordance with Article 25 of the Convention No. 29 and Article 1 (1) of its Protocol. Article 13.1 of the Criminal Code defines “trafficking in persons” as “transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation of the prostitution of others or other forms of sexual exploitation and abuse, slavery or practices similar to slavery, the removal of tissues and organs or forced labour” and has tightened the punishment of this crime. This definition, taken from the Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), which includes the purpose of forced labour and is therefore in line with the provision of the ILO Forced Labour Protocol calling for specific action against trafficking in persons for the purpose of forced or compulsory labour.

In accordance with the Law on Minimum Wage (2010)¹⁷, the National Tripartite Committee for Labour and Social Consensus sets an hourly minimum rate of basic wage or pay for those working under employment contracts, contracts for work or other equivalent contracts that is applicable to all sectors of the economy.

According to section 9.4 of article 9 of the Law on Employment Support (2011)¹⁸, private labour exchanges are prohibited from directly or indirectly charging any service fees to citizens.

Article 8 of Chapter 2 of the Law on Combating Human Trafficking (2012)¹⁹ prohibits that, in the section on the role of media organizations, to report about a victim without his/her written consent, advertise marriage matchmaking with foreigners, and issue open or hidden advertising that may lead to human trafficking. Article 3.1.2 of this law defines “victim” as “...a person whose rights, freedoms, and interests have been violated as a result of human trafficking, regardless of whether a criminal case has been initiated or identified as a victim.”

The Law on Protection of Witnesses and Victims (2013)²⁰ establishes the legal basis for protecting the life and health of witnesses and victims, providing information, and providing support and assistance during criminal proceedings. The Law was amended in 2021 to include witnesses, victims, and human rights defenders.

The Law on Labour Migration (2021)²¹ regulates the employment of Mongolian citizens abroad, and the employment of foreign citizens and stateless persons in Mongolia, as well as the protection of their rights and legal interests. The law provides specific protections for migrant workers.

The Law on the Legal Status of Human Rights Defenders (2021) regulates matters to define the legal status of human rights defenders, encourage, respect, protect, provide conditions for their activities and cooperate with them, as well as relations concerning structures, organization and activities of the Human Rights Defenders. Under this law, journalists can take advantage of protections afforded

¹⁷ <https://legalinfo.mn/mn/detail?lawId=566>

¹⁸ <https://legalinfo.mn/mn/detail?lawId=563>

¹⁹ <https://legalinfo.mn/mn/detail/554>

²⁰ <https://legalinfo.mn/mn/detail/9287>

²¹ <https://legalinfo.mn/mn/detail?lawId=16390388880621>

to human rights defenders when they report or investigate serious violations of human rights such as forced labour, labour exploitation, and human trafficking.²²

The Law on Infringement (2017) provides specific penalties for violations of the above-mentioned laws. For example, article 10.12 of the law specifies fines and penalties for violations of the Law on Employment Support while article 10.16 deals with violations of the Labour Law.²³

²² <https://legalinfo.mn/mn/detail?lawId=16207226850601>

²³ <https://legalinfo.mn/mn/detail/12695>

NOTE

[illegible]

MODULE 2

FINDING THE STORY



UNIT 2.1 - GETTING PREPARED

Being fair to the story is a challenging task. It requires good preparation, understanding of the subject matter, hard work as well as long-term dedication. According to photojournalist and documentary filmmaker Mimi Chakarova²⁴, the biggest preparation is mental. Beyond the mental preparation, Ms Chakarova also suggests that quality reporting comes from extensive research. In doing so, you should bear in mind the following do's and don'ts:

Do's and Don'ts



DO

Read what is currently being reported by the media and look for stories that are poorly covered: decent work deficits or even abuses in some sectors, gaps in legislation, victim protection, and discrimination in services provided to victims



DON'T

Look for stories that are sensational or try to fit into an existing narrative by distorting the reality.



DO

Reach out to relevant expertise: civil society organizations, academia, professionals working on forced labour.



DON'T

Overlook that you are dealing with vulnerable persons. Rushing, even if you are working on tight deadlines, can have dramatic consequences.



DO

Assess the feasibility of possible stories (time, format, legal and personal risk, resources) and potential consequences for you and your sources of information.



DON'T

Forget that your responsibility is to inform your audience and not to advocate.

²⁴ Photojournalist and documentary filmmaker Mimi Chakarova. Please see <https://dartcenter.org/bio/mimi-chakarova>

UNIT 2.2 - FINDING A STORY

There are examples of reporting on situations of forced labour in this section, the focus of this module is not on revealing a story of abuse. Positive stories can be powerful and provide information that can both prevent situations of abuse and improve public perception about the benefits of labour migration, which, if it takes place under fair recruitment and decent working conditions, can contribute to development, to the wellbeing of countries of origin and destination and to migrants themselves.

Journalists can also tell stories of positive changes in policies, laws, business practices, and how these changes might affect the life of thousands of people.

This section is organised by theme and provide a brief introduction, examples of reporting and, when relevant, a list of questions that can be the starting point of a story.

A. HUMAN STORIES

The most compelling stories are those where people tell their own stories. There is no need to sensationalise these accounts: you can just let the facts and the personal testimonies speak for themselves, adding any required factual information that is missing. Support groups may be able to put you in touch with someone, for example, who has escaped. You must protect their identity if they request it. Human interest stories are often widely shared and can raise awareness about the issues and create social pressure for change.

