

Social Fieldwork Research (FRANET)

Protecting migrant workers from exploitation in the EU: workers' perspectives

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1. Executive summary

From 17th April to 31st August 2017, 20 individual interviews and two focus groups were conducted with victims of labour exploitation in France. These revealed the following **major risk factors** exposing migrant workers to exploitation:

- a **lack of education/qualifications**, although being educated/qualified alone does not prevent exploitation;
- **being in an irregular situation**, as this is perceived as resulting in not having a choice and not having rights and creates a dependency on the employer in the hope of getting working papers;
- **poverty**, as the need to earn a living creates a dependency on employment and hence the employer;
- being **employed by someone from the same country** (or region), as was the case for three quarters of respondents;
- a **lack of knowledge** about the French system and laws, as this is used by employers to take advantage of the situation and makes the worker feel powerless;
- a **lack of language skills** combined with a lack of knowledge, although this is not perceived as a factor by respondents;
- **isolation in the destination country**, as this leaves no choices in housing, for instance, and creates a feeling of helplessness and prevents people asking for help;
- **being offered to move to the destination country by someone met in the country of origin** or during transit.

However, it is **more common to get a job once in France**, and the most common recruitment 'process' is to **be told about the job through an intermediary from the same country/region**, though in almost as many cases, respondents had **simply looked for a job** by themselves.

Labour exploitation is characterised at the very least by issues related to **the salary and working conditions** (such as working hours and safety). Other recurrent issues concern the **tasks** required of workers, the **use of threats and/or violence**, the **absence of a contract** or **inspections**, and **being accommodated at the work place**. **Confronting the employer** with the situation very rarely improves the situation since in most cases it **either resulted in no change, or in a worsening of the situation**.

The most common **reason for not asking for help is not knowing whom to turn to**, and **the decision to act is often a result of a radical change**, such as a violent incident with the employer. The **greatest concerns** for victims who ask for help are the needs for **a place to stay**, to **earn a living**, and to get a **legal status**. The 'entry point' for seeking assistance is quite varied but most often results in the **involvement of several organisations through an informal system of referral**, and **reporting to the police is almost always an outcome of being supported by an association** specialised in labour exploitation.

For migrant workers who escape exploitation, **the possibility of refusing** similar situations in the future **relies entirely on gaining knowledge and obtaining working papers**, which translates into **a feeling of empowerment**. **Information is key in protecting migrant workers from exploitation**: being informed about **their rights, knowing that the police are safe** to report abuses to and that there are **associations that can help** would enable people to seek assistance. Information sharing should be done **from the country of origin** through bilateral and multilateral cooperation (e.g. Embassies), **at airports, and places where foreigners are likely to go in the country of migration** (e.g. shops selling cultural products, mosques, migrants associations, Préfectures, etc.) and in the **media** (e.g. TV, internet).

Finally, to contribute to prevention the **authorities should increase inspections** of work places, and the **judicial system should punish employers**, ensuring they respect the law to dissuade others from exploiting workers.

2. Short description of fieldwork/sample composition

From 17th April to 31st August 2017, 20 individual interviews and two focus groups were conducted face to face in six French cities.

Identification of respondents

The fieldwork team identified the interviewees and focus group participants by **contacting over 20 organisations/institutions**, representing over 30 different people. However, of all the people contacted, only **8 were able to provide access to respondents** and could thus be considered as 'gatekeepers' (six gatekeepers for individual interviews, and one per focus group).

Individual interviews

For individual interviews, **three gatekeepers gave access to between three and five respondents each**, and **two gave access to one respondent each**. Depending on the gatekeepers, **the respondents were either contacted directly by the interviewer** who was given contact details, **or they were contacted by the gatekeeper** themselves (for protection purposes), in which case the date and time of interview were arranged through the gatekeeper without direct contact with the respondent until the day of the interview. The identification of respondents was relatively challenging and took some time, and the ambition of fully respecting the designated sample composition had to be revised downwards (see the sample composition below for details).

Focus groups

For the first focus group, the gatekeeper was able to bring in four participants directly. **For the second focus group, the gatekeeper was a member of a trade union who invited the interviewer to participate in a meeting** where migrant workers were present as they were striking. **Contact was established with two future participants at that moment, and each of these found additional participants**. Although in the first focus group almost all participants had experienced labour exploitation, the participants in the second focus group mostly referred to general issues faced in their work sector, though they had experienced some issues themselves.

The identification and the organisation of the focus groups proved to be very challenging and the second focus group was held at the very end of the fieldwork phase (31st August 2017). In fact, the second focus group was initially planned for 5th August 2017, however all the participants cancelled the day before the discussion, without any clear explanation, and despite the continued reminders sent by the fieldwork team. As the participants did not seem reliable, it was decided by the interviewer to find other participants, rather than trying to convince the initial ones to postpone. The difficulty in organising the focus groups was related to various reasons, including the fact that many contacts had already been used for individual interviews and people were not at all willing to participate in a group discussion, were not available at the same time, and/or were away for summer. Coordinating a date and time for a meeting with people who were not already known proved to be impossible, and the fieldwork team had to rely on a snowball effect based on one 'entry point', which limited options, delayed organisation, and led to information loss (e.g. one participant was available for only 30 minutes and was told by the intermediary that this was fine, thus the interviewer had to tell this participant that he could not participate).

Sample composition

Individual interviews

The sample for the individual interviews comprised 12 male and 8 female respondents from five target groups, representing four economic sectors as follows (see table for detailed breakdown): migrants in an irregular situation (IR, 10); domestic workers (D, 4); applicants for international protection (IP, 2); seasonal workers (S, 1); others (O, 2). Although

the IR target group represents half of the sample, almost **all respondents had been in an irregular situation at some point, including during the period of exploitation**, with the exception of one 'O' respondent. The sectors represented included construction (6), services (6), catering (6) and domestic work (5). **One 'IR' interviewee** (male, service/domestic) working in a shop (services) **was also exploited as a domestic worker** by the same person, and **two 'D' interviewees were also working in a bar/restaurant** (female, domestic/restaurant) or a restaurant (female, domestic/restaurant), which explains why the total count of people represented by the sectors above is over 20.

Posted workers were the one target group included in the initial design of the methodology which was not represented in the fieldwork. **Despite efforts to include this group in the sample, it proved to be impossible to access posted workers**, although one gatekeeper (trade union) confirmed that they were present in France. This gatekeeper mentioned having seen vans with Polish registration plates arriving early in the morning on some construction sites to drop off workers, and collecting them at night. The absence of posted workers can be considered as a first issue in the sample composition, and **possibly represents a bias in data collection and therefore limits consideration of ways forward and prevention**, since posted workers are not accessible and could not be interviewed. The difficulty in reaching posted workers might partly explain the under-representation of EU nationals in the sample. Indeed, although efforts were made to include these in the sample, gatekeepers were not in contact with any EU nationals.

Seasonal workers are underrepresented, with only one respondent, because of a similar issue. Indeed, **seasonal workers seem to be particularly present in the agriculture sector where migrant workers are very difficult to access**. Two professional researchers working on forced labour, who were contacted during the identification phase, explained that they themselves struggled to establish contact with these workers, and that trade unions had been increasingly struggling to intervene for the last five years because they were confronted with 'mafia networks'. The researcher used this term to describe a situation where the employment of foreign farm workers was controlled by networks of organised people, who are supposedly powerful and possibly dangerous. In addition to this, and according to one of these professional researchers, these migrant workers were not willing to testify as their financial situations were still better in France than in their country of origin.

This challenge initially reveals an issue specific to the problem of foreign worker exploitation: some are almost unreachable.

Among the 20 interviewees, **five had been victims of human trafficking**, however **none of their employers had been charged with human trafficking**. At the time of the fieldwork, one interviewee still refused to file a complaint (female, domestic worker); three did not know where the police investigation stood exactly, and had not been through proceedings (female, domestic/bar; male, construction; male, domestic/shop); and one had been through proceedings but the employer was convicted of employment of an illegal immigrant and illegal employment (the employer appealed and the interviewee (male, food services) was awaiting the result).

Focus groups

The first focus group comprised four participants from two West African countries (Ivory Coast and Cameroon). All the participants were female childcare workers, hence representing the 'D' target group. They all knew each other, as they were members of the same association (the gatekeeper) supporting childcare workers. The second focus group comprised five IR target group participants, also from two West African countries (Benin and Mali), including two females and three males working in cleaning.

Data collection

Individual interviews

The interviews were conducted in six different languages and required two interpreters. Twelve were conducted in **French**, four in **English**, one in **Arabic** (with a French-Arabic interpreter), one in **Pakistani** (with an English-Pakistani interpreter), one in **Spanish** and one in **Romanian**.

The length of the interviews conducted ranged **from 45 minutes to 89 minutes**, with an **average length of 68 minutes**. While the average length is slightly above the targeted duration (60 minutes) this can be explained by the **recurrent need for probing and follow up questions for self-reflective questions**, especially for Part 4 of the questionnaire (Ways forward and prevention). **The two interviews requiring the presence of an interpreter** ranked amongst the longest interviews (88 and 89 minutes), although four other interviews were almost as long (over 80 minutes) without interpreters. There were **almost no interruptions** during the interviews, with the exception of one break of about 5 minutes during one interview because a fan broke; and several very short breaks for one interview where the respondent was extremely emotional. Quite strikingly, **the interviews revealed a very satisfying level of trust and openness** from the respondents in general, except for one interviewee (female, domestic worker) who almost did not speak about her situation (over 20 years of exploitation by a member of the family), which was confirmed with the gatekeeper after the interview in a 10 minutes fact-checking discussion without the interviewee. However, it appeared throughout the fieldwork that **in many cases the respondents had accepted to participate as a gesture of gratitude towards the gatekeeper** (often an association specialised in support to victims of exploitation) rather than for their own benefit.

After having conducted the first few interviews, **recurring bottlenecks were identified and slight changes were made in the phrasing of some questions** of the questionnaire. For example, for Question 7.a. *“What do you think made it possible for these things to happen?”* many respondents did not understand the question and the interviewer rephrased it as follows when this was the case: *“What elements made it possible for you to stay so long in the situation you described?”*. For Question 15: *“If you could go back in time, would you still accept the same work situation/job you have described to me today?”*, many respondents replied “No” in a tone that highlighted the fact that they found the answer obvious given what they had just explained about their experience of labour exploitation. When this was the case, the interviewer rephrased it asking if there were other reasons than those described during the interview.

Focus groups

Both focus groups were conducted in French and lasted 144 minutes and 82 minutes, respectively. During the first focus group, the participants made many contributions and the discussions were quite lengthy. Hence, when one or several participants shared information about a specific point, the interviewer asked the other participants to mention other possible information/opinions, to avoid repetition and making the discussion too long. As a result, this may be slightly misleading in the tables of the reports when it is stated how many focus group participants mentioned an element, it may actually be a view shared by more than the number of those who directly indicated it.

INTERVIEWS¹	Economic sector/ occupations	Nationalities	Male	Female
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¹ Please note that when referring to or quoting interviewees and focus group participants in this report, the country of origin is sometimes replaced with the more general geographical region in order to guarantee the anonymity of research participants.

Posted workers	0	/	/	/
Seasonal workers ²	1 (food services)	Northern Africa	1	0
Domestic workers	4 (domestic work, restaurant, bar)	Morocco, Senegal, Sri Lanka, Togo	0	4
Applicants for international protection	3 (cleaning, hairdresser, restaurant)	Southern Asia, Western Africa	1	2
Migrants in an irregular situation	10 (cleaner, 4 construction, 3 restaurant, shop, food retail (shop))	Nigeria, Mali, Pakistan, Egypt, Morocco, Guinea, Mexico	8	2
Other foreign workers	2 (construction)	Romania, Turkey	2	0
FOCUS GROUPS				
Target group	Economic sector	Nationality	Male	Female
IR (2) D (2)	Home support (childcare)	French citizen (originally from Central Africa), 3 Ivory Coast	0	4
IR (5)	Cleaning	Benin, Mali	3	2

Circumstances which emerged as typical indicators of situations of severe labour exploitation* of workers in employment relationships:

Circumstance/indicator	Total number	Breakdown by category
no salary paid or salary considerably below legal minimum wage	18/20	9IR, 4D, 3IP, 1O, 1S
parts of remuneration flowing back to employer on various – often unreasonable – grounds	18/20	4IR, 2IP, 1D
lack of social security payments	17/20	9IR, 2D, 3IP, 2O, 1S
extremely long working hours	16/20	7IR, 4D, 3IP, 1S, 1O
very few or no days of leave	19/20	9IR, 4D, 3IP, 2O, 1S
working conditions differ significantly from what was agreed	11/20	5IR, 4D, 1IP, 1O
worker lives at the workplace	13/20	5IR, 4D, 2IP, 1S, 1O
hardly any contact with nationals or persons from outside the workplace	13/20	5IR, 4D, 3IP, 1S
passport retained, limited freedom of movement	6/20	4IR, 2D
no contract, or contract not in a language the interviewee could understand	16/20	9IR, 3D, 3IP, 1O

² Please note that within this research, the term 'seasonal worker' has a wider scope than the definition of seasonal workers contained in the EU Directive on Seasonal Workers, and also includes seasonal workers under national schemes as well as under the EU Directive on Seasonal Workers. It also includes EU workers moving for seasonal work.

3. Legal and institutional framework

Since the Selex I project,³ the legal and institutional framework has remained largely unchanged.

The National action plan against human trafficking (2014-2016) ended last April (it had been prolonged for one year). The authority in charge of coordination of the fight against human trafficking, the Interdepartmental mission for the protection of female victims of violence and the fight against human trafficking, undertook consultations with administrations and associations in order to propose a new action plan.

Since an order of 7 April 2016⁴, employment inspectors are now authorised to ascertain offences of human trafficking (THB) (225-4-1 of the Criminal Code), forced labour (225-14-1 of the Criminal Code) or servitude (225-14-2 of the Criminal Code)⁵.

Article L316-1 of the Code of Entry and Residence of Foreigners and the Right to Asylum (CESEDA) provided that a temporary residence permit 'may be granted' to victims of THB involved in criminal proceedings. Since a law adopted in 2016⁶, the Article now provides that a permit 'is granted'.⁷ Nevertheless, the possibility remains for the administration to refuse a permit if the presence of the victim 'constitutes a threat to public order'.

On 27 March 2017, a law was adopted⁸ which requires that large companies assess and tackle breaches of human rights and environmental risks in their supply chains. Visibility and transparency, as well as risk reduction plans ('vigilance plans' - *plans de vigilance*) are compulsory in order to comply with the new law. The objective of this new measure is therefore to establish an obligation of vigilance on the part of parent companies and sourcing companies (5000 employees) with regard to their subsidiaries and subcontractors in order to avoid violations of human rights.

³ See FRA, 2015, <https://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union> and French country report, 2015, https://fra.europa.eu/sites/default/files/fra_uploads/severe-labour-exploitation-country_fr.pdf.

⁴ France, Order No. 2016-413 relating to the control of the application of employment law (*Ordonnance n° 2016-413 relative au contrôle de l'application du droit du travail*), 7 April 2016, Article 4, available at: www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=5A163DDC5EB968B55DD60F08F33DB9A2.tpdila08v_1?cidTexte=JORFTEXT000032371987&categorieLien=id

⁵ France, Labour Code (*Code du travail*), Article L 8112-2, 1°, available at: www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000026268428&cidTexte=LEGITEXT000006072050

⁶ France, Law No. 2016-444 Aiming to Strengthen the Fight Against the Prostitution System and to Assist Prostituted Persons (*Loi n° 2016-444 visant à renforcer la lutte contre le système prostitutionnel et à accompagner les personnes prostituées*), 13 April 2016, Article 8, available at: www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=002DF4DFCF9D82D770989C938CC5B93A.tpdila07v_1?idArticle=JORFARTI000032396141&cidTexte=JORFTEXT000032396046&dateTexte=29990101&categorieLien=id

⁷ France, Code of Entry and Residence of Foreigners and the Right to Asylum (*Code de l'entrée et du séjour des étrangers et du droit d'asile*), Article L 316-1, available at: www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000006335130&cidTexte=LEGITEXT000006070158

⁸ France, Law No. 2017-399 on the Due Diligence of Parent Companies and Sourcing Companies (*Loi n° 2017-399 relative au devoir de vigilance des sociétés mères et des entreprises donneuses d'ordre*), 27 March 2017, available at: www.legifrance.gouv.fr/eli/loi/2017/3/27/2017-399/jo/texte

Employers charged with labour exploitation offences can be the subject of several types of sanctions.

Firstly, employers having been the subject of an official report (*procès-verbal*) arising from an offence relating to illegal work can be the subject of the following administrative sanctions⁹:

- withdrawal of government aid (exemptions from social contributions or funding attached to apprenticeship contracts, for example), for up to 5 years maximum;
- reimbursement of government aid already received over the previous 12 months;
- exclusion from public sector contracts for up to a maximum of 6 months;
- temporary administrative closure (3 months maximum), ordered by the Prefect (or the Prefect of police in Paris), possibly accompanied by a seizure of assets.

In addition, employing foreign people irregularly exposes not only the company management to a prison sentence (5 years imprisonment) but also, if a judge so decides, to complementary sanctions¹⁰, such as:

- a ban on practising certain professions;
- exclusion from public sector markets (5 years maximum);
- confiscation of items having been used to commit the offence or which were used on this occasion, and which are the product and belong to the offender;
- publication of the judgement in legal notices in newspapers;
- inclusion of the criminal law decision in a black list on the internet site of the Ministry of Labour, for a duration fixed by the judgement, not exceeding 2 years;
- restrictions on civic, civil and family rights.