THE BEST-READ STORY OF 2017? IT'S THE ATLANTIC'S MY FAMILY'S SLAVE²⁵

– Rick Edmonds

The Filipino–American writer traces how “Lola” followed his immigrant parents to the United States. It recounts his shame as he realized the arrangement and concealed it as he grew up, and later, as an adult, provided for Lola in her old age. It's a very personal and even confessional piece. After the article was completed but before it was published, Tizon, 57, died suddenly of natural causes.

Key questions you may wish to consider include:

- How were they recruited?
- What work are they doing?
- What journey did they make?
- What are the living conditions outside work?
- If they had been trapped into forced labour, how did they get their freedom?
- What was the reaction of the community around them?

²⁵ Edmonds, R. [The best-read story of 2017? It's the Atlantic's 'My Family's Slave'](#). Poynter, 2017.

EXAMPLES OF HUMAN STORIES

Kermani, S. (2018). Tayyaba abuse case shines light on Pakistan's child maids. Available at: <https://www.bbc.co.uk/news/world-asia-44397432>

Lekas Miller, A. (2015). Migrant Workers Are Bringing a Taste of Home to Beirut. Munchies. Available at: https://munchies.vice.com/en_us/article/mgxnwq/migrant-workers-arebringing-a-taste-of-home-to-beirut

Examples similar to the above articles can be found in the Mongolian media. Below is a news report based on a story told by workers who suffered from serious violations of their labour rights in Mongolia.

According to a news report²⁶ from the Mongolian National Broadcasting Radio on 24 February 2014, Mongolian mining workers endured labour exploitation, harassment, unfair wages and mistreatment. The report states that these workers work in the mines away from home and face retaliation by the companies and their human resource managers including the threat of being fired when they claim better working conditions, and hence, they have to endure the same conditions not to lose their earnings.

Another example is a story of women who were deceived, trafficked, and forced into prostitution. The article entitled “Lack of funding in the fight against sexual exploitation” was published in the newspaper *Unuudur* on 22 April 2020.²⁷ It reports “According to the victims, N deceived and took six women to Malaysia, and then forced them into prostitution. Having realized the deception, two of the victims could flee the country with the help of human rights organizations. The remaining four victims needing rescue are still in Malaysia.”. It is pointed out that improved efforts of and cooperation among law enforcement agencies and adequate funding are much needed in order to tackle such crimes involving illegal labour intermediaries and cross-border forced labour.

B. LABOUR AND THE WORKPLACE

Decent work sums up the aspirations of people in their working lives. The four pillars of the Decent Work Agenda include: employment creation, social protection, rights at work and social dialogue. The recruitment conditions of workers may affect the realization of each of these pillars and fair recruitment should apply to all workers. Yet abuses can occur in many industries that can lead to forced labour. It can happen out of sight, for example in domestic work; or in remote areas, such as agriculture, mining and fishing; as well as in sectors closer to our everyday lives, such as catering and hospitality.

²⁶ <http://www.mnb.mn/i/17895>

²⁷ Myagmarjargal, D. Бэлгийн мөлжлөгтэй тэмцэхэд бэнчин дутаж байна, *Unuudur.mn*, 22 April 2020.

Key questions you may wish to consider include:

- What are the main sectors of activity and employment in your region?
- What are the steps workers need to take to get a job? Do they have to pay recruitment fees? How can advance payments force workers into “debt bondage”?
- Do employers and workers know about their rights at work?
- What are the working conditions?
- What information is provided about safety and health on the job?

EXAMPLES OF STORIES ABOUT WORK

Webb, S. (2014). The side of Dubai that they DON'T want tourists to see: Photos show desperate conditions endured by migrant labourers forced to work in 50C heat for a pittance. DailyMail. Available at: <http://www.dailymail.co.uk/news/article-2859734/The-Dubai-DON-T-want-tourists-Photos-desperate-conditions-endured-migrant-labourers-forced-work-50C-heat-pittance.html>

Obrero. n.d. Homepage. Norman Zafra presents an interactive documentary platform on the recruitment of Filipino workers in the construction sector in New Zealand. Available at: www.obrerofilm.com

C. BUSINESS AND ECONOMICS

Forced labour and unfair recruitment generate huge illegal profits. An ILO study found that modern slavery generates annual profits of over US\$ 150 billion.

News reports can unveil the economics behind these issues and encourage employers and businesses to address the risk of forced labour and promote fair recruitment and decent working conditions in their own operations as well as in their supply chains.

Key questions you may wish to consider include:

- What are the economic incentives behind unfair recruitment practices, trafficking and forced labour?
- How can these be reversed or overcome?
- What are businesses doing to promote decent working conditions in their operations?
- How do public and private employers ensure due diligence in their supply chains?
- How are corporate promises integrated into actual business practices?
- Has consumer pressure resulted in improvements for workers?

EXAMPLES OF STORIES ABOUT MONEY

CNN. n.d. Working off debt in Cambodia's brick kilns. Available at: <https://edition.cnn.com/videos/world/2017/07/26/cfp-cambodia-brick-kiln.cnn>

Howard, N. 2017. When NGOs save children who don't want to be saved. Al Jazeera. Available at: <https://www.aljazeera.com/indepth/opinion/2017/04/ngos-save-children-do-saved-170425101830650.html>

D. MIGRATION

The ILO estimates that there are 164 million migrant workers in the world today.²⁸ Stories about migration can highlight the difficult choices individuals and their families face in searching for better opportunities. Stories about migration can also help show the positive contribution migrant workers make to countries' economies, helping to overcome common negative stereotypes and xenophobia.