4. Risk factors for severe labour exploitation

Risk factor	Number of interviewees who mentioned this factor	Number of interviewees who formally identified this factor	Number of focus group participants who mentioned this factor
Low level of education level/qualifications/skills	17/20	0/20	1/9
Legal status (not having working papers)	18/20	6/20	6/9
Language (inability to speak French)	17/20	1/20	2/9
Poverty (hoping to earn a living with a job in destination country)	14/20	7/20	4/9
Leaving country of origin because of family issues, or other issues endangering life	4/20	0/20	0/9

⁹ France, Interdepartmental Circular relating to the administrative sanctions for illegal work (*Circulaire interministérielle relative aux sanctions administratives du travail illégal*), 28 November 2012, available at: http://circulaires.legifrance.gouv.fr/pdf/2012/12/cir_36182.pdf

¹⁰France, Labour Code (Code du travail), art. L 8224-3, available at: [\[www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=B9F01A4A7D679CE4F263CA996A9BD7F1.tpdila19v_2?idArticle=LEGIARTI000031013838&cidTexte=LEGITEXT000006072050&dateTexte=20170905\]](http://www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=B9F01A4A7D679CE4F263CA996A9BD7F1.tpdila19v_2?idArticle=LEGIARTI000031013838&cidTexte=LEGITEXT000006072050&dateTexte=20170905).

Being offered to move to destination country by someone met in country of origin or country of transit	7/20	0/20	0/9
Moving to destination country to get medical care	2/20	0/20	0/9
Moving to destination country because family are there	2/20	0/20	0/9
Moving to destination country to study	1/20	0/20	0/9
Feeling of dependency, trust or accountability in the employer (because s/he is supposedly taking care of the legal status)	6/20	5/20	1/9
Unaware of the law and illegal workers' rights in France	15/20	6/20	3/9
Isolation in destination country (not knowing anyone)	11/20	2/20	1/4
Employer from the same country or region (either of French nationality or not)	14/20	3/20	0/9

Several themes were recurrent among the perceptions the interviewees had as to what exposed them to labour exploitation. The following factors were formally identified as criteria of vulnerability among the individual interviewees:

- More than a third mentioned the desperate need to earn a living;
- More than a quarter mentioned the absence of a legal status;
- More than a quarter mentioned the lack of knowledge about their rights;
- A fifth referred to dependency on and/or trust in the employer;
- Although only 3 interviewees specifically pointed this out as a risk factor, it is striking that almost three quarters of respondents (14) were exploited by a person from the same country or region (either of French nationality or not).

As mentioned in section 2, this question, as were most self-reflective questions, proved to be difficult to answer for many interviewees. The analysis of all interviews showed more possible risk factors than those formally identified by respondents. Based on the answers given to questions 1-5 on socio-demographic background, additional factors appeared to be common to several interviewees and sometimes to almost all of them. These additional risk factors have therefore been included in the list below.

1. Low level of education/qualifications/skills (or not relevant in destination country)

Although none of the respondents specifically designated the lack of education or qualifications as a criterion of vulnerability, except from one focus group participant, this was a common factor for almost all of them across every target group, which makes it appear as a possibly significant risk factor.

Before arriving in France, almost half the individual interviewees were engaged in manual work (construction, farming), some had not yet worked in their country of origin (all of these were minors when they arrived); and some had worked as domestic workers (and were all exploited as domestic workers in France). In a focus group of women working in childcare (focus group 1) one participant stressed that the lack of education, and more especially illiteracy, made migrant workers in that sector vulnerable to abuses since they often sign contracts without understanding the content:

“Because sometimes, in the contract, when you don’t know, there are things said, there are words used, if you didn’t go to university, and there are many among us, we don’t

know what they are talking about and we sign the contract.”¹¹ (France, female focus group participant from Ivory Coast, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

However, education and qualifications do not seem to be enough to prevent migrant workers from being exploited. For example, one interviewee who was exploited by a family in the home and in a restaurant (domestic worker, female) was highly qualified in catering services for the hotel trade and had worked in well-known hotels in her country of origin in Western Africa. Another example is a male interviewee in an irregular situation who was exploited in the construction industry and who was a qualified mechanical engineer and worked as such in his home country.

2. Legal status (not having working papers)

More than a quarter of individual interviewees directly identified their legal status of being in an irregular situation as a risk factor, along with almost all the focus group participants. Furthermore, all of them had a firm opinion on the fact that this factor exposed them to exploitation. One man working in construction explained that he could not leave his job, despite the problems he was facing, because he felt he had no other choice as a person in an irregular situation and without savings:

“We have to do it because if we don’t, we know nothing else to do, we have no papers, we have no choice but to do it even if we earn only a little, to be able to eat. It’s better than stealing from people, so that’s why I preferred to keep working like that, I know it’s complicated but I have no choice because I don’t have papers.”¹² (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

A few individual interviewees expressed a feeling of empowerment related to now having papers which enables them to refuse similar situations today. One interviewee exploited in cleaning said:

“I don’t want to do that anymore, because I realise it’s exploitation, and I have papers now. I am independent.”¹³ (France, female interviewee from Western Africa, cleaner, applicant for international protection at the time of exploitation)

In addition, even among the three quarters of individual interviewees who did not directly mention this factor, **the vulnerability related to legal status was one of the most commonly shared views. More specifically, respondents strongly linked illegal status with the idea of not having a choice.** Despite not mentioning his legal status as a cause of exploitation, one man from Mali in an irregular situation working in construction did mention that he would accept the job in which he was exploited again, because it was his only way to earn a living as a person in an irregular situation:

“(I would still accept this job today) because I had no other means, I had to work, because I had no earnings. Because if you don’t have papers in France, it’s like you’re

¹¹ *“Parce que quelques fois, dans le contrat, quand on ne connaît pas, y a des trucs qui sont dits, y a des termes qu’on emploie, mais si tu n’as pas fait de longues études, parmi nous y en a beaucoup, on ne sait pas de quoi on parle et on signe le contrat.”*

¹² *“On est obligé de faire parce que si on fait pas, on connaît rien d’autre, on a pas de papier, on est obligé de faire même si on gagne qu’un petit peu, pour qu’on peut manger. C’est mieux que on vole les gens, donc c’est pour ça que je préfère rester travailler comme ça, je sais que c’est compliqué mais je n’ai pas le choix, j’ai obligé de continuer parce que je n’ai pas de papiers.”*

¹³ *“Je veux plus faire ça parce que je me rends compte que c’est de l’exploitation et j’ai mes papiers maintenant. Je suis autonome.”*

*nothing.*¹⁴ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

3. Poverty (hoping to earn a living with a job in destination country)

The need to earn money was a major theme throughout almost all interviews, and reflected the vulnerability to labour exploitation created by poverty. The individual interviews revealed that **for three quarters of respondents** (and almost all the respondents from target group IR), **poverty was at least one of the reasons for leaving the country of origin**. An interviewee exploited as a cleaner explained that she left Ghana, where she was a small trader, because she could not financially support her whole family:

*“My mother told me to come to France to earn a living...some work and everything to be able to take care of my children and brothers. That’s how I ended up in France.”*¹⁵
(France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)

More than a third of individual interviewees directly mentioned the need to earn a living as a cause of their situation of exploitation, along with a few focus group participants. One man from Mali in an irregular situation working in construction explained that he would accept to do anything he was asked to do, because his primary need was to work:

*“All the tasks they give us we have to do, because we are here to help the families and ourselves. So if we don’t work, it’s not good at all. The families suffer in the home country. (...) Even if he says, ‘Pick up the poo’, we do it. We don’t choose the work.”*¹⁶ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

The individual interviews showed that for half of the respondents, the need to earn a living was not only for themselves, but to support family members, either in France or back in the country of origin. This theme was also present in both focus groups, and one participant explained that the acute need to be able to financially support the family forced people to accept anything:

*“A person who just arrived from Africa, she already has troubles with her papers, she left her family in the country, she has no choice but to take care of her family.”*¹⁷ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

4. Employer from the same country or region (either of French nationality or not)

The individual interviews revealed that for migrant workers **having an employer from the same country or region was a major risk factor that affected three quarters of respondents**. Almost all respondents from target group D, and more than half of respondents from target group IR were exploited by someone from the same country as them. This proved to be **true across all sectors of activity** (domestic work, construction, restaurant, and services).

¹⁴ “(J’accepterais toujours aujourd’hui) parce que j’ai pas de moyens donc je suis obligé de venir, j’avais pas de moyens...parce que si t’as pas de papiers en France c’est comme si tu es zéro.”

¹⁵ “Ma mère m’a dit de venir en France pour pouvoir chercher de quoi vivre. Du boulot et tout pour pouvoir m’occuper des mes enfants et de mes frères. C’est comme ça que je me suis retrouvée en France.”

¹⁶ “Tous les travaux qu’il nous montrent nous on est obligé de faire, parce que on est là pour aider les familles et nous-mêmes. Donc si on travaille pas, ça va pas du tout. Les familles souffrent, dans le pays. (...) Même si il dit ‘Ramasse le caca’ on fait. Donc on ne choisit pas le travail.”

¹⁷ “Une personne qui vient d’arriver d’Afrique, déjà elle a les soucis de papiers, elle a laissé la famille au pays, il faut bien qu’elle s’occupe de sa famille”

Although only a few respondents formally identified this factor as a risk, interestingly those who have expressed their view on the matter did so in very strong terms, like this woman from Morocco in an irregular situation who was exploited in a restaurant and as a domestic:

*“I will never work with an Arab. Even if I’m offered 4,000 euros per month, I won’t work with an Arab. I’m not a racist but I won’t work with an Arab, only with French people, no problem.”*¹⁸ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

Similarly, the interviewee from Southern Asia, who had requested international protection and worked in a restaurant also **noticed and identified this risk, not only within his own community, but as a pattern for any country of origin**:

“The persons who have documents, they don’t have any problems here. The illegal persons who don’t have documents they mostly face such kinds of problems, and mostly it happens when a person is [from country in Southern Asia] and he is working with a [national of that country]; an Arabic person working with an Arabic. If it’s a [national of Southern Asian country] person working with Arabic, he will not have any chance to face such kinds of problems. Mostly it happens when the worker is working with a person from the same country.” (France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

5. Lack of awareness of French law and illegal workers’ rights in France

The general lack of knowledge on how things work in France was directly mentioned as having contributed to the situation of exploitation by over a third of respondents in interviews, and almost all participants in the first focus group. For example, a female asylum seeker who worked in cleaning, was recruited by women from West Africa who took advantage of her lack of knowledge. They made her work with their identities and received the money for her salary:

*“They just told me that I could get my papers in 6 years...that it was not easy to get papers and that I had to do that to be able to live.”*¹⁹ (France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)

Another example is a man in an irregular situation working in construction for a man he considered his friend, until he realised he was taking advantage of the situation:

“Before I didn’t think of this, I believed him. He gave me one paper for embauche (hiring) and I thought I had documents thanks to this paper, I didn’t know the law, and I believe him. And after all this happened I thought he used me, but before I didn’t think this.” (France, male interviewee from Southern Asia, construction, migrant in an irregular situation at the time of exploitation)

Three quarters of individual interviewees had never been informed about any rights before they got help, and the few who had some knowledge only knew about one or two rights. The individual interviews revealed quite strikingly that **although they were more or less familiar with the notion of rights in France, more than a third of respondents in some way expressed that they considered that they did not apply to them as long as they were in an irregular situation** (this factor was also significant in the reasons for not asking for help, see section 6).

In addition, **lack of knowledge was a recurring theme throughout most interviews and focus groups** and highlighted a feeling of vulnerability related to this, **although it was expressed in many different ways**. This was for instance a common reason given for not

¹⁸ “Je ne travaillerai jamais avec un Arabe. Même s’il me propose 4000 euros par mois, je travaille pas avec un Arabe. Je suis pas raciste mais je travaille pas avec un Arabe, que avec un Français tranquille.”

¹⁹ “Elles m’ont dit juste que je pouvais avoir mes papiers dans 6 ans...que c’était pas facile pour avoir des papiers et que donc il fallait que je fasse ça pour pouvoir vivre.”

asking for help (see section 6), and almost none of the respondents were informed about workers' rights until they got help. A few respondents also said that if they had been more knowledgeable, they would not have accepted the offer to come in the first place, like one interviewee (a man in an irregular situation from Northern Africa who was exploited by his wife and her brother):

"Because now I know the system, I know my rights."²⁰ (France, male interviewee from Northern Africa, domestic/shop, migrant in an irregular situation at the time of exploitation)

The interviews revealed that for a few respondents this risk factor was accentuated by the feeling of knowing less than the employer who, often, has been in the country for longer. One interviewee, a woman in an irregular situation who was exploited in a restaurant, explained for example how her employer took advantage of her ignorance:

"He is someone who takes advantage of people a lot, he takes advantage of people who come from villages, who do not know about the law, who do not know France. These are the people who he is taking advantage of."²¹ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

6. Language (inability to speak French)

Although **more than half of individual interviewees could not speak French at all when they first arrived in France, only one of them mentioned the inability to speak French as a risk factor.** One man in an irregular situation working in construction stated:

"I think the first thing is not speaking the same language, sometimes you do not understand what people mean, for example, the French style (mentality, customs...) you do not know it and you learn it here. They can tell you "you said you worked in a restaurant". Of course I worked in a restaurant but there are not the same tasks and they think you know how to do everything and expect you to do things in a good, nice and cheap way."²² (France, male interviewee from Mexico, construction, migrant in an irregular situation at the time of exploitation)

A woman exploited as a domestic worker did mention that migrants coming to France would be better able to protect themselves if they knew the language when they arrive, although she did not point it out as a cause of her situation of exploitation initially:

"What they should know is the language of the country where they are, in this case France. Because me when I came I didn't know the language, I knew nothing. It's after when I started to go to school that I learnt some things."²³ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

Interestingly, the language issue was not a topic that arose often during interviews, despite the fact that only three respondents assessed their level when they arrived as either 'good' or 'very good', and that over a quarter of respondents signed a document (contract or other) which they did not understand because they did not speak French. The interviews revealed that **although the language is a significant risk factor when it is added to a lack of knowledge, the respondents do not perceive it as such a risk factor on its**

²⁰ "Parce que maintenant je connais le système, je connais mon droit."

²¹ "Lui c'est un grand profiteur, il profite des gens qui arrivent du bled et qui connaissent pas la loi, qui connaissent pas la France. C'est ça les gens dont il profite."

²² "Yo creo que la primera cosa es no hablar la misma idioma, al veces no entiendes que quieren decir las personas, por ejemplo, el estilo francés no lo conoces y lo aprendes aquí. Pueden decirte «tu dijiste que trabajabas en un restaurante ». Si claro, trabajaba en un restaurante pero no son las mismas tareas y ellos piensan que sabes hacer todo y esperan que haces las cosas buenas, bonitas et barato."

²³ « Ce qu'ils devraient savoir c'est connaître la langue du pays où ils sont, en l'occurrence la France. Parce que moi quand je suis venue je connaissais pas la langue, je connaissais, rien. C'est après quand j'ai commencé à aller à l'école que j'ai appris certaines choses."

own. An assumption here is that if someone knows how things work and what documents they should sign to start a job, for example, even if they do not know the language, they would know what questions to ask, and find a way to ensure they are signing the right things.

7. Isolation in destination country (not knowing anyone)

It is worth noting that **isolation in the destination country was a major theme throughout most interviews and stands out as a possible risk factor, even though very few respondents formally identified it as a risk factor** that had exposed them to exploitation. More than half the individual interviewees mentioned that they knew no one at all in France when they arrived, and a majority of them were women, like one interviewee who worked as a cleaner:

“I did not have a choice in fact, because I didn’t know where to stay. It’s the Ivoirians who decided for me. I do not know anyone here.”²⁴ (France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)

It was highlighted by one participant in the first focus group that **for childcare workers, the isolation is even more significant as there are no ‘witnesses’**, as the workplace is at the employer’s home. She said:

“There is isolation as well, because you’re in between four walls. In a company, there are witnesses, many people. If an employer is not well intentioned, at least someone will notice it. But in an apartment, it’s the employer’s word against yours.”²⁵ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

Not knowing whom to turn to for help for instance was one of the main explanations given by respondents for not asking for help earlier, and this was also clearly identified as such during focus group 1.

8. Being offered to move to the destination country by someone met in the country of origin or country of transit

Quite strikingly, more than a third of individual interviewees moved to the destination country after being offered to do so by someone (either a family member or not) they met in the country of origin or transit. In most situations this resulted in trafficking, like for one interviewee, a woman in an irregular situation who moved to France from Western Africa to work for a family member:

“In the family I have a [relative] who is here in France. So she is there with her three children. And she needed me to come to help her with the children.”²⁶ (France, female interviewee from Western Africa, domestic worker)

This was also the case of a man who was a professional baker in Northern Africa and who arrived in France as a seasonal worker after being offered to move there by a former employer:

“Me, I trusted my boss, a hundred percent. (...) The first time I discussed it with him in [country in Northern Africa], he told me: ‘In France, you work well, you have many rights, many things.’ he told me: ‘You work as a baker, normally you earn 1,400, 1,500 per

²⁴ “Je n’avais pas le choix en fait, parce que je savais pas où rester. C’est les Ivoiriennes qui décidaient pour moi. Moi je connais personne ici.”

²⁵ « Il y a un isolement aussi, parce qu’on est dans les quatre murs. Dans une entreprise il y a des témoins, on est nombreux, si un employeur est malveillant, au moins on va s’en rendre compte. Dans un appartement, c’est pot de terre contre pot de fer, c’est la parole de l’employeur et la tienne. »

²⁶ “Dans la famille j’ai une [relative] qui est ici en France. Alors elle est là avec ses trois enfants. Alors elle avait besoin que je vienne l’aider pour les enfants.”

month.”²⁷ (France, male interviewee from Northern Africa, food services, regular migrant at the time of exploitation)

Interestingly, **more than half of respondents who moved for this reason had never considered leaving their country** before being approached. This was the case for one interviewee, a man from Northern Africa who was in an irregular situation and who was very severely exploited in construction work by a man from the same country of origin who smuggled the respondent to France, where he lived and had a business:

“I had never had any intention to leave [his country of origin in Northern Africa] but this man was offering me a lot of money and a better life. I hesitated a lot and then I accepted his offer because I realised that it would enable me to make my family’s life better.” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

Respondents from target group D are especially affected by this risk factor, as almost all of them moved to France for this reason. However, the interviews revealed that these situations existed across all sectors (domestic work, construction, restaurant, and services), and were not limited to any one in particular.

Despite the fact that interviews revealed this risk factor as quite significant, **none of the respondents formally identified it as such** when asked about what made their situation of exploitation possible.