Key questions you may wish to consider include:

- Why do people look for work opportunities away from home?
- What are the legal opportunities to migrate?
- How do people travel?
- Who facilitates migration?
- What happens when legal or established migration routes are suddenly shut?
- How are migrant workers welcomed in countries of destination? Are they treated fairly?

EXAMPLES OF STORIES ABOUT MOBILITY

BBC. 2004. Billy's journey started in Senegal and ended more than five months later in Italy. Available at: <http://news.bbc.co.uk/1/hi/world/africa/3520404.stm>

Tesorero, A. 2017. Indian plumber sings music idol's song, becomes a champ in Dubai. Khaleej Times. Available at: <https://www.khaleejtimes.com/nation/dubai/indian-plumber-sings-music-idols-song-becomes-a-champ-in-dubai>

E. DISCRIMINATION

Discrimination can be based on gender, race, ethnicity, indigenous identity and disability. All these types of discrimination can influence recruitment and working conditions. In some cases, workers can be in forced labour because they belong to a certain ethnic group or caste, or even for holding some form of political opinion. In other cases, women migrant workers can experience discriminatory labour practices at home and abroad.

²⁸ ILO. [ILO global estimates on migrant workers](#), 2018.

It is important to take discrimination into account when you look at issues of recruitment and forced labour. Stories about overcoming discrimination in the workplace and promoting equality of treatment on the job can raise awareness and change mind-sets.

Key questions you may wish to consider include:

- Are some people facing discrimination in terms of job opportunities, recruitment, working conditions? In which sectors?
- Are efforts being made to ensure equality in the workplace?
- Does internal and international migration affect some groups of people differently?
- Are some people more vulnerable to forced labour than others? Children? Women? Men? Indigenous people?
- Do women and men have equal rights at work? Are they equally aware of their rights?

EXAMPLES OF STORIES ABOUT DIFFERENCES

Salameh, D. 2018. *Female Migrant Workers: Long-Distance Mothers*. Available at: <https://www.7iber.com/society/female-migrant-workers-long-distance-mothers/>

Seiff, A. 2017. "If You Have Money, You Can Think Whatever You Want". MBright. Available at: <https://brightthemag.com/health-nepal-women-travel-stigma-work-ba687e07a2e3>

F. LAW, ENFORCEMENT AND CRIMES

The justice system in most countries shines light into some of humankind's most unsavoury practices. It is true for abuse of labour rights. If your country takes action against labour abuses, make contact with the organizations and people who are responsible for this, whether they are in the mainstream police or a specialist agency. If there are laws, but they are not enforced, ask why not.

Key questions you may wish to consider include:

- What relevant laws are in place in your country?
- Who is in charge of enforcing the laws?
- How do they go about doing it?
- How well are laws enforced?
- What are the consequences for those who abuse workers' rights?

EXAMPLES OF STORIES ABOUT JUSTICE

Agence France–Presse. 2017. Thai general among officials jailed for human trafficking. *The Nation*. Available at: <https://www.nationthailand.com/national/30321238>

Al Jazeera. 2017. Qatar approves new bill to protect foreign workforce. [Online]. Available at: <https://www.aljazeera.com/news/2017/10/qatar-approves-bill-protect-foreign-work-force-171026064750875.html>

G. INFORMATION, EDUCATION AND ADVOCACY

Stories can be inspired by people who everyday are making a difference to tackle labour abuses and to promote decent work for all.

Key questions you may wish to consider include:

- What is being done to inform people about their rights?
- Who is acting for the abused?
- What expressions of public support or hostility are there for people in forced labour and for people who migrate?
- Are there adverse effects to the policies promoted by advocacy groups?
- What role do celebrities or other figures play in raising awareness?

A relevant example is an article, entitled “Handcuffs are needed for intermediaries who are sending citizens for labour exploitation”, which tagged a quote from a famous comedian “I had been so happy to send my daughter abroad assuming she would earn a lot of money. But I have no idea to which country she has gone ...”.²⁹

On 30 November 2014, the article was published on www.24tsag.mn as part of the series “Protecting labour rights of Mongolians” for the International Human Rights Day. According to the article, the company called T&DC sent a total of 52 young people to Japan, charging them fees of 155 million Mongolian tugrug. However, some returned without any earnings due to no available jobs. The remaining 22 young men worked in very hard conditions but received low wages as a CEO of the intermediary company was receiving one million tugrug out of monthly wages of these workers based on a clandestine agreement with the Japanese employer. The article aimed at raising public awareness and calling for revoking a permit or licence of such fraudulent companies and improving the related legal framework.

For a developing country such as Mongolia, media needs to educate the public on such issues constantly. It is important that journalists alert victims and people at risk of abusive practices by informing relevant information including names of essential organizations and their contacts. Below is some information that might be useful for journalists to report on forced labour and labour migration related issues.

²⁹ Iderjargal, D. *Иргэдийг хөдөлмөрийн мөлжлөгт зуучилдаг газруудад гав хэрэгтэй*, *24tsag.mn*,

³⁰ November 2014.