9. Feeling of dependency on and/or trust in the employer (because s/he is supposedly taking care of the legal status)

Almost half the individual interviewees expressed a feeling of dependency towards the employer as at least one of the reasons for being exposed to exploitation. **In most cases, this dependency was related to the hope of getting working papers through the employer**, who was supposedly taking care of the administrative process to obtain a legal status for the employee. Very few of them gave another reason for dependency (e.g. hope to get medical care, to get money to pay back a debt, etc.) An asylum seeker from Southern Asia who worked in a restaurant explained:

“The basic thing is that he told me that he will give me a contract, and you will get documents. That’s why I keep with that boss. He was telling me: ‘You are my brother, you are my [Southern Asian nationality] brother’ and continuously telling me that he will give me a contract, ‘Trust me, trust me’.” (France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

Similarly, an interviewee from Northern Africa who remained in an irregular situation working for his wife and her brother after she brought him to France to exploit him, explained how it hindered him:

*“I didn’t have papers. After entering France, I was counting on my wife to take care of the administrative steps, so that I could find a job and all that. After, it blocked me, because she didn’t do anything. I was scared to go back to [his country in Northern Africa] and start from scratch again.”*²⁸ (France, male interviewee from Northern Africa, domestic/shop, migrant in an irregular situation at the time of exploitation)

²⁷ “Moi j’ai confiance pour le patron, 100%. (...) La première fois j’ai discuté [...], il m’a dit : ‘La France, tu travailles bien, beaucoup de droits, beaucoup de choses’, il m’a dit : ‘Toi tu travailles le métier de pâtisserie, normalement tu touches 1400, 1500 par mois.’”

²⁸ “J’ai pas de papiers, après être entré en France moi je comptais sur ma femme pour faire les démarches, pour pouvoir trouver un travail et tout ça. Après ça m’a bloqué elle a rien fait. J’ai peur de retourner au [pays] à zéro.”

Trust in the employer, rather than dependency, was also a significant component of the situation of exploitation for two respondents. A man who had moved to France after being offered a seasonal contract (food services) by a former employer explained:

“I did not feel compelled to ask him for my money because I trusted him a hundred percent. That’s why he kept it, the first time: ‘You do not have a bank account, I’m keeping it for you’. And I trusted that, no problem.”²⁹ (France, male interviewee from Northern Africa, food services, regular migrant at the time of exploitation)

The interviews revealed that the feeling of accountability or gratefulness towards the employer was not a common risk factor. Only one respondent mentioned it as such: a woman from Morocco who worked as a domestic worker for a woman who had offered to pay her travel, and for her to stay in France to get her the surgery she needed.

10. Leaving the country of origin because of family issues, or other issues endangering life

A few respondents mentioned in the interviews that they left their home country because they were in danger there, because of the family or for other reasons. It is interesting to note that this was true for **all respondents from the IP target group**, one quarter of the D target group, and **none of the IR target group**, although this is the most represented group in the sample of individual interviewees. A woman from Western Africa who requested international protection and worked in a hair salon explained how she had to leave her country to protect herself:

“I grew up with my uncle who abused me, I was raped since I was a child...well a teenager. So I confided in my teacher who helped me to get out of [country in Western Africa].”³⁰ (France, female interviewee from Western Africa, hairdressing, applicant for international protection)

11. Outsourcing

The interviews revealed in a few cases that outsourcing could be a risk factor exposing migrant workers to exploitation. This was especially true for the construction sector: **more than half of respondents working in construction were working for a company to which the construction work had been outsourced**, and possibly more of them actually worked for similar companies, even though it was not discussed during interviews as they were not necessarily aware. Workers for whom it could be determined that they worked for subcontractor companies were never given a contract, and had their relationship with the employer channelled through the site foreman acting as an intermediary.

The cleaning sector, however, proved to be particularly likely to expose migrant workers to exploitation because of outsourcing, for places like hotels, airports or offices. Indeed, all five participants in focus group 2, which was made up of cleaning workers, were working for outsourced companies and said this was the case of most cleaning workers. Two participants explained that the employment inspectorate could not really act and visit work places because workers are not on the site where the outsourced company is:

“It’s difficult because we are outsourced. So no matter the level of the employment inspectorate involvement, they must request authorisation to the company (where workers actually work) to be able to get in. It’s more complicated because we are outsourced: it’s not like you are directly linked, because the person you accuse is in another place than the place where you work. The HQs of the outsourced companies

²⁹ “Moi je n’étais pas obligé de lui demander l’argent parce que moi j’ai confiance pour le patron 100%, c’est pour ça il gardait parce que la première fois : ‘Toi t’as pas de compte à la banque, moi je garde.’. Et j’ai confiance, pas de soucis.”

³⁰ “J’ai grandi avec mon oncle avec qui j’étais maltraitée, j’ai été violée depuis l’enfance...enfin l’adolescence. Du coup je me suis confiée avec mon professeur qui m’a aidée de sortir de la Guinée.”

just have their executives there (not the cleaning workers).³¹ (France, male focus group participant from Benin, cleaning, regular migrant at the time of exploitation)

Finally, in very few cases, the reason to move to the destination country was either to join a member of the family, to get medical care, or to study. Those three factors can be identified as possible risk factors, although they were not common factors among the people interviewed.

In addition to the risk factors listed above, **very few respondents in interviews mentioned that the choice to go to France specifically was either partly based on the the fact that they spoke French, or partly based on the fact that they knew France protected people's rights.** However, these did not appear as risk factors *per se* since the respondents were planning to emigrate no matter what, and these factors just helped to chose the country of migration.

5. Workers' experiences of severe labour exploitation

Problems mentioned	Number of interviewees	Number of focus group participants
Salary	19/20	6/9
Working conditions	18/20	6/9
Tasks required	16/20	2/9
Threats and violence	15/20	2/9
Did not sign a contract	14/20	4/9
No inspection of workplace, or extremely rare (once)	14/20	4/9
Housing	12/20	0/9
Threats and violence to others	10/20	0/9
Isolation	10/20	2/9
Situation unchanged (or worsened) when confronted employer	8/16 (4/16)	N/A
Confiscation of ID document	7/20	N/A
Signed a document without understanding	6/20	N/A
Inspections of workplace but had to hide	4/20	N/A
Fired (or threatened with being fired) when confronted employer	3/16	N/A

The interviews revealed that experiences of labour exploitation had **in almost all cases two common elements**: issues related to **the salary**; and various problems with **working conditions**. Other issues can be considered **recurrent** as they proved to affect about three quarters of all respondents: the diversity and quantity of **tasks** required; the **use of threats and/or violence** from the employeur or an intermediary against them on various grounds; the **absence of a contract**; and the **absence of inspections** of the workplace. Finally, in **about half or more than half of the cases**, migrant workers interviewed had experienced **issues with housing** (living either at the workplace or at the employer's); had witnessed **violence and threats to others**; or had been somehow **exposed to isolation**.

³¹ "C'est difficile parce que on est en sous traitance. Attention, on est en sous-traitance. Donc quel que soit le niveau de l'inspection du travail, il faut qu'ils demandent l'autorisation à l'entreprise sous traitante pour qu'ils puissent rentrer. C'est plus compliqué parce que nous nous sommes ne sous traitance. C'est pas comme ci vous étiez directement lié, parce que la personne qu'on l'accuse il est dans un autre lieu et là où nous nous travaillons c'est encore un autre lieu. Les sièges des entreprises y a que des cadres qui sont là."

As mentioned in the section about risk factors, **a third of individual interviewees were recruited from the country of origin** or transit and **worked for the person who directly recruited them**. Among them, there were four kinds of situations for how the recruitment occurred:

- **half of them were recruited by a former employer** for whom they had worked in the country of origin and who approached them again to offer a job in France;
- **the other half were either approached randomly** and offered a job in France (in two cases), or **recruited by a member of the family** (one respondent), or through a **recruiting agency** (one respondent).

However, the interviews revealed **that it was more common to be recruited in France directly**, as this was the case **for two thirds of individual interviewees**. Again, there were four types of recruitment in France:

- **the most common way of being recruited (in half the cases) was to hear about a job for an employer from the same country/region and through a person from the same country/region**. This was true across sectors (domestic work, restaurant, construction, service) and affected all Moroccan nationals (i.e. a quarter of individual interviewees), and two nationals from Southern Asia. However, it also affected other nationalities from West African countries, Turkey and Egypt;
- however, **in almost as many cases, the respondents had simply looked for a job** by their own means;
- **very few respondents were recruited either through an agency** (one case) or **by someone** directly in the street (one case).

Quite strikingly, the interviews showed that **over three quarters of respondents had, at some point and in different ways, confronted or challenged their employer** about the overall situation, or aspects of it. However, among those who had in some way confronted their employer, **half saw their situation remain unchanged**; and **a quarter of those confrontations resulted in a worsening of the situation**.

1. Salary

The salary proved to be a major issue for migrant workers. The interviews and focus group discussions revealed that this issue affected all sectors of activity and all target groups. **Almost all respondents, both individually and in focus groups, experienced one or more kinds of problem related to the salary** in their situation of labour exploitation. It is quite interesting to note that salary related issues are so common that the only respondent who reported that he did not face problems had actually often been paid late and was aware that his salary was below what a French worker would be paid for the same work, but would not consider it as an issue as such.

None of the respondents received what could be considered a normal salary. In terms of **the amount**, the interviews revealed that **the most common situation was that the salary was considerably below the legal minimum (in half the cases)**, and this was a recurrent theme during the first focus group. **A few respondents had an acceptable salary for a few months but it was withheld afterwards**, a few others were paid **pocket money** and three of them were paid **nothing at all**.

In half the cases, the amount given was different from what was initially agreed (either precisely or roughly). This was for example what happened to an interviewee who was exploited with a seasonal contract (food services) and who explained how his employer told him how much he would earn if he followed him to France:

“The first time I discussed it with him in [country in Northern Africa] he told me: ‘In France, you work well, you have many rights, many things.’ He told me: ‘You work as a baker,

*normally you earn 1,400, 1,500 per month.*³² (France, male interviewee from Northern Africa, food services, regular migrant at the time of exploitation)

The interviews showed that **when this was the case, half the employers gave explanations of some sort when asked.** Explanations ranked equally in frequency, with excuses from **paying State taxes or fees for working papers**, to **saving money** for the employee, using the money for accommodation **rent or food**, or finally, **not being able to afford to pay** due to the current state of their business finances. In one case, a respondent exploited as a domestic worker saw her salary withheld to pay back the cost of her flight from Morocco to France. A young woman from Morocco, who was in an irregular situation and who was exploited in a restaurant and working as a domestic for her employer, also said:

*“He did not pay me, he gave me 20 or 25 euros a week to buy the tram ticket and things. Because he was the one accommodating me, and I was eating there, sleeping there, so he told me: ‘You sleep here, you eat here’ so he did not pay me.”*³³ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

For a man in an irregular situation and working in a shop, the situation was a bit different as he was paid, although half his salary (already below the legal minimum wage) was withheld every month by his employer who claimed he used it to arrange his legal status and pay taxes, though he never did any of these things:

*“The first time we talked about my basic salary. The basic salary is 800 euros. And then he said: ‘I give you 400 euros, and I keep 400 euros for your papers, to pay taxes, to declare you.’”*³⁴ (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

The employer of one interviewee, a man in an irregular situation working on a construction site, pretended to be saving the money for him:

“At first, I often told him he needed to pay me so that I could send money to my family in [his country of origin]. He always replied that he was keeping my money in a safe place so that I did not worry, and that I had to be patient.” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

Beyond the problem of the amount of the wage or compensation, the respondents who received money also faced problems such as:

- **being paid late**, in half of cases;
- **being paid on a daily rate basis**, in a few cases, which created an additional feeling of dependency on and vulnerability towards the employer, as each day not worked has an impact on the salary and the employer can easily sanction the employee with any excuse by depriving him or her of their job for a few days;
- **having a part of their salary withheld by an intermediary** such as a recruiting agency, or, as happened for FR/IP/2, a woman who worked as a cleaner, an organised group who put a system in place using their own working papers to have other people

³² *“Moi j’ai confiance pour le patron, 100%. (...) La première fois j’ai discuté [...] il m’a dit : ‘La France, tu travailles bien, beaucoup de droits, beaucoup de choses’, il m’a dit : ‘Toi tu travailles le métier de pâtisserie, normalement tu touches 1400, 1500 par mois.’”*

³³ *“Il me payait pas, il me donnait une somme de 20 euros, ou de 25 balles par semaine, pour acheter les tickets de tram et tout ça. Parce que c’est lui qui m’hébergeait, et je mange là-bas, et je dors là-bas, alors il me dit : ‘Tu dors ici, tu manges ici’ alors il me paye pas.”*

³⁴ *“La première fois on a parlé du salaire de base. Le salaire de base c’est de 800 euros. Et il m’a dit : ‘Je vous donne 400 euros, et je garde 400 euros pour votre papier, pour payer les charges, pour la déclaration.’”*

work and collect their salary before deciding how much they will distribute to the actual worker:

“What they did was every month take the money from what I receive. It went to their account, and then they took for them and gave me what they wanted.”³⁵ (France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)

- **being paid normally the first few months and then facing problems**, as happened to another interviewee, a female asylum seeker who worked as a hairdresser:

“The first two/three months it was fine, they respected everything but never a pay slip. And after all that that’s when the nightmare started...The month after you wait for your salary, they give you half, tell you you have to wait...And after that I understood it was the same for everybody. (...) At first they show you their good will, just for you to fit in, and after...”³⁶ (France, female interviewee from Western Africa, hairdressing, applicant for international protection)

2. Working conditions

Almost all respondents (individually and in focus groups) encountered at least one problem with working conditions, and most actually faced several issues at the same time during the exploitation. **The most common issues** were faced by about half of the respondents, with no distinction between sectors of activity or target groups. These comprised:

- **Having no days off or almost no days off;**
- **Working in unsafe conditions, especially when it comes to working in a restaurant or a construction site.** Indeed, although the interviews revealed that unsafe conditions were not uncommon in other sectors, almost all respondents working in a restaurant or as a construction worker were exposed to this risk. This was for instance the case for one interviewee, a construction worker in an irregular situation (who explained he had to do tasks he felt were unsafe, without protection or safety measures):

“There were many things that I didn’t want to do because sometimes we had to climb on bins to demolish walls, we also climbed a small ladder that is not stable, so we climb it because we have no choice, if we don’t do it he will fire us.”³⁷ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

- **Working extremely long hours, which especially affected workers from the D target group, and over half of respondents working in restaurants.** Although this was still observed across all sectors and target groups. In addition, a quarter of respondents worked quite long hours, which was also mentioned by most participants during both focus groups. One woman in an irregular situation who was exploited in a restaurant explained:

³⁵ “Ce qu’elles faisaient c’était de prélever l’argent chaque mois sur ce que je reçois. Ca va sur leur compte, elles puis elles prennent pour elles et après me donnent ce qu’elles ont envie.”

³⁶ “Les deux/trois premiers mois c’était bien ils respectaient tout, mais jamais de fiche de paie. Et après tout ça c’est là que le calvaire il a commencé...Le mois d’après t’attends ton salaire, ils te donnent la moitié, ils te disent qu’il faut attendre...Et après j’ai compris que c’était comme ça pour tout le monde. (...) Au début ils te montrent leur bonne foi juste pour que tu puisses t’intégrer et après...”

³⁷ “Y a beaucoup de choses que j’ai pas envie de faire parce que des fois on monte sur les poubelles pour casser les murs, on monte sur une petite échelle qui tient pas beaucoup, donc on monte dessus parce qu’on a pas le choix, si on fait pas il va nous virer.”

“I worked many hours, I worked at the restaurant, I worked at his place because he lived above the restaurant. I was doing the cleaning at his place, I was preparing the meals at 1am for him and his mistress...We closed the restaurant at about 12am, 12:30am, and I do the cleaning to clear the place up, and him at 1am he starts his evening so I prepare food for him...2am, 3am. So I did not have fixed working hours.”³⁸
(France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

- **Getting no medical care or sick leave** when injured or ill, which was common in every sector for every target group.

Over a third of individual interviewees mentioned they worked 7 days a week with no day off at all. **Domestic workers and those living either at the workplace or at the employer’s proved to be especially exposed** to this risk. Indeed, all respondents who mentioned this particularity were either in the first or second situation, or both. Three quarters of domestic workers were in this situation, along with more than half of the people accommodated at the workplace. Although he normally had one day off per week, one interviewee, an asylum seeker from Southern Asia who worked in a restaurant, explained:

“It was a very rare chance that I rest at home, resting and sleeping. Actually the boss’s brother, he does construction work and I was also going to do the construction work.”
(France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

Like this person, a quarter of individual interviewees worked both for their employer’s business and for their employer personally. However, only two of the respondents who worked 7 days a week were in this situation, so these two characteristics seem to be related but not interdependent. This particularity proved to be likely to happen across sectors and target groups.

3. Contract

Overall, two types of situations arose regarding the signing of contracts or any other document:

- **the total absence of any contract was the most common situation, as this concerned three quarters of individual interviewees** across target groups, and was also a recurring theme of the first focus group. Although this situation was common for all sectors, **construction seems to be especially affected** since none of the respondents of this sector had signed a contract;
- **the signing of one or more documents with no understanding of the content**, because of the language barrier, for a quarter of the individual interviewees.