Under the National Police Agency, a centre on information and emergency management was established in 2010. Main functions of this centre include receiving calls for and information on crimes, violations, disasters, accidents, fires and the need of emergency medical services from citizens and entities, maintaining operational command and coordination of mobile units of police, rescue and ambulance services, overseeing their operations, compiling and analyzing information and data, and providing relevant government agencies with timely information. Crimes such as forced labour, victimization, and labour exploitation can be reported to this centre too. The centre accurately records all calls on crimes and abuses received from citizens or legal entities into its special telephone number 102, refers them to relevant police units and responds appropriately within its mandate.³⁰

The Ministry of Foreign Affairs of Mongolia has a website³¹ for protecting the rights and interests of Mongolian citizens and providing relevant information in case of crime, violations, accidents, loss of or damage to their property, health and life during their short or long-term travel and stay overseas. The Ministry has prepared an e-handout covering information and update on consulates and consular services, and travel tips for going overseas.³²

FOREIGN EXAMPLES OF STORIES ABOUT AWARENESS

<http://edition.cnn.com/2017/06/21/africa/mauritania-slavery-biram-dah-abeid/index.html>

Actors lend their support to a global campaign to end modern slavery. Available at: http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_416433/lang-en/index.htm

UNIT 2.3 - GETTING SUPPORT

A. GAINING SUPPORT

If you are a reporter aiming to do a story which will take time and resources and which may attract hostile attention, you will probably face a tough task in convincing your editors to let you do so.

The only option is persuading editors that the work is important and adds value to the news organisation. You might remind your superiors that:

- Investigations are at the heart of journalism.
- Strong investigative reports will raise the profile of the news organization, improve its standing and potentially increase its revenue.
- The report or reports will be of a uniquely high quality and will bring attention and kudos.
- Your organization can 'own' the subject-that is to say, become the natural home of coverage of the subject. Other people will come forward with related stories.
- There may be the chance to enter the report(s) for awards.

³⁰ More information is available on its website, <http://eincenter.police.gov.mn/>

³¹ www.consul.mn

³² <http://www.consul.mn/file/GariinavlaConsul.mn.pdf>

B. FUNDING

In investigations, when you are looking for extra time and resources, it helps if you can set out all the likely costs, including staff time, travel and accommodation costs, and other costs.

Look for external funding for a story: an international non-governmental organization might agree to pay the costs of a reporter travelling to another country to produce a series of reports on migration. Sometimes grants are made to the winners of a competition.

Be aware of the risks that the report becomes one-sided and only reports what the funder wants. It is important that the news organization retains its editorial control and remains in charge of what is ultimately published.

C. COLLABORATING WITH OTHER MEDIA OUTLETS

Collaborating with another news organization can help to reduce costs and increase impact. Even global news organizations like the Guardian and the Washington Post have done it, to great effect. There are also opportunities for smaller news organizations to collaborate across borders.

Collaborative efforts are also useful when the time of publication comes. The simultaneous launch of stories, in different media and possibly, in different countries, can yield a bigger impact and audience.

The Global Investigative Journalism Network, in its Human Trafficking Resources, lists several interesting collaborations.

D. EXTERNAL SUPPORT

Ensure that your reporting has strong support both within and outside your media house. Possible candidates include:

- Elected politicians
- Business leaders
- Law enforcement officials
- Leaders of NGOs and campaign groups
- Experts such as academics
- Celebrities

Explain your story and ask for their support. Publish a few words of support alongside their picture. This will demonstrate to those who would wish you ill that you have support in the community.

MODULE 3

GETTING THE STORY



UNIT 3.1 - RESOURCES

A. FACTS AND FIGURES

Facts are the basis for all investigative journalism. Mostly, facts are nothing more than dry numbers on a page but with a proper understanding and interpretation they can reveal stories of real interest. Learn to love documents. Look for official or highly respected documents such as official statistics, legal and regulatory frameworks, court documents, company publications and newspaper articles.

B. PHOTOGRAPHS AND VIDEOS

Photographs, and increasingly video, are a vital part of modern story-telling. But forced labour and unfair recruitment usually take place in the shadows, and both perpetrators and victims may not be willing to be identified.

If someone agrees to be photographed (or filmed), but asks that they not be identified, it is far, far better to protect their identity during the filming—for example, by only photographing them in silhouette or by filming only the interviewee's hands, rather than relying on post-production techniques such as pixelating or hiding the person's face during the edit or production process.

What can you do if you can't get original images?

- You could use stock images from a picture library but the image may not match your story.
- You can illustrate your story with visual arts such as drawings, cartoons and paintings.
- You might even leave the story without illustration and explain your reader why that is your choice.

Images play an important role but lack of professionalism or resources often leads to sloppy photo editing and, in the end, to a major disservice to the audience.

UNIT 3.2 - SAFETY

A. THE PRINCIPLES OF ETHICAL JOURNALISM

Here are some top tips for staying safe in your reporting:

Be accurate

Only report those facts which you have checked and double checked and know to be true. Everything else is a claim and should be attributed. Take care to report claims accurately. Do not draw conclusions. Report according to the limits of your ability. If you are covering a sensitive issue, report on what you can see, or at least what you are told by those around you. Leave the analysis, interpretation and speculation to others who have other sources and can see the bigger picture.

Be sceptical

Analyse all information you are given on a situation. Consider recording the conversations you have with anyone involved in a sensitive story you are covering. Later, they may be pressured to deny your reports, and you may need to present your recordings and transcripts to a court.

Be balanced

Actively seek out the views of all parties. If they won't speak to you, or you can't reach them, look for an authoritative source of their position, such as their official website or news agency. If you fail, explain why: "For such and such reason, it has not been possible to reach the following source of information."

Don't act as a judge, advocate or human rights activist. Leave this to the experts who can brief you and give you analyses.

Be impartial

Don't promote the views of one of the parties to the conflict.

Don't use language (usually adjectives) to describe how good (strong, heroic, determined, rightful) one side is, or how terrible (evil, weak, cowardly) the other side is.