Both situations proved to result in several kinds of issues for the migrant workers. Although not all respondents specifically pointed out the connection with an absence of a contract, **several issues were recurrent throughout the interviews and focus group discussions**, and the analysis highlights the fact that these situations were made possible by the absence of a contract:

- **no social security or retirement benefits** for any of the respondents without a contract. As was clearly explained by a focus group participant, a major issue for

³⁸ *“Je travaillais beaucoup d’heures, je travaillais au restaurant, je travaillais chez lui parce qu’il habite juste en haut du restaurant. Je fais le ménage chez lui, le repassage, je lui prépare le repas pour lui à 1h du matin pour lui et sa maîtresse...On ferme le restaurant vers minuit, minuit et demi, moi je fais le ménage pour débarrasser, et lui à 1h il commence sa soirée alors je prépare le manger pour lui...2h, 3h. Alors j’ai pas d’heure.”*

workers is that after having worked for decades without being declared, they will not be able to benefit from the retirement allowances they would be entitled to:

*“Many didn’t have papers, so the difficulties we have is that many of the nannies have worked for 15 years without working papers, 15 years, 20 years of their life, and the problem is: what to do then to later benefit from the retirement allowance? This is a huge difficulty.”*³⁹ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

- **remaining illegal while a regular contract could have enabled them to get working papers** (temporary residence permit for workers), although this was explained by only one respondent (female, cleaning). Indeed, one female interviewee who worked for several years in cleaning and hair dressing in France, and who would be entitled to a residence permit today, explained that she now needs to have a form (Cerfa) filled out by an employer willing to employ her legally:

*“It’s been two years now that I have had a *récépissé* (request slip). They⁴⁰ gave me one Cerfa to fill out, but I cannot fill it out because I can’t find a job that would fill out the Cerfa for me.”* (France, female interviewee from Nigeria, cleaning/hairdressing, migrant in an irregular situation at the time of exploitation)

- **being employed on a daily basis, hence being in a very unstable employment situation**, creates additional vulnerability. This was the case for two interviewees working in construction. One of them explained that he came to work even if he was sick because of this reason:

*“If you don’t come one day, the second day they replace you with someone else.”*⁴¹ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

- **being exposed to possible overnight dismissals**, as there is no guarantee as long as there is no contract, despite the job supposedly being permanent, which was a very recurrent theme in the first focus group of women childcare workers who explained:

*“The dismissal can happen overnight. You have commitments, bills to pay, rent to pay, social charges. But the employer the day when he doesn’t want you anymore he doesn’t care about that. Overnight, he tells you: ‘It’s not possible, we can’t stay together, you can’t work for me anymore’. And how do we manage to pay the rent, to support the children?”*⁴² (France, female focus group participant from Ivory Coast, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

Similar to the absence of contract, **several problems arose for the quarter of individual interviewees whose employers had made them sign documents they could not understand**, although none of the problems were common as they were different for each worker. For instance, one respondent happened to have signed bank documents that enabled her employers to defraud the State for taxes; another signed a document that made her agree to not being paid the overtime she was doing; and another interviewee who was put in a delicate situation signed a contract from his home country that happened to be a seasonal

³⁹ *“Beaucoup n’avaient pas de papiers, donc les difficultés qu’on a c’est que beaucoup de ces nounous ont travaillé pendant 15 ans sans papiers, 15 ans, 20 ans de leur vie, et le soucis qu’on a c’est : comment faire, pour plus tard bénéficier de sa retraite ? Ca c’est une grosse difficulté.”*

⁴⁰ The Préfecture.

⁴¹ *“Si tu viens pas un jour, le deuxième jour il te remplace avec quelqu’un d’autre.”*

⁴² *“Le licenciement peut arriver du jour au lendemain. On prend des engagements, on a des factures à payer, on a des loyers, on a des charges. Mais l’employeur le jour où il ne veut plus de toi il s’en fout de tout ça. Du jour au lendemain, il te dit: ‘C’est pas possible, on peut plus rester ensemble, tu peux plus travailler pour moi.’ Et on fait comment pour payer son loyer, on fait comment pour faire vivre ses enfants ?”*

worker contract which allowed him to remain in France for 6 months, which he did not know, so he was in an irregular situation without even knowing it.

It is worth noting that **all individual interviewees who signed a document without understanding it (either in the country of origin or in France) were employed by someone from the same country** or region. However, being employed by someone from the same country did not automatically create this situation for respondents, as this did not happen for two thirds of them.

4. Housing

The interviews revealed that **problems with housing occurred in half the cases, affecting migrant workers across all sectors of activity and target groups**, although domestic workers stand out as they all lived at the employer's place. 'Housing problems' hereafter refers to the worker living either at the workplace or at the employer's. As mentioned above in the part regarding working conditions, all respondents who were working both for the employer personally, and for the employer's business, were affected by this problem.

Housing issues proved to be especially characteristic of the most severe forms of labour exploitation. In almost all cases, workers who lived in these conditions were at the same time working without a contract, victims of violence and/or threats, and working extremely long hours, sometimes with only a few hours of sleep per day, and sometimes quite isolated. Half of these respondents proved to be especially emotionally affected during the interviews.

About **half of workers who had housing issues lived directly at the workplace, and the other half in a place belonging to the employer**, or where the employer lived. The interviews revealed that **the minimum level of privacy was also inexistent in many cases, and in most cases, the places where the workers lived lacked the bare minimum of sanitation or bedding facilities.**

For instance, man came to France after being offered a job in construction there by a man he had met in his home country in Northern Africa, and who smuggled him by boat to France, through Italy. From the moment he arrived in France, he never saw outside the construction sites or the containers where he was locked in at night with another man from the same country in the same situation:

"We were put in three different containers on the different construction sites. Every time, he locked us in at night. In the three containers we had no water, no electricity. For ten months, he only gave us bread, tomatoes and cheese to feed us. We could wash with cold water from a hosepipe. We didn't have a shower as such. I was allowed to shower behind the container only once a month. We didn't have access to any toilets." (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

One interviewee, a young man who was in an irregular situation and exploited in a shop, experienced similar housing conditions, although he was able to get out once a week and had a mattress on the floor of the room where he was sleeping, in the basement of the shop:

"I slept at his place, in the [shop]. There was a small room, behind the cold room. (...) The shower was forbidden, only once a week. And after there was something in the shop: when we closed, he cut the hot water immediately"⁴³ (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

⁴³ "Je dormais chez lui, à la [boutique]. Il y avait une petite chambre, derrière la chambre froide. (...) La douche c'est interdit des fois, juste une fois par semaine. Et après y avait un truc à l'intérieur de la boutique : quand on a fermé tout il coupe directement l'eau chaude."

5. Tasks required

Over three quarters of individual interviewees mentioned that they were asked to carry out tasks that were not agreed on in the beginning. This does not especially stand out in any one sector of activity or target group. However, within the first focus group of women **childcare workers, this theme was particularly recurrent** and the participants all highlighted it.

The interviews revealed that they are **two types of additional sets of tasks** the employers requested from the migrant workers:

- in half the cases the respondents were given additional tasks **within the initial workplace, which were in some way related to the job.** This problem **especially affected construction workers**, as two thirds of them were in this situation, and also childcare workers, as pointed out by the participants in the first focus group discussion, who stressed that employers request tasks that go beyond the scope of childcare:
“When I started, I was new in the profession, I’ve been exploited a lot. This was in the beginning, because in the beginning when we did this job we were a ‘bonne à tout faire’ (servant). We had to take care of everything in the bosses’ house. Doing the parents’ bed, I shouldn’t do this. Cooking for the parents, I shouldn’t do that. And sometimes it goes beyond our scope, going to fetch the laundry from the dry cleaners, going to the cobbler’s, going for groceries for the family... This is not a nanny’s job, it’s not the nanny who should do that.”⁴⁴ (France, female focus group participant from Ivory Coast, childcare/domestic work, migrant in an irregular situation at the time of exploitation)
- the other half were given tasks **in addition to the job they were told they were recruited for.** This was for instance the case of a young woman who was brought to France from Morocco by a woman she had met there and for whom she was supposed to take care of the children (domestic worker, female). In addition to taking care of the children, she was asked to take care of the employer’s apartment, but also of the shisha bar the employer had opened and where she had to set the tables, cook, prepare the tobacco, do the cleaning and do the dishes.

6. Confiscation of ID documents

The confiscation of identity documents by the employer proved to be a problem faced by more than a third of individual interviewees. Three quarters of domestic workers had their passport confiscated upon arrival, highlighting a particular vulnerability to this risk for this target group.

Although it is not entirely interrelated, there seems to be a **correlation between the confiscation of the passport and the fact of being recruited from the country of origin.** More than half of the workers recruited from the country of origin had their passport confiscated, and more than half of the people who had their passport confiscated had been recruited from the country of origin. This was for instance the case of a woman from Western Africa who was brought to France by a family member for whom she worked as a domestic worker. As soon as they arrived in France, her family member took her passport and kept it for over 20 years:

⁴⁴ *“Quand j’ai commencé, j’étais novice dans le métier, on m’a beaucoup exploitée. Ca c’était au début, parce que au début quand on faisait ce travail on était des bonnes à tout faire. On touchait à tout dans la maison chez les patrons. Faire le lit des parents, ça c’est pas à moi de le faire. Faire la cuisine des parents, c’est pas à moi de le faire, et des fois on dépasse certaines choses dans le cadre, aller chercher le linge au pressing, chez le cordonnier, faire les courses pour la famille...Ca c’est pas dans notre cadre de nounou, c’est pas à la nounou de faire ça.”*

*“When I arrived at the airport in [city in Southern France], when we arrived home she asked for my papers. I gave her all the papers I had, after she kept them, because, me, I did not know.”*⁴⁵ (France, female interviewee from Western Africa, domestic worker)

For two respondents, their ID document was not confiscated right away but after some time, for no specifically apparent reason. A man arrived in France after being smuggled in by a person he had met in his home country in Northern Africa and who had offered him a job in France as a construction worker. He left his country without his papers, believing it would be safer in case he was arrested. His employer forced him to ask his family to send the passport directly to him, and the situation worsened:

“Once he was in possession of my papers, the threats became more pressing. He told me he had all the rights on me, and that he could report me at any time to the police because he had my papers.” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

7. Threats and violence

Quite strikingly, **three quarters of individual interviewees mentioned that they experienced either threats or violence of some kind**, and this was also quite present in the first focus group. It did not specifically affect any one target group or sector of activity. The interviews revealed that **most commonly, the threats and violence come from the employer directly, although in a few cases they came from an intermediary** (for example the site foreman on a construction site). Violence occurred across sectors and across target groups with no distinction between them, although **all domestic workers had experienced this**.

When there were other employees present, in almost all cases the threats and/or violence were also directed at them. The threats and violence appeared to be closely related to the vulnerability of the employees in terms of legal status: **for the few cases where there was a difference in treatment, it systematically revealed a difference in the legal status.** This is what one interviewee, a man working on a construction site, was told when he confronted his employer about the way he treated him:

“He kept us away from the other workers on the site, he was deliberately making us work in parts of the sites where the others weren’t working. One day I asked him why he wasn’t treating me like the other workers who weren’t working as much, and who he was shouting at, and who were paid. He replied to me that I wasn’t like them, that I didn’t have a choice but to work for him, unlike the others.” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

In addition, the interviews revealed that the violence/threats occurred in two kinds of situations: **in half the cases, it was continuously present** in the interaction between the employer and the worker, but could get worse if the employee challenged the employer; **for the other half, threats and violence started when the worker confronted** the employer about the situation.

The most recurrent threat used by the employers was to report the migrant worker to the police, send him/her to prison or send him/her back to the country of origin. A third of the respondents who were threatened mentioned this threat was used against them either once or several times, and this theme was also recurrent during the first focus group. The first time she confronted her employer, refusing to do a task he had asked her to do, an interviewee, a young woman from Morocco, who worked as a domestic worker, was threatened with being sent back there:

⁴⁵ *“Quand je suis arrivée à l’aéroport ici à Marseille, à la maison quand je suis arrivée elle m’a demandé mes papiers. Alors je lui ai tout donné les papiers que j’ai, après voilà c’est elle qui garde, parce que moi je connais pas, je sais pas.”*

“He got mad, so I tried to leave. He followed me to the studio apartment and wanted to hit me and he threatened me saying he was the one who brought me to France, that he could take me back to Morocco anytime and that he could hurt me. He tried to take the TV and throw it at me, I hid and his daughter who was there stepped in and prevented him from doing it.”⁴⁶ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

Dismissing the employee was also a threat that was repeatedly mentioned by some respondents and focus group participants, for instance an interviewee in an irregular situation working on a construction site, who was threatened with being fired any time he asked to be paid his salary:

“Even the days you worked sometimes he would cut 50, 60 or even 80 euros, he takes that from you, you keep quiet, or if you say something ‘Give me my money’, he tells you ‘Then you don’t have a job anymore’.”⁴⁷ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

Finally, **a few respondents mentioned that their employer had threatened their family** as well, but this was rather a marginal threat.

The violence the respondents experienced was both physical and emotional, and ranged over a wide spectrum from **insults/shouting** (in half of cases), to **humiliation** (for a quarter of them), to **various forms of physical violence** in half of cases (being burnt, stabbed, or beaten), and for one respondent, **sexual assault**. For one interviewee from Morocco who was exploited in a restaurant and very severely hurt both physically (burnt with a pot and raped) and mentally (insults and humiliation), the emotional violence is the part that stays with her the most years after:

“He burnt me, but this I forgot, because the scars fade away with time. But the words, they stay with me today. He used many swear words towards me, he would say: ‘You’re as fat as a cow, you’re filthy’, he laughed with the customers, he said: ‘Tomorrow there’s no need to buy milk, we have a cow in the kitchen look at her breasts, how big they are.’ You know, these words they stay with me, until now.”⁴⁸ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

It is important to note that **half the respondents had experienced more than one kind of threat or violence** together.

8. Isolation

The interviews revealed that **isolation occurred for half of individual interviewees** and that it was **in most cases strongly related to housing problems**, that is, living at the workplace or at the employer’s. Indeed, **almost all the respondents who experienced a form of isolation were in this situation**, and **two thirds of the respondents who had housing problems also experienced isolation**. This affected all domestic workers, although it was not limited to this target group or to a particular sector of activity.

⁴⁶ *“Il s’est énervé, j’ai voulu partir. Il m’a suivie jusqu’au studio a voulu me frapper et m’a menacée en disant que c’était lui qui m’avait amenée en France, qu’il pouvait me ramener au Maroc quand il voulait et qu’il pouvait me faire du mal. Il a voulu prendre la télé et me la jeter dessus, je me suis cachée, c’est sa fille qui était présente qui s’est interposée pour l’en empêcher.”*

⁴⁷ *“Même les jours que tu as travaillés des fois il te coupe 50, 60 ou 80 euros même, il t’enlève ça, tu fermes ta bouche, ou si tu dis ‘Tu me donnes mon argent’ il te dit ‘Voilà maintenant y a pas de travail’.”*

⁴⁸ *“Il m’a brûlée, ça j’ai oublié, parce que les traces ça part avec le temps. Mais les mots, ils me restent jusque le jour là. Il me dit beaucoup de gros mots, il me dit comme ça : ‘Tu es grosse comme une vache, tu es sale’, il rigole avec les clients il dit : ‘Demain ça sert à rien d’acheter du lait, y a une vache à la cuisine regarde ses seins comme ils sont gros’. Tu sais les mots là ils restent jusque là.”*

Depending on the situations, respondents had experienced **various levels of isolation ranking from being asked to hide for inspections of the workplace in some cases, to complete isolation implying total deprivation of any freedom of movement.**

Among the respondents who mentioned being isolated by their employer, three patterns could be seen, each reflecting a different degree of severity of isolation:

- for two respondents, there was **no limitation of the freedom of movement outside the workplace, but they were told to hide** in case of any kind of inspection. One interviewee, who was working as a domestic worker and in a restaurant for her employer, explained how she had to pretend to be a customer once, when emergency services came to the restaurant because of a fire:

“They called the fire fighters and the fire fighters came, so she told me to sit in the restaurant, they hadn’t taken the customers’ plates away yet, and they told me to sit somewhere and they gave me a dirty plate from a customer who had left, they took the plate and left it in front of me to say that I am a customer, she was afraid of an inspection, and they put an empty bottle of Heineken in front of me.”⁴⁹ (France, female interviewee from Togo, domestic worker/restaurant, migrant in an irregular situation at the time of exploitation)

- in **most cases**, there was a **certain limitation of freedom** through **control of movement outside the workplace** and/or through a **monitoring of the contact** with the outside world. This was for instance the case of an interviewee from Morocco who worked as a domestic and in a shisha bar (who explained that in addition to not being able to freely call her family and friends, she had to work in the middle of the night because her employers were wary of inspections):

“In the evening, they called me to come do the dishes in the shisha bar because they did not have a dish washing machine there. Sometimes they called me at 2am to avoid employment inspectorate visits.”⁵⁰ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

- finally, **for two respondents there was an entire deprivation of any freedom**, as they were **locked in their workplace** at night and were **monitored for their contacts** with colleagues and the outside world. One interviewee, a man from Northern Africa who was in an irregular situation and exploited on a construction site where he was locked in at night in a container, explained that his attempts at telling someone about his situation always failed because of the close monitoring of his employer:

“The material for the site was brought by a person from the outside. One day, I wanted to talk to the driver because I could not stand the situation anymore, I was exhausted. But my boss saw me and told me to go to work and started talking with the driver to prevent me from talking. I didn’t insist because I knew that once the driver was gone, my boss would make me pay for it.” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

During the first focus group discussion, one participant also mentioned another form of **isolation that was related to the job of childcare worker** itself: **not having any colleagues** at the workplace, which happens to be the employer’s home (this was specifically mentioned and quoted in section 4 about risk factors). Although this factor adds a degree of isolation, **it**

⁴⁹ *“Ils ont appelé les pompiers et ils sont venus, du coup ils m’ont dit de venir m’asseoir dans le restaurant, ils n’avaient pas encore débarrassé l’assiette des clients, et ils m’ont dit de m’asseoir quelque part et ils m’ont donné l’assiette sale d’un client qui est parti et qu’ils n’avaient pas encore débarrassée, ils ont pris l’assiette et ils l’ont laissée devant moi pour dire que je suis une cliente, ils avaient peur du contrôle, et ils ont mis une bouteille vide de Heineken aussi devant moi.”*

⁵⁰ *“Dans la soirée, ils m’appelaient pour que je vienne faire la vaisselle dans le bar à chicha car ils n’avaient pas de lave-vaisselle sur place. Parfois, ils m’appelaient vers 2 heures du matin pour éviter les contrôles de l’inspection du travail.”*

is interesting to note that the presence of colleagues does not prevent the employer from isolating the worker, as in two thirds of these situations of isolation, mentioned above, the respondents had at least one colleague with them, and **in almost half the cases, at least one of the colleague was legally present in France.**

A few respondents never challenged their employers, mostly because they were afraid to lose their job if they did, like an interviewee who was exploited as a cleaner in a hotel through a recruiting agency which took part of her salary from her:

“I never never challenged her. Because I am a Christian, we have to obey our master. (...) If I had started challenging her, maybe she might have got angry and prevented me from working.” (France, female interviewee from Nigeria, cleaning, migrant in an irregular situation at the time of exploitation)

However, as mentioned before, most respondents somehow confronted their employer at some point, either about one of the issues they faced, or about the overall situation. Although the interviews revealed that whenever a respondent had confronted their employer, **the most common result (in half of cases) was that nothing changed at all; in a quarter of the cases the situation worsened and in a few cases the person got fired or was threatened with being fired.** Only one person reported that confronting the employer somehow helped with the situation, although it did not solve it. A young woman from Morocco who worked as a domestic worker and in a restaurant, explained how her employers' behaviour changed when she started challenging them:

“When I started going to school, I started to understand some things, I asked, I said: ‘Why do you make me sign those papers, why do you make me sign things?’ I asked them questions and that’s when the problems started.”⁵¹ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

A similar change also occurred for an interviewee from Western Africa who had been working as a domestic worker for a family member for over 20 years and started asking questions. When she did so, her family member told her she was sending her back to her country of origin, but as she refused, her family member started being mean to her and finally kicked her out:

“She changed you know. Since she wanted me to leave, I did not accept, I could not leave like that. And she changed. She changed and she was mean, she was not like before anymore.”⁵² (France, female interviewee from Western Africa, domestic worker)

Overall, the interviews and focus group discussions revealed that inspections of work places are quite rare. More than half of individual interviewees and two thirds of focus group participants had never heard of or seen an inspection where they worked, even after several years and sometimes decades (for half the focus group participants, in both the cleaning and childcare work sectors), and this proved to be true across sectors and target groups. A young woman from Morocco, who was exploited in a restaurant and was in an irregular situation, said her employer was lucky because in 6 years working there, she never witnessed any kind of inspection. However, this fact was **especially striking during the first focus group discussion**, since it **was formed of women childcare workers who had all been working in this profession for over fifteen years.** Among those four participants, **only**

⁵¹ *“Quand j’ai commencé à aller à l’école, je commençais à comprendre des choses, je demandais, je leur disais : ‘Pourquoi vous me faites signer des papiers, pourquoi vous me faites signer des choses ?’, je leur posais des questions et là les problèmes ont commencé.”*

⁵² *“Elle a changé en fait. Comme elle voulait que je parte, j’ai pas accepté, je peux partir comme ça. Et elle a changé. Elle a changé, elle est méchante, elle est plus comme avant.”*

one had witnessed what she believes was an employment inspectorate inspection, and this happened only once.