Recognise that words used widely and without intended prejudice in one community can cause offence among another. Would you like to be described as a 'tribal' or 'aboriginal'? Show respect to other people. Find out how they themselves prefer to be described.

Recognise when your own bias appears in your reporting and remove it.³³

Consult the Mongolian Code of Media Ethics.³⁴

B. PERSONAL SAFETY

Journalists who are reporting on issues such as unfair recruitment or forced labour are particularly at risk—even if they do so in a balanced and objective way. You are likely to be exposing criminal organizations or powerful individuals, or even government abuses. Reprisals may range from intimidation and harassment to actual violence, illegal arrest and arbitrary detention. You need to be aware and to be prepared.

RESOURCES

Committee to Protect Journalists. 2012. *Journalist security guide*. Available at: <https://cpj.org/security/guide.pdf>

Council of Europe. n.d. *Platform to promote the protection of journalism and safety of journalists*. Available at: <https://www.coe.int/en/web/media-freedom>

IFJ. n.d. *Safety*. Available at: <https://www.ifj.org/what/safety.html>

IFJ. n.d. *Gender Equality*. Available at: <https://www.ifj.org/what/gender-equality.html>

³³ Ethical Journalism Network. *Five-point guide for migration reporting*, 2018.

³⁴ <http://www.mediacouncil.mn/p/7>

INSI. n.d. INSI Safety Code. Available at: <https://newssafety.org/about-insi/insi-safety-code/>

UNESCO. n.d. Basic Texts Related to the Safety of Journalists. Available at: <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/safety-of-journalists/basic-texts/>

UNESCO. 2015. Safety guide for journalists. A handbook for reporters in high-risk environments. Available at: <http://www.unesco.org/new/en/communication-and-information/resources/publications-and-communication-materials/publications/full-list/safety-guide-for-journalists/>

UNESCO. n.d. UN Plan of Action on the Safety of Journalists and the Issue of Impunity. Available at: <https://en.unesco.org/un-plan-action-safety-journalists>

C. PHYSICAL AND MENTAL HEALTH

Be mentally prepared for a traumatic assignment. Share stories and experiences with your fellow journalists. Debrief your bosses and colleagues.

Be aware of any potential risks to your physical health.

D. DIGITAL SECURITY

- Don't keep contact details of sensitive sources in your handwritten notes, books, in your mobile phone or in computer files.
- Give your sensitive contacts a code name and use this in your notes.
- Protect your mobile phone with a strong PIN code.
- Store the contact details of sensitive sources under an assumed name.
- Delete records of sensitive calls.
- Delete text messages.
- Disguise sensitive numbers in another format.
- Learn how to use higher security for your web browsing.
- Learn how to send encrypted emails.
- Take care with what you post on social media.

F. GOING UNDERCOVER

It is a general rule of journalism that reporters should be open and honest about who they are. They should not disguise their identity or activity in order to gain access to information that would not be shared with a reporter.

However, it can be very hard to gather convincing evidence of crime and anti-social behavior while being fully transparent.

This is why when-and only when-there is genuinely strong public interest reason to suggest crime or serious antisocial behavior, some investigative reporters will take on an assumed identity, for example, by pretending to be an unskilled worker to take a job where workers are abused. This is known as 'going under cover'.

If the reporter makes covert sound or video recordings, a court may decide that they are an invasion of privacy and illegal. Reporters who are uncovered may be subjected to threats and even physical violence.

Consider:

- How will you join the organization you are about to expose?
- Will you work alone?
- How will you make sure that you are safe?
- What is your undercover identity and story?
- How will you avoid asking too many questions and arousing suspicion?
- How will you get the information out?
- How will you get yourself out if/when things go wrong?

There are a few sources, translated into Mongolian, on safety, security of journalists, investigative reporting and source protection methods. As provided in the box below, they covered topics such as privacy and security measures and search skills of investigative journalists.

RESOURCES

R.AGE. n.d. Student/Trafficked. Available at: <https://www.rage.com.my/trafficked/>

Fruit picking investigation Available at: <https://www.smh.com.au/interactive/2016/fruit-picking-investigation/>

Саяид Назакат. 2010. Эрэн сурвалжлах сэтгүүлзүйн гарын авлага: Хэрхэн яаж ярианы гол сэдэв болох вэ? Available at: https://www.kas.de/c/document_library/get_file?uuid=2af1f415-40d2-786a-548e-8069f1bcb106&groupId=252038

Марк Ли Хантер. 2011. Эрэн сурвалжлах сэтгүүлдэд зориулсан гарын авлага: Таамагт суурилсан судалгаа. Available at: <http://www.globeinter.org.mn/?cmd=Record&id=930&menuid=386>

Globe International Centre, Journalists Safety: Handout, 2015. Available at: <https://www.globeinter.org.mn/images/upld/safetyofjournalists.pdf>

Press Institute of Mongolia, UN Democracy Fund, Safety and Security toolkit for journalist, 2022. Available at: <https://bit.ly/3iFt2nh>

UNIT 3.3 - SOURCES

You can get information from a diversity of sources, including workers and their families, employers or agents and intermediaries that orchestrate recruitment as well as academics.

However unhappy they are about the situation they find themselves in, speaking out may only exacerbate the problem and possibly put them in danger. You will need to be sensitive and respectful, while at the same time encouraging them to provide you with information.

Stories about recruitment may address good or bad practices leading to very different outcomes for the workers' concerned, affecting both their professional and personal life.

Journalists reporting on these stories need to work carefully and methodically to build up a body of evidence, ensuring accurate, fair and balanced reporting.

A diversity of sources must be considered. In the following section you will find tips on addressing particular types of sources.

A. SURVIVORS

You must not pressure them, but it is fair to tell victims that speaking out will inform the public about the scale and nature of the problem. It may give others the confidence to speak. And it may warn others of the dangers they may face in travelling across borders.

If you want people to open up to you about traumatic experiences, you need to win their trust. Victims must know that they will not be denigrated or re-victimized by your reporting. The stories that you write about survivors of abuse and atrocities will also determine whether your interviewees will want to talk to you again for follow-up stories.

You should always treat victims/survivors and their families with compassion, care, respect and dignity. This does not mean you should stop being a skeptical journalist working to find the truth.

Depending on the situation, it is advisable to let the interviewee choose the interview venue. You want them to be in a place where they feel comfortable talking.

Victims and survivors may request that you do not publish any information which could lead to them being identified. News organizations are often reluctant to use anonymous sources because it has the effect of weakening the impact of the testimony.

There may also be the danger that those accused attempt to punish those who speak out. It is vital that reporters do not allow this to happen.

If you promise to protect their anonymity, you must ensure that you do so. Take care that their identity is not revealed, even inadvertently by publishing so much information about the person that someone close to them could work out who you are talking about.

In some very sensitive cases, it goes beyond not mentioning their name or identity in pieces that you publish. You must also keep their identity secret in your own notes, in case these fall into hostile hands.

B. SUPPORT GROUPS, ADVOCACY ORGANIZATIONS, ACADEMICS

Whereas much of the power and emotional impact of a story will come from testimonies of those directly impacted, it will gain strength when bringing a wider perspective, placing the story of one or more individuals into context.

To do this, get information from experts working in the field, such as:

- Support groups for victims and survivors
- Associations
- Trade unions
- Law enforcement agencies
- Social services and other public services
- Academics
- Politicians with a specialist interest in the issue.
- Lawyers
- Global organizations, such as the ILO.

When you meet them, ask them to suggest someone else you should speak to. Build up your network of contacts. Follow them on social media; read their published articles.

When you are researching your story, be sure to take detailed notes of what each person says to you. If, when you come to write the story, you are unsure of your understanding, you will be able to go back and check with the right person. You will also be able to attribute the opinions to the right people. You will soon lose the trust of anyone you mis-quote or attribute the wrong opinion to.

C. ACTORS SUSPECTED OF ABUSE

People accused of crimes or anti-social behavior should be the last people you contact in your investigation, when you have gathered all the evidence and built a strong case against them.

If you contact them too early, they will have the chance to put pressure on witnesses, destroy evidence-and scupper your investigation.

However, in the interest of fairness, you do need to give them a chance to respond properly to any allegations of wrongdoing made against them.

Many news organizations would consider one or two days sufficient time for the accused to give a considered response-but not enough for them to take action-whether legal or illegal-to prevent publication.

If they agree to meet, consider your own safety:

- Take a colleague along with you.
- Inform your editor where you are going.
- Have someone check up on you.
- Take detailed notes or make a recording.
- Conduct the discussion professionally and politely.
- Do not permit yourself to become angry or indignant.

If they refuse to meet, you could ask them to answer your questions by phone or email.

A third option is for them to prepare a written (or recorded) statement for you to use as their response to the allegations against them.

You should be persistent in seeking a response, repeating that you want to hear their view of events in the interests of accuracy and fairness.

If you receive no reply after repeated contact, you should seek to represent their position as best you can, using publicly available sources. You would then write in your report words.

Always be polite. As a journalist, your role is not to determine guilt, but to set out the facts as far as they can be established so that the public can reach their own conclusions.

MODULE 4

TELLING THE STORY



UNIT 4.1 - WHICH MEDIUM?

Journalists have a number of platforms on which they might publish their story. It is worth considering at an early stage how you might make best use of the material you have to reach the largest number of people and make the most impact.

You don't have to select just one. You can publish your material in different forms on different platforms such as newspaper, web, television etc.

A. WEB

Almost all news outlets have a website and some of them exist only as a website. However, these websites can as easily carry video or audio reports as they can words and pictures. During the process of building a story, consider taking photos, audio or video recordings that can be published in or alongside an article.

A "long read" is a new type of web article, which incorporates pictorial elements such as pictures, infographics, maps and even audio and video clips into a long text article. The combination makes the format very engaging. It is especially suited to features and investigations.

B. SOCIAL MEDIA

Many news organisations make extensive use of social media such as Facebook, Twitter and Instagram. Often, social media are seen as a way of attracting and serving audiences for their mainstream output, but they can equally be used for storytelling in their own right.

Some reporters have become very clever at telling complicated stories on Twitter in a series of tweets-short messages of no more than two or three sentences, often accompanied by a picture or even a short piece of video.

Instagram is especially good for sharing pictures and short videos. It allows for the publication of a series of images of the people who have provided testimonies-with their permission, of course.

The instantaneity of social media is also quite powerful, notably when looking to produce a concrete reaction from a person or an organization involved in your story. Recent examples have shown how the use of Twitter has helped victims of forced labour and human trafficking shed light on their situation with authorities quickly reacting.

However social media should also be considered as a medium where ethical and unethical recruiters operate, leading to forced labour or fair recruitment opportunities. The fact that social media is a space where a growing number of people are going to search for jobs reinforces the idea that quality reporting should also appear on these platforms.