However, **some respondents witnessed several inspections** (two were sure it was the police, while others were not aware of what kind of inspection it was), each in a different sector of activity (restaurant, bar, service and construction), although they did not know exactly what had happened as all of them were hidden when it took place, like for one interviewee, an asylum seeker from Southern Asia who worked in a restaurant where only legal workers were allowed to stay during inspections:

“Once, in October a police officer came to the restaurant and the Arabic person told everybody to go outside the restaurant. Just two or three workers remained in the restaurant, and the others left.” (France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

In very few cases, inspections seemed to be happening quite regularly, like in the hair dressers where an asylum seeker from Western Africa was working, and where her employer seemed to be aware anytime an inspection was about to happen:

*“Every time there was a check, I don’t know how it worked, maybe from shop to shop they called each other to say ‘They are here today’, I don’t know but they would make us leave the shop saying ‘Go out and come back, there are checks.’ (...) Or they would tell us ‘If they come and you’re working you can tell them that you’re not a hairdresser, you’re a client.’”*⁵³ (France, female interviewee from Western Africa, hairdressing, applicant for international protection)

6. Asking for help: victim support and access to justice

	Number of interviewees	Number of FG participants
Not asking for help as a result of not knowing who to ask	10/20	2/9
Asked for help after a brutal change (work accident, confrontation with employer, dismissal)	8/20	N/A
One of the greatest concerns when asking for help: place to stay	5/20	0/9
One of the greatest concerns when asking for help: getting the salary back (earning a living)	5/20	5/9
One of the greatest concerns when asking for help: getting working papers	5/20	2/9

Although the interviews revealed a variety of experiences of labour exploitation and ways to escape it, several similarities can be highlighted:

- **the most common reason for not asking for help, or not asking for help sooner, is not knowing who to ask** (half the respondents mentioned this, and this was also mentioned by focus group participants);

⁵³ *“Chaque fois qu’il y avait les contrôles, je sais pas comment ça se passait, ou bien c’est de salon à salon ils s’appelaient pour dire ‘Ils sont là aujourd’hui’ je sais pas ils nous faisaient sortir du salon comme quoi ‘Sortez du salon allez-y et revenez y a des contrôles.’ (...) Ou bien ils nous disaient ‘Si vraiment ils viennent et que vous êtes en train de travailler vous pouvez leur dire que vous n’êtes pas coiffeuse, vous êtes une cliente.’”*

- **the decision/action of asking for help is often a result of a radical change in the situation such as an accident, a violent incident, or a dismissal** (this was the case for almost half of respondents and was also mentioned during the focus group discussions);
- **in most situations, there was one entry point** in the process of asking for help (either a person or an institution/organisation), **but several people and/or organisations/institutions were involved afterwards through an informal system of referral**;
- the **'entry points'** proved to be **quite varied**, but the succession of referrals **most often resulted in the involvement of an association specialised in support to victims of forced labour, and the police**;
- the **involvement of the police was almost always the outcome of an association's involvement** through the confidence given to the victim to report to the police;
- the **greatest concerns were in most cases the need for a place to stay, the need to get the salary paid** (earning a living), and obtaining a **legal status**;
- **for a few respondents, escaping the situation of labour exploitation was a major concern** as well;
- **most respondents received the assistance they expected** with housing, paperwork and jobs, and were well treated and satisfied to be able to reside and work legally in France (it is important to note that for the assistance and good treatment of these workers, there may be a bias related to the sample selection process through gatekeepers);
- **for most respondents the language was not an issue in receiving assistance**, even when the language skills were limited;
- **in most cases, workers learnt about their rights in the process of getting help**, but were not informed before.

While **on average the respondents had been in France for 4 years and a half** at the moment of the writing of this report, **the average duration of exploitation before seeking for help was about 2 and a half years** before the respondents sought for help, with a minimum time of 6 months and a maximum time of 25 years.

Focus on cases of human trafficking - Similarities and differences

Among the five interviewees who were victims of human trafficking, three were males and two were females; three were exploited as domestic workers, one in the food/restaurant sector and the last in construction. Three were from Northern Africa and one was from Western Africa. Three had known the person who offered for them to move to France with the intention of exploiting them for a long time (a family member, a former employer, and a family friend), and the two others were approached by a person who tricked them (including, in one case, through marriage). Four had their passport confiscated while one was able to keep it with him all along.

Proceedings

At the time of the fieldwork, one interviewee still refused to file a complaint against her employer, who happened to be a member of her family. Among the four who filed a complaint, three were not really aware of where the police investigation stood exactly, as it was handled by the association that had helped them, and they had not been through court proceedings yet. Finally, one had been through court proceedings but the employer was convicted of employment of an illegal immigrant and illegal employment instead of human trafficking, and the employer appealed (result was pending at the time of the interview).

Almost a third of individual interviewees did not seek assistance at all. However, among those who did not seek assistance, half were provided with help anyway *via* the

intervention of someone else. This was for instance the case for this respondent who found himself homeless and unemployed overnight after he had a work accident, and his employer denied knowing him at all when the hospital doctor called him. He explained:

*“After the accident, I slept for three days in the street like that. Then...I knew a person that sometimes bought things at the pastry shop, it was a customer. He said to me: ‘What are you doing here?’ I was sad, and dirty...I told him about my problem and he asked me: ‘Do you have papers, a contract?’...Normally I did. After, this person, really he was nice, he took me to...what is it called...for work...the work inspectorate, to find...to talk”.*⁵⁴ (France, male interviewee from Northern Africa, food services, regular migrant at the time of exploitation)

Although this kind of assistance **depends entirely on an individual’s choice to intervene when witnessing a situation of distress, it proves to very effective**, as it assists the person concerned with the process of getting adequate help.

Reasons for not seeking assistance (at all, or sooner)

Interestingly, the interviews revealed that physical isolation could only be given as a reason to explain the difficulty in asking for help for one respondent. Indeed, although this respondent was too closely monitored and physically isolated to reach out to anyone, all the interviewees actually had opportunities to reach out to different people for help (customers or acquaintances) but were prevented from doing so for different reasons.

The most recurrent reason for not seeking assistance at all, or sooner, was not knowing who to turn to, like for one interviewee, a young woman from Morocco who was exploited as a domestic worker:

*“At first, I asked no one for help because I knew nothing, I knew no one. And when I started going to school it was the teacher who started helping me because she saw me crying all the time, I could not express myself, every time we talked I cried. Little by little she understood what was going on and she contacted the association I’m with today and they came to the school.”*⁵⁵ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

Indeed, half the respondents mentioned this reason as the main issue. This showed that in addition to the physical isolation, **perceived isolation was an important factor: having access to a few people proved not to be enough for most respondents**, who feared being reported to the police by someone they should not have trusted or relied on, as explained by this focus group participant:

*“A person who doesn’t have papers knows perfectly well that informing others about that devalues you. You become a prey. So you can’t go to someone and say: ‘I don’t have papers’, if you don’t trust the person. Because you never know, the person can report you.”*⁵⁶ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

⁵⁴ “Après l’accident, j’ai dormi trois jours à la rue comme ça. Après je connais un, une personne qui temps en temps achetait à la pâtisserie, c’était un client. Il m’a dit : ‘Toi tu fais quoi ici ?’. Moi j’étais triste, sale...J’ai discuté de mon problème et il m’a dit : ‘Toi tu as des papiers, un contrat ?’...normalement oui. Après le monsieur franchement il est gentil il m’a ramené à comment s’appelle...pour le travail ...l’inspecteur du travail, pour chercher, discuter.”

⁵⁵ “Au début je demandais d’aide à personne parce que je savais rien, je connaissais personne. Et quand j’ai commencé à aller à l’école c’est l’enseignante qui a commencé à m’aider parce qu’elle me voyait toujours pleurer, je pouvais pas m’exprimer, chaque fois que je voulais lui parler je pleurais. C’est petit à petit qu’elle a compris ce qui m’arrivait et elle a contacté l’association avec qui je suis maintenant et ils sont venus à l’école.”

⁵⁶ “Une personne qui n’a pas de papiers sait pertinemment que informer les autres qu’elle n’a pas de papiers, c’est un peu dévalorisant. On devient une proie. Donc on peut pas aller dire: ‘J’ai pas de papiers’ à quelqu’un, si on a pas confiance en la personne. Parce que la personne on sait jamais, elle peut te balancer.”

This seems to be **closely related to one of the risk factors identified: the lack of awareness about law and workers' rights**, because the person does not know on what grounds to claim their situation is wrong. One participant of the first focus group stressed that not knowing that being in an irregular situation does not mean not having any rights at all, and this prevented people from seeking assistance. There is a belief that there is no better option for a person in an irregular situation, like for an interviewee who was exploited in a shop:

"I stayed there to work, because all the jobs there is just that, I can't change jobs because they are all the same."⁵⁷ (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

For some respondents, the fear of the employer and of retaliation is another reason for not asking for help, even if there is an opportunity to reach out to someone. This was indeed the second most common reason, like for the interviewee mentioned above. He remained in a situation of severe exploitation for over a year and a half, although he regularly called his two brothers who were in France, because he was afraid of his employer who was using violence and humiliation against him:

"I was scared of my employer because he knows my brother well and he had told me: 'You don't talk to anyone, not even your brothers.'⁵⁸ (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

For one respondent from Southern Asia, who was working in construction and was in an irregular situation, **the fear of retaliation was accentuated by the fact that his employer, who was from the same country**, was powerful and well known within the small community in the city where he was living:

"In [city in Southern France], there is not so much a [country in Southern Asia] community, and all the same people stay together so I didn't call for someone to help me." (France, male interviewee from Southern Asia, construction, migrant in an irregular situation at the time of exploitation)

The participants of the first focus group explained that the fear and the feeling of being powerless in front of the employer was also one of the main reasons for not speaking up for childcare workers working for wealthy French families:

"Most of the time, the people for whom we work, they're top bosses, senior executives. So, when your employer is so powerful, you think: 'Well me facing my boss, it's the strong against the weak, I can't do anything'."⁵⁹ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

In addition to these two common factors, a few respondents mentioned other reasons:

- **the hope to see the situation improve and to get working papers** (according to three interviewees);
- **not realising either that they were being exploited** or how bad the situation was (three interviewees);
- **the fear of letting down the family back home** was mentioned by one interviewee ;
- the **cultural habit** of trying to manage on one's own, as explained by this focus group participant:

⁵⁷ "Je suis resté là-bas juste pour travailler, parce que tous les travail y a que ça, je peux pas changer un travail d'un autre travail parce qu'ils sont tous les mêmes."

⁵⁸ "J'ai peur de mon employeur parce que il connaît bien mon frère et il m'a dit : 'Il faut parler avec personne, même avec vos frères'"

⁵⁹ "La plupart du temps on travaille pour des bosses, des grands cadres. Donc, quand on a son employeur qui est aussi puissant, on se dit : 'Bah non moi à côté, pot de fer contre pot de terre, je peux rien'"

“Because our culture, our African culture it doesn’t work like that. We don’t have the culture to ask for help from someone we don’t know. So we tend to manage on our own, to fight, to hope it will get better... We keep going like that.”⁶⁰ (France, male focus group participant from Benin, cleaning, regular migrant at the time of exploitation)

- **illiteracy** was also mentioned by one focus group participant who explained that not being able to read prevented people from accessing information about help, and not being able to speak prevented them from explaining their situation;
- the **lack of language skills in French** prevents people from accessing information and explaining their situation;
- the **‘mobility provision’** in contracts for cleaning workers exposes them to being moved to workplaces that are too difficult to access as a sanction if they confront their employer.

Triggers for seeking assistance

The interviews revealed that in most cases, a brutal change in the situation triggered the decision of the worker to ask for help. These changes included:

- a **work accident** for three respondents as they had to call the emergency services (in the case of three interviewees), and one focus group participant who went to hospital;
- a **violent incident/confrontation with the employer** for three respondents pushed the interviewee into realising the severity of the situation;
- a **sudden dismissal or the threat of a dismissal** in five situations, like for one lady from Western Africa who was told by her family member, who had been employing her for over 20 years as a domestic worker, that she was sending her back to her country of origin.

For a few respondents, it was simply through the accumulation of incidents and time that the will to seek assistance arose (three interviewees).

Finally, one interviewee found a person she trusted after several years of exploitation. It was thanks to a new colleague, who had only been working with her for a month, that she was finally able to come forward for help, and most importantly that this person offered his help, which highlights again how **the intervention of an individual who faces a situation of distress can be identified as being effective:**

“So this person, I found him open, he knew the law well and everything, and it’s him who helped me. He worked with me just a month, after he left. He had a computer and all that and he searched on the internet for associations and everything. It’s him who gave me the courage.”⁶¹ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

Entry points of seeking assistance

The interviews revealed that the types of first person or organisations contacted when seeking assistance were quite varied. Among organisations or institutions, respondents mentioned that they contacted:

- the **115 phone number (emergency shelter)**, for three of them;
- a **trade union**, also in three cases;

⁶⁰ *“Parce que la culture même, notre culture africaine ne...on fonctionne pas comme ça. Donc on a pas la culture d’aller prendre la main comme ça facilement à quelqu’un qu’on ne connaît pas. Donc on a plutôt tendance à se débrouiller à se dire bon on va travailler, on va se battre, j’espère que ça va aller...On continue à vivre comme ça.”*

⁶¹ *“Alors c’est cette personne là que j’ai trouvée ouverte, il sait bien la loi et tout ça, c’est lui qui m’a aidée. Il a travaillé avec moi que un mois, après il est parti. C’est lui qui a un ordi et tout ça il a cherché sur internet pour les associations et tout ça. C’est lui qui m’a donné le courage.”*

- **the emergency services**, in two cases;
- **an association working with migrants**, in two cases;
- **the Embassy of Sri Lanka (country of origin)** for one respondent (female, domestic worker);
- one interviewee (male, construction) contacted the **organisation in charge of collecting and overseeing worker and company social security contributions (URSSAF⁶²)**.

Instead of organisations/institutions, **some respondents contacted individuals, often the first person they could reach** such as a family member living in France, someone met in public, people in the street, a new colleague etc.

For almost all individual interviewees, the first person or organisation contacted was able to help, if not directly, at least by referring the person to someone more relevant to the situation and needs. **The referral to adequate services by an individual hence can be highlighted as very effective** (see case study box below). In three cases only, the first contact failed to provide assistance:

- one respondent from Ivory Coast, who was exploited by a group of women as a cleaner, went to different associations who did not help her at all:
“There were many difficult moments because instead of reassuring me, I was losing hope every day. Because the associations were telling me: ‘If the father does not recognise he is the father of the child, it will be difficult for you’, so I was thinking that the struggle was not over yet. It worried me, they even told me that I could not file a complaint against the group of women because I did not have papers so I could not take them to court, it was not going to succeed.”⁶³ (France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)
- the lady who contacted her Embassy did not get assistance because she was asked to go to the Embassy in person when she called, and she could not do this (female, domestic);
- finally, the respondent who had been locked in a container on the construction site where he worked for 10 months, tried to ask for help from different people in the street when he escaped, for example in restaurants, but it took him about a year to find someone who believed him and helped him.

Apart from these three situations, **for all other respondents who reached out for help this enabled them to get direct assistance from the person/organisation contacted, and through an informal system of referral started at the ‘entry point’**. It is important to note that for the three interviewees mentioned above, all got help afterwards through other contacts.

Case study: spontaneous and appropriated referral by an individual

One of the interviewees is a (male, Northern Africa) was a victim of trafficking and was severely exploited in the construction sector. For over 10 months he was locked in every night in a container on the construction site, where he lived in extremely degrading conditions. After his employer left him in an abandoned building for days without coming

⁶² URSSAF is a private sector company in charge of a public service mission consisting of collecting and overseeing worker and company social security contributions to ensure social security and other contributions are paid to the Government.

⁶³ *“Y a eu plein de moments difficiles quoi parce que au lieu de me rassurer, je perds espoir tous les jours. Parce que (les associations) me disent : ‘Si le père de l’enfant le reconnaît pas, ce sera difficile pour toi’, donc je me disais bon que ma galère n’allait pas s’arrêter là quoi. Ça m’inquiétait, elles m’ont dit même que je pouvais pas poursuivre les filles parce que je n’avais pas de papiers donc je pouvais pas les emmener au tribunal, ça n’allait pas aboutir quoi.”*

back, he ran away and had to live in the streets. Although he tried to reach out for help as he was homeless, it was only after a year that his situation meaningfully improved. At the mosque where he was begging, he met a man who listened to his story and decided to help him out by identifying an organisation specialised in support to victims of modern slavery and put him in contact with this organisation which made him feel like a human being again, as he said: “*And since I came to CCEM⁶⁴ they started to speak with me like a human. I had never felt that I’m a human in France, before I came to CCEM*”. (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

The organisations/institutions most frequently involved in providing assistance through this referral system were:

- **the police**, for three quarters of respondents. Although this was never the first institution workers contacted for help (see below, ‘reporting to the police’);
- **associations specialised in support to victims of modern slavery⁶⁵**, involved in more than half of cases for respondents from all target groups and sectors of activity. For all respondents who were assisted by a specialised association, **they were referred to them in most cases by an association** (for instance for migrants) they had contacted at first, but which could not help (this was true for respondents across sectors and target groups). **In very few cases they were referred by the employment inspectorate** (two interviewees), **an individual** (two interviewees), **the police** (one interviewee, male, construction), **or a social worker** from the emergency shelter (male, domestic worker).

Other organisations/institutions were occasionally involved, such as:

- **the employment inspectorate**, mentioned by five respondents and contacted either by an individual who was helping the worker, by the emergency services after an accident, or by a trade union;
- **a trade union**, mainly for construction workers (four interviewees – three in construction and one hairdressing);
- **emergency services**, who called the police and employment inspectorate to a construction site where an accident had been reported (in two cases);
- **social workers**, in a hospital (one interviewee, male, restaurant) or in the emergency shelter (one interviewee, male, domestic worker).

Among all the organisations involved, those who were **perceived by the workers as the most helpful with regards to their needs were the associations specialised** in support to victims of labour exploitation, **and trade unions**.

What is most needed when asking for help

The interviews revealed that **there were three equally recurrent concerns for respondents who reached out for help**:

- having **somewhere to stay (housing) was among the priority needs for a quarter of the respondents** all living at the workplace, either as a domestic worker or construction worker. The fear of being homeless was a major theme and proved to be a very strong factor delaying the moment when workers decided to seek assistance. This was the case for this interviewee, who was severely exploited by a couple as a

⁶⁴ Comité Contre l’Esclavage Moderne (CCEM), association specialised in support to victims of modern slavery.

⁶⁵ Including: Ruelle (located in Bordeaux, south west of France); Organisation Internationale Contre l’Esclavage Moderne (OICEM, located in Marseille, south of France); Comité Contre l’Esclavage Moderne (CCEM, located in Paris) and ALC (located in Nice, south east of France).

domestic worker and in a bar/restaurant, who managed to escape her employers after a year and was offered two weeks accommodation by a couple of acquaintances who could not accommodate her for longer. She was so panicked at the idea of being homeless that four days before the end of the two weeks, she went back to her employers. Six months later, when she was approached by an association specialised in support to victims of labour exploitation and offered 6 months accommodation so that she could leave the employers, she refused to do so:

“The CCEM offered me accommodation. But it was temporary, for 6 months. So I told them: ‘I can’t, if I have to leave this family I need to find something sustainable. After 6 months, what will I do, where will I go?’ And they told me: ‘We do not have another solution. Six months, and then you will see’ And I told them: ‘No I can’t leave this family and see after 6 months what to do.’”⁶⁶ (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

- **getting help to obtain a legal status** was another recurrent priority, mentioned by the first focus group participants and a quarter of the respondents from various target groups who were exploited as domestic workers, in a restaurant and as a cleaner;
- **getting help to have their salary paid**, for a quarter of respondents from different target groups and mainly working in construction and restaurants.

A few other reasons were mentioned by either one or two respondents, such as:

- **help to really escape the employer**. This was the case for two women, both working in a restaurant and as a domestic worker. One of them also wanted to ensure having a witness who could testify she had not done anything wrong, as she explained:
“Knowing my boss, her character and everything, I didn’t want to just leave like that. She would have told me that I stole this, that I stole that. So I wanted someone to witness my departure. I needed someone to see how I left.”⁶⁷ (France, female interviewee from Togo, domestic worker/restaurant, migrant in an irregular situation at the time of exploitation)
- **help to get a new job to be able to earn a living**, for the woman from Sri Lanka (domestic worker). Although this was identified by only one respondent, it was a major theme during the first focus group of women childcare workers. One participant explained:
“The priority is the salary. How do I live without a salary? This is the priority. When one leaves the employer, right away there is a need to find a new job, immediately, to not be unemployed, that’s it mainly. Not be unemployed.”⁶⁸ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)
- **help to get medical care**, for two respondents (male, domestic worker; female, domestic worker/restaurant);

⁶⁶ *“Cette association (le CCEM) elle m’a proposé un logement. Mais c’était du provisoire, sur 6 mois. Moi je leur ai dit : ‘Je ne peux pas, si je dois quitter cette famille c’est pour trouver quelque chose de pérenne. Après 6 mois, qu’est-ce que je vais faire, où je vais aller ?’ » Et ils m’ont dit : ‘On ne peut pas faire autrement. 6 mois, et après vous allez voir.’ Et je leur ai dit : ‘Nan nan je peux pas quitter cette famille et après 6 mois je sais pas ce que je vais faire.’”*

⁶⁷ *“Connaissant ma patronne, son caractère et tout, je ne veux pas quitter simplement comme ça. Après elle va dire après que j’ai volé ci, j’ai volé ça. Donc je voulais que quelqu’un soit témoin de mon départ. Il faut qu’on me voie partir simplement.”*

⁶⁸ *“La priorité c’est le salaire. Comment je fais pour vivre sans salaire ? Voilà, c’est là la priorité. Quand on quitte l’employeur, tout de suite on a besoin de retrouver un boulot, tout de suite. Pour ne pas aller au chômage, c’est surtout ça, ne pas aller au chômage.”*

- **help to report to the police**, for one respondent who had been attacked by his employer (male, restaurant);
- **having someone to listen to their story**, this was mentioned by one respondent who was severely affected emotionally, as he had been locked in every night in a container for ten months in inhumane conditions (male, construction, migrant in an irregular situation).

Although it was not mentioned during the individual interviews, all participants in the first focus group agreed on and stressed **the need for psychological assistance** for childcare workers after the situation of exploitation:

“Many are damaged. If we can have a psychologist who can help, there is a big need there. There is a huge need in terms of psychologists, because sometimes we are facing women who are damaged, they don’t have any self confidence anymore.”⁶⁹ (France, female focus group participant from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

Interestingly, the participants to this focus group also highlighted **an overall need to be guided through the process of leaving the situation of exploitation**. Although this was not identified as such by any individual interviewee, the wide range of assistance provided and the recurring topic of not knowing what to do or who to contact shows that there are indeed multiple needs, including being guided through the overall process.

Type of assistance received

Except for referring the worker to the relevant people or organisation, which was done by various individuals and organisations, **the direct assistance was mainly provided by associations specialised in support to victims of modern slavery, and trade unions**.

In almost all cases, the respondents supported by a **specialised association** were provided **assistance with**:

- **housing** or help to find housing. The only two respondents who were not provided with housing by the association already had access to accommodation through a family member present in France (male, food retail; male, restaurant);
- **administrative help to obtain a residence permit**, for all respondents except for one who had just started being supported by such an association at the time of the interview (male, restaurant, applicant for international protection);
- **reporting the situation to the police**, except for the interviewee who had just started being supported at the time of the interview (male, restaurant, applicant for international protection), and one interviewee who refused to report to the police as it was her family member who exploited her (female, domestic worker).

⁶⁹ (“Beaucoup sont abîmées. Si on peut avoir une psychologue qui peut aider, ça il y a vraiment un grand besoin. Il y a un grand besoin au niveau des psychologues parce que des fois on se retrouve avec des femmes qui sont abîmées, elles n’ont plus confiance en elles.”)

Case study of a promising practice: strong cooperation between an association and the police

All four interviewees who had been identified through the gatekeeper Ruelle (specialised association) described a very positive experience of their reporting to the police. They especially highlighted the feeling of safety and trust they were able to establish with the policemen or policewomen, who were very understanding, but more especially because the police came to the association's office to take the report, dressed as civilians. One of these interviewees (female, restaurant and domestic) said in addition that she had the opportunity to refuse to report to a man (because of the rape she had suffered), and request for a woman to come instead. She also explained: "*We talked a lot, she wrote everything down, until 6:30pm. (...) The policewoman told me: 'Do not worry, now we are with you, do not worry he won't find you.'*" ("*On a bien parlé, elle a bien écrit et tout ça, jusqu'à 18h30. (...) Elle me dit : 'T'inquiète pas, maintenant nous on est avec toi, t'inquiète pas il va pas te trouver.'*") These very good conditions of reporting were confirmed by the gatekeeper who explained that they had established very good relationships with the police who now knew them well and always provided the best 'service' for the victims' experience of reporting.

The assistance from specialised associations also included providing help with:

- **medical care** (including psychological) or help to get medical care for some respondents from various target groups, and almost all domestic workers;
- **French classes** for some IR and D respondents from various sectors of activity;
- **legal assistance through a lawyer** for some respondents, all supported by the same association (four interviewees);
- **money** for a few respondents, all supported by the same association (three interviewees);
- **protection** by moving the person to another city (in three cases);
- finding a job (two interviewees);
- **help with other administrative** tasks such as divorcing (one interviewee) or ending a work contract (one interviewee).

For trade unions, it was a different kind of help, as the workers they supported experienced a different kind of exploitation, where the main problem was related to payment of the salary. In all cases for respondents supported by a trade union, the union provided assistance through:

- **negotiating with the employer** to get the salary paid, and **supporting a strike** (four interviewees)
- **administrative help to obtain a residence permit** (three interviewees), except from one interviewee who already had his papers.

Case study of a promising practice: the trade union's support to workers for striking and negotiations

A woman from Western Africa was exploited in a hair salon. In addition to working long hours in difficult conditions, her employer paid her and her colleagues late and very little. After some time, the employees decided to call the CGT trade union for help. The CGT handled the situation by taking the lead on the negotiations with the shop's owner, who was not the one the employees knew. The CGT also helped with organising and supporting a strike and helping the employees at the Prefecture with their legal regularisation. At the time of the interview, she and her colleagues had been financially compensated by the Prud'hommes (industrial tribunal) and had been regularised with a residence permit.

In three cases, **there was direct assistance provided to physically extract the worker from the situation of exploitation**. This assistance was provided in two cases by **the police** (female, restaurant/domestic; female, restaurant/domestic), and once by the employment inspectorate (male, food retail).

Experience of reporting to the police

For two thirds of the respondents, who could have been considered as having sufficient grounds to report the situation to the police, **the main reason for not reporting to the police was the fear, as a person in an irregular situation, of being arrested and sent back to their country of origin** (this was true across target groups and sectors of activity), like for one interviewee, a young man working in an irregular situation in food retail:

“I could not go to the police, because it’s tough there...Straight to [country of origin in Africa]! If I don’t have a residence permit I can’t report to the police.”⁷⁰ (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

In addition to fear, **two respondents mentioned that they did not see the point of going to the police as they had no one to corroborate their story** (female, cleaning; female, restaurant/domestic), which in some way again highlights the problem of isolation for workers, like for one interviewee who explained:

“I didn’t know who would have been on my side if I told the police. Who would be on my side if the police asked them questions, who would say ‘Yes that is what happened’.” (France, female interviewee from Nigeria, cleaning, migrant in an irregular situation at the time of exploitation)

Most people changed their mind and decided to report to the police thanks to the assistance of an organisation or individual who encouraged them to do so, like an interviewee from Northern Africa, who was very severely exploited on a construction site and who explained:

“I was very afraid from the police but they (the association) told me it was ok. I told them that I’m afraid for my family because he threatened me and my family, because sometimes I think that he will hurt my family, he will hurt my father, he will hurt my sister. And they told me: ‘No, the police will look for them but slowly, they will not make a big fuss. It’s your right. If you want, we can go to the police, and if you don’t want to, we respect your request, and you will still have our help.’” (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

The only **two exceptions** among interviewees who did not want to report to the police, despite the help from the association which encouraged them to do so, were one respondent in an irregular situation who was exploited by a family member and **said her family would not understand** (female, domestic), and a young man who refused to report to the police **until his situation was regularised** (male, food retail).

In addition to being encouraged by an association, two respondents mentioned that they were also **motivated to report by the idea of preventing their employer from doing the same to someone else if he was arrested** (female, restaurant/domestic; male, construction).

It is very interesting to note that **several respondents** mentioned that **the situation had become so bad that their fear of being sent back to the country of origin did not matter**

⁷⁰ “Je pourrais pas aller à la police, parce que c’est chaud là-bas...Directement au [son pays]! Si j’ai pas la carte de séjour je peux pas porter plainte à la police.”

anymore, they would prefer that to remaining in this situation any longer, like one interviewee who was in an irregular situation:

“I was not afraid, I was thinking if they want to deport me to my country, I can be deported, I was not thinking about my future anymore, I was more thinking about my life.” (France, male interviewee from Southern Asia, construction, migrant in an irregular situation at the time of exploitation)

The main assistance provided by the police was filing a complaint and carrying out an investigation, which was the case for two thirds of the respondents who reported to the police, although three respondents had filed a complaint but were not able to say if an investigation had followed (however, this information was provided by the gatekeeper). For five interviewees from various target groups and sectors, the police investigation had **led to court proceedings** at the time of the fieldwork. Two respondents went through criminal court proceedings for human trafficking and their **employers were charged with the employment of illegal immigrants and illegal employment**, but they are waiting for the court’s decision on the employers’ appeal; three respondents went through **criminal court proceedings for human trafficking but the cases are still being investigated** and the result is pending. In addition, one interviewee **won his case at the labour chamber** (civil law) without a police investigation. However, none of the respondents who mentioned going through court proceedings had actually received compensation at the time of the fieldwork.

Other outcomes of police involvement included:

- **contacting relevant organisations when needed**, that is, when the person was not already supported by an association at the time of reporting, which was the case in one situation (male, construction); or when the intervention of the employment inspectorate was required, for two respondents working on the same construction site;
- **physically extracting the person** from the workplace, in two situations of female domestic workers working in a restaurant.

Only one respondent mentioned that he did not feel that the involvement of the police had helped him so far (male, restaurant), as he had reported a month earlier and had not yet received follow up information about the process.

In terms of attitude, the interviews revealed that **respondents did not experience issues with the police** and had even **in most cases either a very good or a good impression** of the police while reporting. **Only two interviewees mentioned that they did not have a good impression**, with both feeling that the police were not so interested in helping them (female, hairdresser; female, cleaning). It is however worth noting that in almost all cases the organisations (associations) who helped the respondents to report to the police are used to working with the police for such situations and have specific contacts, which may skew the results. Indeed, it could be possible that if going alone, a migrant worker would not be provided with such understanding and adequate assistance from the police, but this is only an assumption that cannot be verified based on the fieldwork.

Particular challenges/difficulties

Interestingly, **in the process of asking for help, very few difficulties were mentioned by more than one interviewee**. The one difficulty that was formally identified as such by several respondents was **the fear of being homeless when leaving the employer** (female, domestic/bar; female, cleaning; female, restaurant/domestic) as these three respondents were accommodated at the employer’s or workplace.

For most respondents, the language was not perceived as a barrier once they were in contact with someone to help, even when they had limited language skills. It is interesting to note that as long as there is an individual or an organisation committed to help, the language is no longer an issue. Only two respondents mentioned that it was in some way complicated, but it still did not prevent them from getting help (male, restaurant; male, food retail), and only

two said that it was a challenge for them (male, restaurant; male construction). However, interestingly, these are the only two respondents who were not identified through a gatekeeper and thus were not in contact with either an association or a trade union.

Workers' perceptions and experiences of attitudes of others

Overall, the interviews revealed that the attitude of the people contacted for help was almost never an issue. Only very few interviewees mentioned experiencing bad attitudes in the process of asking for help: one interviewee was treated rudely by the judge in charge of the criminal trial for his case (male, food services), and who acted as if the complainant was the guilty party, according to the gatekeeper who was present during the trial; one respondent in an irregular situation working in restaurants said the French civil servants were not willing to help, but without going into details about the issues he faced (male, restaurant); finally, one lady was told she should terminate her pregnancy when she first asked for help from associations she had found on her own (female, cleaning).

Apart from these three people, **almost all interviewees reported a good experience with the people involved in helping them, and were mostly very grateful.** A few interviewees mentioned they had **felt like human beings again** thanks to the behaviour of the people who had helped them, like a man in an irregular situation from Northern Africa who was exploited by his wife and her brother (male, domestic/shop), and an interviewee who was in an irregular situation and exploited on a construction site, who said:

"If I wanted to compare my situation before and now, before I was lost, before I was like an animal, like a dog, I was sleeping in the street, and before sleeping in the street I was with this man, like an animal and he was also treating me very bad. And since I came to CCEM⁷¹ they started to speak with me like human. I had never felt that I'm a human in France, before I came to CCEM." (France, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

Despite this encouraging finding, it is important to note that it may be biased by the fact that the respondents have been identified by the fieldwork team through gatekeepers such as associations and trade unions. Hence, the sample composition might not completely represent what migrant workers experience when they reach out for help, as those represented are those who in some way were successfully helped by relevant people or organisations/institutions.