C. RADIO PROGRAMMES

Radio programmes can exist as part of a regular schedule, or exist entirely on their own as a podcast, downloadable and playable at any time. When they are held close to the source of the sound or used with a plug-in microphone, smartphones make good recording devices. Editing can be performed on a smartphone or a computer.

D. VIDEO

Lightweight video production techniques such as filming and even editing on a smartphone make it possible for those with even modest resources to make their own video films, which can be shared online, broadcast on TV, shown in cinema or played to audiences in cinemas and community halls.

E. ANIMATION

Animation is a great way to tell a story where there is a need to protect the identity of those involved.

F. APPS

Many people will be familiar with apps which offered by news organisations as a way of accessing their content. But there have also been early experiments with using apps to tell stories in new ways. The BBC created an immersive video to simulate the experience of a migrant risking their life to seek work and a future in another country.

G. TELLING THE STORY IN PICTURES

As mentioned in the previous chapter, journalists must consider carefully how they portray their subject when reporting about labour issues. Particular attention needs to be paid when preserving the anonymity of sources and protecting victims of labour abuses is indicated.

UNIT 4.2 - CONSIDER A SERIES

If you've been working hard on a difficult subject such as fair recruitment or forced labour, it is likely that you have more material than you need for a single news report. In this case you could consider a series of reports on the same theme and host it on the web.

EXAMPLES

IFJ. n.d. **Stop violence against women journalists.** Available at: <https://www.ifj.org/actions/ifj-campaigns/stop-violence-against-women-journalists.html>

Independent. n.d. **Slaves on our streets.** Available at: <https://www.independent.co.uk/topic/slaves-on-our-streets>

You might also consider taking the next step and turning your series into a campaign. This is when a news organization goes beyond its usual role of reporting neutrally on an issue and actually takes sides to support a policy change. News media that aim to be impartial and objective will normally only do this when they are fighting criminal activity and promoting human rights such as liberty, health and free labour.

The stories of the campaign may be focused on a single individual and unfold over time, or may feature different individuals who face similar problems. Alternatively, a single issue from a number of different angles can be considered: the trafficked or abused worker, the employer, the agent, the law enforcement officer, and so on.

The stories can run over consecutive days, or as an occasional series. Signposting forthcoming stories helps to keep viewers or readers engaged:

- "Tomorrow, in our continuing series, we'll meet the broker who sent Abdul on his perilous journey."
- "We'll hear more from Marie and find out how she's getting on with life as a free woman."

SIX STEPS TO A SUCCESSFUL CAMPAIGN

STEP 1: SET OUT YOUR GOAL

Campaigns can start off big or start small and grow. They will always benefit from good advance planning. However, your objective must be clear from the outset.

Are you calling for a change in the law? Or some other action? For example:

- "We will keep campaigning until we see an end to the permit system."
- "All trafficked women must be freed and taken care of by the state."

STEP 2: MANAGE YOUR CAMPAIGN

One person needs to manage the campaign on a daily basis to ensure that it keeps momentum and stays on track. This will usually be the reporter who is writing most of the stories.

The campaign also needs a champion who is senior in the editorial team such as a deputy editor, head of newsgathering, or somebody similar.

The champion will ensure that resources, including time, are allocated. Campaigns need many resources and junior staff may be reluctant to commit them. The champion will also protect the writing team by dealing with any external pressures from parties related to the inquiry.

STEP 3: SEEK TO MAKE A STRONG INITIAL IMPACT

Try to start the campaign with impact and choose a day when the campaign will not be competing against another planned news event.

Make the first campaign story prominent on the front page of a newspaper, or first in a television or radio news bulletin. Support it with side stories, backgrounders, images, and infographics.

STEP 4: MAKE IT EASY FOR READERS TO JOIN IN

People are increasingly used to have their say on controversial issues by social media. Make the most of this and get them involved. Open up comments on your website and publish the most interesting and supportive. However, be aware that comments can also be negative, racist, sexist and else. It is important to set clear and firm code of conduct for commenting online.

Set up a dedicated email account for members of the public to send you their comments and even stories or story ideas.

There is a platform for e-petitions where citizens can sign up to support demands for a certain action such as a change in the law. If this is the case, set up a petition or ask a sympathetic politician to do it. Then encourage readers to sign the petition. You can publish the number of signatories as it rises, as an indication that the campaign has growing support.

STEP 5: DO SOMETHING READERS CAN'T DO

Remember the power and the limitations of your news organisation. It can amplify the voice of the readers, ask uncomfortable questions and demand answers from those in the highest authority.

Follow up this sort of action with calls to see if the material was received, been read and if there are any comments to be made on your dossier. Keep that pressure up. If they have nothing to say, try a week later and a week after that. Record your efforts to get an answer and publish it in the paper.

STEP 6: KEEP AT IT

There is an old newspaper adage that says that when you are getting tired of a campaign, the readers are only just beginning to notice it. Unless you have opted for a very short, sharp campaign, you are in it for the long run. Keeping campaigns lively, active and interesting is the job of the whole newsroom, not just the handful of people who are directly responsible for it.

UNIT 4.3 - ARE YOU READY?**A. THE EDITING PROCESS**

Like any other type of reporting, reporting on fair recruitment and forced labour requires the use of good editing guidelines and practices. A wide body of resources on editing is available and largely contextualized, which is why the present toolkit cannot mention them all as good editing practices go far beyond our scope.