Level of workers' satisfaction with outcome/current situation

Most respondents were happy with their situation after getting help, and without exception, all those who had reached out for help were, at the time the interview, not able to identify anything else that could have been helpful. Two of them even mentioned their wish to make a donation to the organisation that helped them, so that they could help other people (female, domestic worker; female, domestic/restaurant). The interviews showed that for some respondents **their situation still appeared quite precarious to the interviewer at the time of the interview, but the interviewee assessed it as satisfying**, most likely because they compared it to the situation of exploitation.

The most common reasons for being happy about their current situation were:

- **having a job**, for almost half the respondents representing all target groups and sectors of activities. One interviewee who was exploited in food retail said:

⁷¹ Comité Contre l'Esclavage Moderne (CCEM), association specialised in support to victims of modern slavery.

“Now I’m happy because there is a big change, it’s already good. Because now I work like everybody, it’s not like before. I work my time and then I go.”⁷² (France, male interviewee, food retail, migrant in an irregular situation at the time of exploitation)

- **having working papers and working legally**, for a quarter of respondents from various target groups and sectors of activity, like one interviewee who worked illegally in construction:

“Before I had many many problems in [city in Southern France], but now I don’t. I have my papers, I can work with a contract, not illegally, so it’s more happiness for me. I don’t have any problems.” (France, male interviewee from Southern Asia, construction, migrant in an irregular situation at the time of exploitation)

- **having a place of their own to stay**, for some respondents (four interviewees).

Some respondents said they were happy but that they still needed improvements in their situation, which included the three points mentioned above for respondents who were not yet benefiting from these; and **a few respondents said they wanted justice** (three interviewees). However, despite this need for justice which was sometimes mentioned, **a few interviewees consider their situation resolved even though they do not know if the employer was prosecuted**, because they are happy to at least feel safe (three interviewees).

Finally, some respondents said they were not happy with their situation. The reasons were quite diverse and included, for instance: not having a job (one interviewee), not having working papers yet (four interviewees), and not getting the salary due (two interviewees).

Access to information about rights

Ignorance about rights overall in France was a recurring theme throughout most interviews and was identified as a risk factor and as a reason for not asking for help (either earlier or ever). It is quite interesting to note that going through **the process of getting helped out of the situation of exploitation was the most common time when interviewees were informed** about workers’ rights, as most interviewees had never been informed until then. **More than half the respondents** (representing all target groups and sectors of activity) explained that they **were informed while being helped by a person or an organisation who supported them. Informing people to empower them can be highlighted as a very promising practice**, given the impact that increased knowledge has on victims of labour exploitation who feel able to refuse similar situations in the future, based on this new awareness about their rights.

Only **one respondent was formally told about his rights as a worker when he arrived in France**, as he was an unaccompanied foreign minor who was immediately supported and followed up by a social worker who informed him (male, restaurant).

Although none of the respondents was asked to make a list of all the workers’ rights they could cite, a few rights were more spontaneously mentioned than others, such as legal working hours, legal work (having a contract and being declared by the employer) and entitlement to paid leave.

7. Ways forward and prevention

Comment	Interviewees
Would refuse the job today knowing how it would go	19/20
Would request a contract to feel safe accepting a job	10/20
Would recommend contacting the organisation that helped them	10/20

⁷² *“Maintenant je suis content parce que y a un grand changement, c’est déjà bien. Parce que maintenant je travaille comme tout le monde, c’est pas comme avant. Je travaille mes heures et après je pars.”*

Information to share for prevention: French system and migrant workers' rights	2/20
Information to share for prevention: risks of labour exploitation	1/20
Information to share to encourage people to seek help: specialised associations	4/20
Information to share to encourage people to seek help: police are safe to report situation to	2/20
Prevention through more inspections	6/20

The role of awareness in refusing a situation of exploitation

The interviews revealed that almost no respondents would accept the job in which they were exploited today, knowing now how it would go. Although most respondents replied to this question quite flatly, a few expressed a **feeling of empowerment that enabled them to refuse such a situation today**. The feeling of empowerment was **either related to gaining knowledge** about the law and/or their rights (three interviewees), **and/or to the fact that they are now in a regular situation** (two interviewees) which allows them to get a job legally with better conditions. This was, for example, the case of one interviewee from Western Africa who was exploited in cleaning and did not have working papers:

*"I do not want to do that anymore, because I realise it's exploitation, and I have papers now. I am independent."*⁷³ (France, female interviewee from Western Africa, cleaning, applicant for international protection at the time of exploitation)

These findings again show that a lack of knowledge about the law and workers' rights and the absence of a legal status are major factors contributing to labour exploitation, and that **access to knowledge and information could have a major impact in terms of prevention**, even though only a few respondents formally identified this.

The only respondent who said they would still accept the job today was a man from Mali in an irregular situation, working in construction. Although his main problem was related to the payment of his salary (that was often cut for no reason), **his reason for still accepting such a situation today was the need to earn a living**, because what he earned was still better than nothing in his situation, as he explained:

*"(Yes, I would still accept this job today) because I had no other means, I had to work, because I had no earnings. Because if you don't have papers in France, it's like you're nothing."*⁷⁴ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

What makes migrant workers feel safer to accept a job

The interviews revealed that the main thing respondents would need to feel safe about accepting a job after having experienced labour exploitation is a work contract, as this was mentioned by half of them, like on interviewee in an irregular situation who was exploited in a restaurant without a contract:

"First of all, I will get a contract, and I will go to somebody who knows French and he will translate it for me and I will understand what is written. And I will get the salary each and every month, I will not wait for the salary, I will not accept a delay in paying the salary."

⁷³ *"Je veux plus faire ça parce que je me rends compte que c'est de l'exploitation et j'ai mes papiers maintenant. Je suis autonome."*

⁷⁴ *"(Oui j'accepterais toujours aujourd'hui) parce que j'ai pas de moyens donc je suis obligé de venir, j'avais pas de moyens...parce que si t'as pas de papiers en France c'est comme si tu es zéro"*

(France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

Other things were mentioned by either one or two interviewees, such as:

- **being declared/working legally** (two interviewees);
- **being supported by someone they trust** (social worker) was mentioned by one unaccompanied foreign minor who worked in a restaurant (male, restaurant), and a lady who was exploited as a domestic and in a restaurant who said:
*“We need to do things together legally. For example, where I worked now, my employer and I we went to Pôle Emploi [official employment office] with my social worker and we were seen and we filled in forms together. So I know it’s legal like that, with Pôle Emploi.”*⁷⁵ (France, female interviewee from Togo, domestic worker/restaurant, migrant in an irregular situation at the time of exploitation)
- **being hired by a company and not an individual** (male, construction);
- **seeing that there are other people working there** (female, domestic/restaurant);
- **being more qualified** in order to have options with better working conditions (female, hairdresser).

Quite strikingly, **one interviewee commented that it was not possible to feel safe when accepting a job while ever the person is in an irregular situation**, as he explained:

*“If don’t have papers you cannot be reassured about work. You can’t. (...) Serious or not serious, you can’t know, you have to work. Because themselves they know that you have no means. They know it, that’s why they will hire you.”*⁷⁶ (France, male interviewee from Mali, construction, migrant in an irregular situation at the time of exploitation)

Recommendations to someone in a similar situation based on experience of exploitation

The interviews revealed that if they were asked for help by someone in a similar situation, **half the interviewees would recommend contacting the organisation or institution that helped them**, as this is what they know can help.

Two respondents (female, domestic/restaurant; male, construction) who were among those interviewees who had been the most severely exploited, and had experienced a lot of trauma, specifically pointed out that **they would tell a person in need to not be scared** to talk to people, including the police. This answer showed that they were reflecting on their own situation, as fear for both of them was a major factor in preventing them from asking for help. **Again, this finding highlighted the importance of access to information in preventing situations of labour exploitation from happening, or ending it more rapidly.**

Interestingly, one of these respondents was very specific on the fact that talking to anyone would in some way help the person who needed assistance, again **reflecting on her own situation where the feeling of isolation was a major factor that contributed to her remaining in a situation of severe labour exploitation for years**. She explained:

“You have to go out, you have to talk, you have to contact people. You should not be scared, and should talk. (...) Sometimes some people know, sometimes they can give you advice, I don’t know, something like that. The most important thing is to not stay

⁷⁵ *“Il faut faire les choses ensemble légalement. Par exemple là où je travaille maintenant, ma patronne et moi on a été à Pôle Emploi avec mon éducatrice et on a été reçus et on a rempli ensemble. Donc je sais que c’est bien legal comme ça, avec Pôle Emploi.”*

⁷⁶ *“Pour moi si tu n’as pas de papiers tu ne peux pas avoir de travail rassuré. Tu peux pas. (...) Sérieux ou pas sérieux tu peux pas savoir, faut que tu travailles. Parce que eux-mêmes ils savent que comme tu travailles avec eux, ils savent que tu as pas de moyens. Eux-mêmes ils savent, c’est pourquoi ils vont te prendre.”*

*silent, and talk to people, they will find a solution.*⁷⁷ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

Other recommendations were mentioned by very few respondents, such as contacting the police or the employment inspectorate; leaving or learning about workers' rights by reading.

Recommendations on information sharing

Despite the recurring references made by most respondents and focus group participants to lack of knowledge as a criterion of vulnerability in their situation of exploitation, **the self-reflection about what information should be accessible to migrant workers actually proved to be difficult to answer for over half the respondents.** However, the **participants in the first focus group, who were able to respond** as they had all been working as childcare workers for years and were members of an association, **highlighted that informing workers about their job and rights was a key element in terms of prevention.**

A few respondents did **have suggestions on what information should be made accessible to migrants to prevent situations** of labour exploitation from happening:

- two respondents explained that sharing information about **the French system and workers' rights** could contribute to prevention, especially if done **in the country of origin as well**, for example through the **French Consulates**, the **European Union** and the **African Union**, or **upon arrival at the airport**, for instance, through leaflets, in addition to institutions in the country of migration like **Préfectures and Consulates**;
- one respondent also said that migrant workers should be informed about the **risks of labour exploitation**, for example, through **TV adverts** that could be funded by international organisations such as the European Union and the African Union.

Some respondents did **have suggestions on what information should be made accessible to migrants to encourage people to seek help**:

- four respondents mentioned that it could be helpful to share **information about associations which can help** people in situations of labour exploitation, either **through TV adverts in France or leaflets at the airport, posters in places visited by foreigners** such as **halal shops and mosques**;
- two respondents said that migrants should be informed that **the police are safe for them to report a situation of exploitation to**, even if they are in an irregular situation, and that the police should themselves be informing people about the possibility of reporting to them;
- one respondent said that testimonies of people who got help from associations could be shown on the TV and the internet;
- finally, one respondent also said that the employment inspectorate could share information when they go to workplaces for inspections.

It is quite interesting to note that even though respondents referred to various places where information could be shared for prevention, **overall they all pointed to places where foreigners are likely to go, from the country of origin, to airports, and country of migration**, and two pointed at **a need for bilateral and multilateral cooperation** for information sharing (**Consulates in country of origin and country of migration, and European Union and African Union**, respectively).

In the countries of migration, places respondents could think of included **media such as the TV and the internet; institutions such as Consulates, Embassies and Préfectures**;

⁷⁷ *"Il faut sortir, il faut parler, il faut contacter les gens. Il faut pas avoir peur, parler. (...) Des fois il y a des gens qui savent, des fois qui vont te donner un conseil, je sais pas comme ça. L'essentiel c'est de ne pas rester fermé, et parler aux gens, ils vont trouver une solution."*

and **places like shops where there are products related to the culture** of the country of origin (e.g. halal shops), **workers hostels**, **Pôle Emploi** (Government employment agency) and **religious sites** (e.g. mosques). One interviewee from Morocco who was exploited in a restaurant and as a domestic worker said:

*“In the town centre, in neighbourhoods where there are many foreigners, we need to have posters so that people can know there are associations, there is help, there are different things. In Arab shops as well, because all the Muslims, the Turks, the Syrians, the Moroccans, everybody goes to the halal shop. So if there are posters, maybe they will read them.”*⁷⁸ (France, female interviewee from Morocco, restaurant, migrant in an irregular situation at the time of exploitation)

In addition, one respondent (male, restaurant) said that almost all migrants know about **associations supporting migrants like the Cimade** in France, and sometimes go there for help. Hence, associations who support migrants and are well known to them **could be considered as places to make information accessible** on the risks of labour exploitation and on specialised associations.

However, despite these suggestions, **almost none of the respondents could think of how people who are being exploited could be encouraged** to come forward for help. Indeed, a few respondents said that people should not be scared, but without being able to explain how they could be encouraged to not be scared (three interviewees). One respondent said that people could not be encouraged because it is only when they face a serious issue that they realise the severity of the situation:

“Maybe they don’t know that our rights are violated, until they will face a problem.” (France, male interviewee from Southern Asia, restaurant, applicant for international protection at the time of exploitation)

This comment seems to **confirm what could be drawn from the interviews regarding the triggers for seeking assistance**. Indeed, as mentioned in section 6, in over half of cases **the decision to seek assistance was triggered by a brutal change** such as a work accident, a violent confrontation with the employer, or a dismissal.

What migrant workers say about prevention

As with information sharing, **the interviews revealed that the reflection on prevention was a difficult point for most respondents**. Two respondents even stated that **exploitation of migrant workers cannot be stopped**, either because **people are not aware** it exists in France (male, construction), or **employers will always take advantage** and **workers without working papers have no other options** (male, restaurant). During the first focus group, one participant stressed this vulnerability related to the legal status, saying that the only way to actually protect migrant workers was to regularise their situation. She explained:

*“We need to regularise. By regularising these people...Because the end of the exploitation starts when we are regularised. That’s when the person can start breathing again. It’s not yet...They can still exploit people who have papers, but at least, you’re not at the mercy of the threats of expulsion.”*⁷⁹ (France, female focus group participant)

⁷⁸ *“En centre-ville, dans les quartiers où il y a beaucoup d’étrangers, il faut faire des affiches comme ça les gens ils savent qu’il y a des associations, y a de l’aide, y a des choses. Sur les magasins arabes, parce que tous les musulmans, les Turcs, les Syriens, les Marocains, tout le monde il vient pour le magasin halal et tout ça. Alors quand il y a des affiches, peut-être ils vont les lire.”*

⁷⁹ *“Il faut régulariser. En régularisant ces personnes. Parce que la fin de l’exploitation commence quand on est déjà régularisé. C’est là où l’auxiliaire respire. Ce n’est pas encore...Puisqu’on arrive encore à exploiter celles qui ont des papiers, mais au moins, je ne suis plus à la merci des menaces d’expulsion”.*

from Cameroon, childcare/domestic work, migrant in an irregular situation at the time of exploitation)

However, a few suggestions could be drawn from some interviews and the first focus group. Over a quarter of respondents believe that there should be **more inspections of workplaces**, enforced either by:

- **the police** (three interviewees);
- **the employment inspectorate** (according to three persons) which could fine employers;
- **the URSSAF**⁸⁰ (three people);
- or just **more inspections in general**, especially in situations of family reunification, as explained by interviewee who was exploited by his wife:
*“Because there is no inspection at work. There is no control of immigrants that enter France married. There is no inspection in the apartments. It needs to be controlled properly. Because I entered the human rights country, I came here and I was enslaved. It’s difficult. Because there is no inspection. Before in France, there were inspections, for every family reunification. In the home even there were inspections, we need to inspect in homes, at work. Especially work, because many people work illegally.”*⁸¹
(France, male interviewee from Northern Africa, domestic/shop, migrant in an irregular situation at the time of exploitation)

In the first focus group, one participant said **the authorities should oversee the recruiting agencies (private companies) for childcare workers**. Even though this suggestion was made in view of what was experienced by the person as a childcare worker, it is an interesting suggestion that could be widened to **oversight by other bodies facilitating relations between employers and foreign workers**, like recruitment agencies, associations, etc.

Rather than control, **another aspect of the reflection on prevention was directed towards policies and justice**. Indeed, one focus group participant said that the judicial system should be more supportive of employees, and one interviewee, who was exploited as a domestic worker while in an irregular situation, said:

*“Laws are needed, strict laws, and the people who do that, they must be punished, like that the others when they want to do that they will know that there are laws that punish that.”*⁸² (France, female interviewee from Morocco, domestic worker/bar, regular migrant at the time of exploitation)

Although she was not necessarily aware of the existing laws related to labour exploitation and human trafficking, this interviewee pointed to an important aspect beyond the existence of laws: ensuring **the respect and implementation of those laws**. To her, **employers could be dissuaded if they were to see they could actually be convicted for violations of workers’ rights and human rights**.

⁸⁰ URSSAF is a private sector company in charge of a public service mission consisting in controlling workers and companies declarations regarding earnings and benefits to ensure the social security and other contributions are paid to the Government.

⁸¹ *“Parce qu’il y a pas de contrôle du travail. Il n’y a pas de contrôle des immigrants qui rentrent en France ils sont mariés. Il y a pas de contrôle dans les appartements. Il faut contrôler comme il faut. Parce que je suis rentré dans le pays des droits de l’homme, je suis rentré et je suis tombé dans l’esclavage, c’est difficile. Parce qu’il y a pas de contrôle. Avant en France il y a le contrôle, à chaque regroupement familial. Dans la maison il y a le contrôle carrément, il faut contrôler la maison, il faut contrôler le travail. Surtout le contrôle du travail, il y a beaucoup de gens qui travaillent au noir.”*

⁸² *“Il faut des lois, il faut des lois strictes, et les gens qui font ça doivent être punis comme ça les autres quand ils voudront faire ça ils sauront qu’il y a des lois qui punissent ça.”*

However, during the first focus group, the participants discussed the eventuality that repressive measures against employers committing workers' rights violations might not be the most efficient form of prevention. For half of participants, **it would be more efficient for future prevention to force the employer to declare the employee and enable their regularisation** when the authorities find a situation of exploitation. Indeed, according to them, **repressive measures towards the employer endanger the worker** who is suddenly left out of job, while forcing the employer to declare the employee and enabling them to regularise the legal situation would empower and protect them (according to two participants). While this suggestion **could be considered for cases of "moderate" exploitation, it would not seem relevant for situations of severe exploitation** involving, for example, physical and/or psychological abuse.

One interviewee also suggested the creation of **a police department familiar with labour exploitation dedicated to migrants**, so that they would be sensitive to such situations when migrant workers report to them, rather than focusing on the legal status of the person (female, cleaning).

Finally, during the focus groups, participants developed other suggestions that are mostly relevant to the domestic/childcare sector:

- **the creation of more organisations that would work to support childcare workers** (one participant);
- **the recruitment of childcare workers through agencies or associations**, so that information is shared about working conditions, rights and duties of both parties through these channels (two participants);
- **raising the profile of the sector** (two participants), through a Government representative or publicity;
- **changing working hours for cleaners to regular working hours** instead of split-shifts.

8. Conclusion and any other observations

The fieldwork conducted in France from April to August 2017 revealed that **severe labour exploitation of migrant workers is a result of combined risk factors**. Among these, **two factors particularly stand out in the perception that migrant workers** have of what makes them vulnerable to situations of exploitation. **Firstly, the combination of an illegal status and the need to earn a living creates high vulnerability**, since the person feels that there is no other choice or better employment options, which leads to them accepting a situation where there are many human rights violations. **Secondly, the lack of awareness about the French law and human rights puts migrant workers in an even more vulnerable situation**. Indeed, if they were aware of their rights, and more specifically of the fact that even without working papers they must be offered protection against violations of human rights, they would feel empowered to seek assistance, either from the authorities or other organisations. This was confirmed by the fact that **the two most common reasons given by respondents to explain why they would refuse a similar situation today was the fact that they had learnt about their rights, and that having a legal status opened access to legal employment with normal working conditions, which enabled them to refuse jobs that do not offer those conditions**.

Although only very few respondents clearly expressed that they believed that **employers can not be stopped from exploiting migrant workers in an irregular situation**, because they will always take advantage of the high vulnerability created by the combined elements characterising most of them (the lack of awareness and the need to earn a living), **this point is a key highlight for how to look at prevention**. Indeed, **if employers can not be stopped, the most effective way to protect migrant workers from labour exploitation may be to put the accent on making them more knowledgeable** about their rights and the risks, to enable them to avoid these situations. In addition, for cases where exploitation could not be avoided in the first place, there is an acute need to **change the perception, through information sharing, that people in an irregular situation have no rights at all and would not be provided with any assistance** if they sought help. This includes **conveying the idea that the police can be a safe place** to report the situation of human rights violations. Indeed, the fear of the police is too often a reason preventing people from asking for help, as there is a belief that it might lead to being arrested and sent back to the country of origin.

Information sharing could start from the country of origin, through bilateral or multilateral cooperation, as suggested by one respondent. **Embassies, for instance, could play a key role in conveying prevention messages** on the risks of following someone offering to move a worker to a European country to work for them, and promising a better life. It could also focus on awareness of rights and the deconstruction of certain beliefs on how life will be in France: indeed, several interviewees spontaneously commented that if they had known how tough it was to cope in France, they would not have come in the first place because their life had not improved, and in addition they were far from family and friends.

The difficulties encountered during fieldwork regarding access to posted workers, seasonal workers, and farm workers raise major questions when it comes to addressing the challenge of severe labour exploitation of migrant workers. **There are most likely other mechanisms, recruitment processes, ways of operating and risk factors at stake that go beyond the scope of the fieldwork conducted** for this research.

Finally, while ever severe labour exploitation of migrant workers is a reality, **prevention should be accompanied with continued efforts to support victims of exploitation, for instance through financial support to associations who support them**, as suggested by one interviewee. Indeed, many interviewees made strong statements regarding how the association that helped them had dramatically changed their life, if not saved them. Two respondents even decided to make donations to the association that helped them so that they could help others. These associations, along with other gatekeepers, are the organisations that, through their presence in the field, made this research possible by offering access to people who accepted to testify for the benefit of others in the future.

ANNEX 1 – Desk Research template

Please answer the below questions in reference to the situation in your country. The information you provide should reflect the situation in your country at least as of 30 June 2017 (even more up-to-date information is welcome).

Where the answer is ‘No’, kindly indicate which sources were consulted.

For all information, please provide full references in accordance with the FRA style guide.

1 LEGISLATION and POLICY				
<p>For each question, please place an ‘X’ in the relevant box (‘Yes’ or ‘No’) and, under ‘Supporting information’, provide the following information:</p> <ul style="list-style-type: none"> • Name the relevant law; • Provide a brief English translation of the most relevant parts of the relevant provision/definition or give a brief explanation of the contents; • In the reference, please include a link to the electronic version of the text in original language – and if available, to any official or unofficial English translations. 				
		Yes	No	Supporting information
1.1	<p>Based on a review of the information provided in Annex III published by FRA in 2015 - ‘Criminal law provisions relating to labour exploitation’⁸³ – have there been any changes to or new legislation in the area of criminal law relating to labour exploitation?</p> <p>If yes, please provide information under ‘Supporting information’ (i.e. which law; explanation of relevant provision and reference).</p> <p>If no, is there any draft legislation underway?</p>		x	No draft legislation underway
1.2	<p>Are legal provisions or measures in place to ensure that employers convicted of criminal forms of labour exploitation will be excluded from entitlements to public benefits, aids or subsidies, including EU funding managed by Member States?</p> <p>If yes, for what time period is such exclusion provided?</p>	x		<p>According to Article L 8272-1 of the Labour code,⁸⁴ when the administrative authority is informed of an official report (<i>procès-verbal</i>) arising from one of the offences constitutive of illegal work mentioned in Article L. 8211-1 (notably employing foreigners not authorised to work), it can, in view of the gravity of the offences reported, the nature of</p>

⁸³ Please download Annex III from <http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union>.

⁸⁴ France, Labour Code (Code du travail), Article L 8272-1, available at: [https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006072050&idArticle=LEGIA RTI000006904902&dateTexte=&categorieLien=cid].

			<p>the aid requested and the benefit which this affords the employer, refuse to grant, for a maximum of five years, certain government aid regarding employment, and vocational and cultural training to the person having been the subject of this charge.</p> <p>For the same offences, again in view of the gravity of the offences reported, Article L 8272-2 of the Labour code⁸⁵ authorizes the Prefect to order the closure of the establishment having been used to commit the offence, temporarily and for a duration not exceeding three months.</p> <p>Article L 8272-4 authorizes the exclusion of this type of company from public contracts for a maximum of 6 months⁸⁶.</p>
1.3	<p>Do public procurement procedures ensure that employers convicted of a criminal offence are later on excluded from participation in a public contract (work, supply or service contract)?</p> <p>If yes – for which crimes? Are criminal forms of labour exploitation among the relevant offences?</p> <p>If yes, on which legal basis, and briefly explain to what extent (e.g. how often was this done since 2014?). And can such employers also be excluded from acting as a subcontractor in the implementation of a public contract?</p>	x	<p>The following are excluded from public procurement:</p> <p>1 1. Persons convicted of one of the offences provided for in the following articles:</p> <p>2 222-34 to 222-40: drug trafficking,</p> <p>313-1 and 313-3: fraud,</p> <p>314-1: breach of trust,</p> <p>324-1, 324-5 and 324-6: money laundering,</p> <p>421-1 to 421-2-4 and 421-5: acts of terrorism,</p>

⁸⁵ France, Labour Code, Article L. 8272-2, available at: [www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000024196274&cidTexte=LEGITEXT000006072050].

⁸⁶ France, Labour Code, Article L 8272-4, available at: [www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=B9F01A4A7D679CE4F263CA996A9BD7F1.tpdila19v_2?idArticle=LEGIARTI000029236645&cidTexte=LEGITEXT000006072050&dateTexte=20170905].

			<p>432-10: corruption,</p> <p>432-11: indirect corruption and peddling of influence by persons in public office,</p> <p>432-12: unlawful taking of interest,</p> <p>432-16: embezzlement and misappropriation of property,</p> <p>433-1 and 433-2: corruption and peddling of influence by private individuals,</p> <p>434-9 and 434-9-1: obstructing the exercise of justice by public authority officers listed in article 434-9 or influencing these authorities,</p> <p>435-3, 435-4, 435-9 and 435-10: attacks on the public administration or justice by corruption or influence peddling, or alleged influence on those authorities,</p> <p>441-1 to 441-7 and 441-9: forging official documents or seals,</p> <p>445-1 to 445-2-1: indirect and direct corruption of persons not holding public office, including the corruption of a participant in a sporting event giving rise to sporting bets, in order that the participant modifies, by an act or an abstention, the usual and fair course of events,</p> <p>450-1: participation in a criminal conspiracy,</p> <p>225-4-1 and 225-4-7 for public markets which are not public markets for defence or safety: trafficking of human beings.</p> <p>According to a Circular of 2014 relating to good practices in public</p>
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				<p>markets⁸⁷, the judge can also order a ban on tendering in public markets, in particular for people who were the object, in the previous five years, of a conviction for the offences mentioned, in the Labour code:</p> <ul style="list-style-type: none"> - Articles L. 8221-1, L. 8221-2, L. 8221-3 or L. 8221-5 (illegal work); - Articles L. 8251-1, L. 5221-8 or L. 5221-11 (employment of foreign workers offences). <p>Law No. 2014-873 of 4 August 2014 for gender equality includes a new ban on tendering, which has applied since 1 December 2014. Pursuant to Article L.2242-5 of the Labour code and the 7th subparagraph of Article 8 of Order No. 2005-649 of 6 June 2005:</p> <p>employers who, at 31 December preceding the consultation, have not entered into negotiations on the objectives of professional and pay equality between women and men in the company, as well as measures in order to meet these objectives, shall no longer be permitted to access public markets;</p> <p>also excluded from public procurement, pursuant to the order, are persons who in the previous five years have been convicted of a form of discrimination listed in Article 225-1 of the Criminal Code (gender, political or trade-union, sexual orientation, racial origin, in particular).</p> <p>No data available about the implementation of these provisions.</p>
1.4	Are legal provisions or measures in place obliging or enabling Member	x		According to Article L. 3332-15 of the Code for public health, the closure

⁸⁷ France, Guide to good practices in public markets (*Guide de bonnes pratiques en matière de marchés publics*), 2014, available at: [www.economie.gouv.fr/files/files/directions_services/daj/marches_publics/conseil_acheteurs/guides/guide-bonnes-pratiques-mp.pdf].

<p>States' authorities to 1) close an establishment that has been used to commit a criminal offence, <u>and/or</u> 2) to withdraw a licence to conduct a business activity?</p> <p>If yes – for which crimes? Are criminal forms of labour exploitation among the relevant offences?</p> <p>If yes, how often was this provision used since 2014?</p>			<p>of bars and restaurants can be ordered by the representative of the State in the Department for a duration not exceeding six months following offences covered by the laws and regulations for these establishments.</p> <p>In the event of a breach of law and order, threat to health, peace or the public morality, the closure can be ordered by the representative of the State in the Department for a duration not exceeding two months. The representative of the State in the Department can reduce the duration of this closure when the owner commits to following training resulting in the issue of a licence to trade referred to in Article L. 3332-1-1.</p> <p>When closure is due to criminal offences provided for by the criminal law provisions in force, except for the offences cited in the first paragraph, the closure can be ordered for six months. In this case, the closure leads to the revocation of the licence to trade referred to in Article L. 3332-1-1.</p>
LABOUR EXPLOITATION AND THE INSTITUTIONAL SETTING			

2	<p>For each question and each body mentioned under 'Supporting information', please provide the following information:</p> <ul style="list-style-type: none"> • Name the body/organisation; indicate whether it operates at national or federal level and the year it began operating; and whether it is restricted to monitoring a particular economic sector or sectors; • Give a brief summary of the legal obligations and mandate of the body; • Indicate the regulatory basis for its work/mandate (legislation, internal regulation, etc.); • Provide a brief (1-3 sentences) description of its mandate and tasks. 	
		Supporting information
2.1	<p>a) Which authority (or authorities) is tasked by law with monitoring the rights of workers – for example through carrying out inspections?</p> <p>b) For each authority mentioned, is a distinction made between monitoring of the rights of:</p> <p>1) nationals and EU nationals, and</p> <p>2) third country nationals?</p> <p><i>I.e. Are any specific or different regimes or rules in place?</i></p> <p><i>Please name all bodies in case multiple bodies are involved – for example, labour inspectorates; specialised police units; trade unions or border guards.</i></p>	<p>The employment inspectorate monitors respect of the provisions of the Labour code. The employment inspectors are authorised to ascertain offences of the Labour code.</p> <p>3 The Central Office for Combating Illegal Work (<i>Office central de lutte contre le travail illégal</i> - OCLTI), within the Ministry of the Interior, is the overall lever of an interdepartmental approach to the fight against serious forms of labour exploitation and social security fraud.</p> <p>4 There is a major difference between nationals and European nationals on the one hand, and nationals of non-member states on the other, when the latter are in an irregular situation in the country. In theory, the rights that workers in an irregular situation have acquired through working should be guaranteed⁸⁸. In practice, employment inspectors seek to respect the Labour Code, and not the Code for the entry and stay of foreigners. The fact that a foreigner in an irregular situation who is exploited risks being deported if their administrative situation is revealed, tends to lead to a lack of cooperation with the employment inspectorate. Furthermore, when the authorities discover irregularities relating to the right to stay, they are often deported, unless they are recognised as victims of human trafficking. In this case they may be granted a renewable one-year residence permit until there is a court ruling.⁸⁹.</p>

⁸⁸ France, National Plan Against Illegal Work (Plan national de lutte contre le travail illégal), 2016-2018, available at : [www.economie.gouv.fr/files/files/directions_services/dnl/PNLTI_2016-2018.pdf].

⁸⁹ France, Code of Entry and Residence of Foreigners and the Right to Asylum (*Code de l'entrée et du séjour des étrangers et du droit d'asile*), Article L 316-1, available at : www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000006335130&cidTexte=LEGITEXT000006070158

2.2	How and to what extent is such a legal obligation (to monitor the rights of workers) implemented in practice? (E.g. statistics available on number of inspections?).	In its 2015 Activity Report the employment inspectorate mentions 201,600 interventions by its officers, of which 51% concern inspections. ⁹⁰ The average number of interventions by inspectors was 92 for that year.
2.3	Name any other authorities in a position to learn (or that typically learn) about the situation of workers and their rights? (E.g. in Austria the financial police are the ones who know most about exploitation, even though they have no legal mandate to deal with the rights of workers).	Police officers
2.4	Are authorities that carry out inspections or learn about the situation of workers (referring here to organisations mentioned under both 2.1 and 2.3) legally obliged to report to the police in cases where there is a substantive suspicion of severe labour exploitation? If yes , please provide brief information about the obligation.	Yes, they must report to the Prosecutor ⁹¹ .
3	VICTIM SUPPORT	

⁹⁰ France, Labour Ministry (Ministère du travail), *Labour Inspectorate in France in 2015* (L'inspection du travail en France en 2015), 2016, available at : [http://travail-emploi.gouv.fr/IMG/pdf/l_inspection_du_travail_en_france_en_2015.pdf].

⁹¹ France, Code of Criminal Procedure (Code de procédure pénale), Article 40, available at: [www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006071154&idArticle=LEGIARTI000006574933].

	<p>Name the main organisation(s) tasked with providing assistance and support to potential victims of labour exploitation? Provide very brief information about the type of support they provide (e.g. legal advice; psychosocial support etc.)</p> <p><i>These could be, for example, NGOs, trade unions or other representative bodies (e.g. representing workers and their rights).</i></p>	<p>NGOs (legal advice, psychosocial support)</p> <p>The Committee against Modern Slavery (Comité contre l'esclavage moderne - CMTC) is an association that helps victims of exploitation, including labor exploitation. It provides victims with assistance in accessing social assistance, shelter, and supports them in their administrative and judicial procedures</p> <p>Trade unions (legal advice)</p> <p>The General Work Confederation (Confédération générale du travail - CGT) is particularly active on this issue. In recent years, it has undertaken a number of actions in support of foreign workers in an irregular situation who are exploited by their employers. These actions take the form of logistical support, mobilization of victims and support before the courts.</p>		
4 RISK MANAGEMENT				
		Yes	No	Supporting information
	<p>Are there any official risk management systems in place to guide monitoring operations/inspections - with a view to detecting severe labour exploitation? (Art 14. of the Employers' Sanctions Directive (2009/52/EC)⁹².</p> <p><i>(E.g. in Belgium (see pg. 87 of FRA's 2015 report), specialised police units regularly investigate so-called non-risk and new sectors in an attempt to identify possible new risk factors for labour exploitation. They conduct their own research and publish reports showing current trends and advising on problem areas).</i></p>		x	<p>The employment inspectorate does not have a risk assessment system which allows for the identification of sectors of activity where the employment of third country nationals in an irregular situation is concentrated in France.</p>
	<p>If yes, please describe any such systems in place, and include the following information:</p>			

⁹² [Directive 2009/52/EC of the European Parliament and the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals](#), OJ L 168/24, 30 June 2009. Article 14 on risk assessment does not mention detection of labour exploitation directly, but "identify[ing] the sectors of activity in which the employment of illegally staying third-country nationals is concentrated" (Article 14(2)).

	<ul style="list-style-type: none"> - List the bodies (for example, of those described in section 2) responsible and describe their various roles - Describe which sectors of the economy such risk assessments apply to - How often is such an assessment carried out? 			
5	COURT CASES			
		Yes	No	Supporting information
	<p>Since 2014, is there any case law clarifying the criminal law provisions on severe labour exploitation? (<i>i.e. court decisions which clarify basic concepts or categories constituting severe labour exploitation</i>)?</p> <p>If yes, please provide:</p> <ul style="list-style-type: none"> - Decision date - Reference details (name court, case number, link to decision) - Key facts of the case - Main reasoning/argumentation - Key issues (concepts, interpretations) clarified by the case - Results / key consequences or implications of the case - Key quotation in original language and translated into English with reference details 		x (con sulta tion of the data base)	
6	PROMISING PRACTICES			
		Yes	No	Supporting information
	<p>Are there any promising practices in relation to any practical measures to tackle severe labour exploitation or support foreign victims?</p> <p>If yes, please provide:</p> <ul style="list-style-type: none"> - Title of practice - Organisation implementing it - Funding body - Brief description, including start (and if relevant, finish) dates 		x	