B. ARE YOU READY?

Before you publish your story or series of stories, bring everyone involved in the story together to ensure you have all the information at hand. You must have clear answers to the following questions:

- What are you trying to say or allege?
- Do you have enough information and evidence to say it?
- What are the implications of your allegations?
- Do you have full confidence in your sources and in your analysis of documents?
- Have you made an extra effort to verify and check all your information?
- Has everyone under criticism been given the opportunity to respond?
- How is the story structured? Work out the beginning, the middle and the end.
- Can you break the story up into manageable parts?
- How will you illustrate the reports? Can you explain the story with pictures, illustrations, tables, or graphics?
- Has a lawyer or experienced editor checked the entire story (including the headlines)?

If you can't answer all these questions fully, you are not ready to publish.

MODULE 5

FOLLOWING UP



UNIT 5.1 - IMPACT, AWARDS AND SPECIALIZING

A. IMPACT

Good journalism makes a difference to people's lives.

The practices you report on might not end, but reports you publish might:

- Lead to an individual or individuals being freed from forced labour.
- Encourage an employer to modify their practices and/or encourage their business partners to do the same.
- Give workers who had their rights infringed the confidence and contacts to set up a support group for others.
- Encourage authorities to strengthen the laws and enforce the existing laws.
- Encourage policy-makers to address forced labour and unfair recruitment practices and their root causes.
- Raise awareness on the situation of specific categories of workers and change possible public misperceptions.

It is important to think about the desirable outcomes for the workers. When reporting on a situation of forced labour, the solution of freeing the workers is a desired outcome. In other instances, when reporting on situations that are not necessarily fair to the workers, such as, for example, decent work deficits in terms of working conditions, the desired outcome may be subtler and involve improving working conditions through changes involving a large number of actors, hence more difficult to reach and monitor.

B. AWARDS

Awards, prizes and fellowships exist for almost all types of reporting. Labour migration issues and notably forced labour regularly feature in generic media awards, especially when they involve intensive investigation. In recent years, some of the most prestigious prizes in different countries have gone to these types of stories:

- Pulitzer prize (USA): Seafood from slave (2016)³⁵
- National Magazine Award (Canada): The Cage (2016)
- Albert Londres (France): Voyage en barbarie (2015)³⁶

These distinctions help increase the initial impact of a story as it brings the attention of other media professionals to the issues and, at times, the attention of the general public as well.

Several other award schemes also focus on labour and migration issues, including:

- Global media competition on labour migration and fair recruitment³⁷
- Migration Media Award³⁸

³⁵ AP. [An AP investigation helps free slaves in the 21st century](#), 2016.

³⁶ Voyage en Barbarie. n.d. [Accueil](#).

³⁷ ILO, [ILO launches 2018 global media competition on labour migration and fair recruitment](#), 14 September 2018.

³⁸ Migration Media Award. <http://www.migration-media-award.eu>

- Anti-Slavery Day Awards³⁹
- ILCA Labor Media Awards⁴⁰
- International Women in Media Foundations Awards⁴¹

C. SPECIALIZING

Reporters with specialist skills are sometimes called ‘beat’ reporters, because they cover a specialized beat. The newsroom benefits from journalists specializing on specific issues. By becoming proficient on forced labour and fair recruitment, you can:

- Offer specialist story ideas to the news desk, even when they are not able to report on them.
- Understand and explain complicated stories.
- Know many experts who can be interviewed or provide information.
- Help your colleagues to cover related stories.
- Prepare ‘background’ pieces, which run alongside a news story, and explain the context.
- Plan ahead, looking for forthcoming news events, and ensure that the newsroom is properly prepared to cover them.

If you specialize you may find your work becomes more interesting and rewarding:

- You will get to know a subject area well.
- It is a different way of working, which may be a refreshing new challenge after years of covering general news.
- You will have a higher public profile in public and at work.
- You will have greater freedom in deciding which stories to cover, and how.
- You may escape reporting on trivial and predictable stories.
- You will be better able to demonstrate your talent, which may earn you the opportunity to tackle more senior editorial roles.

³⁹ Human trafficking foundation. [Anti-slavery day awards](#), 2018.

⁴⁰ ILCA. [Inspiration](#), 2018.

⁴¹ International Women in Media Foundations Awards. [Our awards](#).

UNIT 5.2 - FINAL TIP**A. READ UP**

You need to know much more than you will ever regurgitate on the page or on air.

Read all you can about the subject. Read the specialist magazines. Follow the relevant blogs. Government bodies and NGOs often publish newsletters about their activities.

You will need to understand how recruitment mechanisms work, what labour migration is about and how national and international legal instruments come into effect.

When an opportunity such as workshops to learn more formally about your adopted subject area presents itself, take it. Every opportunity helps build up knowledge and develop a network.

RESOURCES

ILO Topic page on Fair Recruitment, available at: www.ilo.org/fairrecruitment

ILO Topic page on Forced Labour, available at: www.ilo.org/forcedlabour

Thomson Reuters Foundation n.d. Human trafficking and modern day slavery reporting human trafficking and modern day slavery, available at: <https://www.trust.org/media-development/programmes/?sfid=a15D0000018xNlaIAM&areaOfFocus=Human%20Trafficking%20and%20Modern%20Day%20Slavery>

B. DON'T GET LOST IN THE SUBJECT


Your job is to explain specialist issues to an audience of ordinary, non-specialist, people. Your job is to explain it clearly. That means:


- Translating jargon into everyday language;
- Cutting out irrelevant detail;
- Explaining things which are not clear;
- Making your stories relevant to readers, listeners or viewers.

C. DON'T BE ALONE


Get in touch with others who are covering the same beat. They can provide assistance with information, contacts, story ideas and advice. Consider joining or forming your own local group, or at least having an occasional informal get-together.

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