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# RESEARCH ON INDICATORS OF FORCED LABOR in the Supply Chain of Shrimp in Bangladesh



*Funding for this report was provided by the United States Department of Labor under grant number IL177760875K. Points of view or opinions in this report do not necessarily reflect the views or policies of the United States Department of Labor, nor does the mention of trade names, commercial products, or organizations imply endorsement by the United States Government.*



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## Executive Summary

### Summary

Verité carried out research on the presence of indicators of forced labor in the production of goods in seven countries from 2008 through 2011. Research was carried out on the production of shrimp in Bangladesh; Brazil-nuts, cattle, corn, and peanuts in Bolivia; sugar in the Dominican Republic; coffee in Guatemala; fish in Indonesia; rubber in Liberia; and tuna in the Philippines. The following report is based on research on the presence of indicators of forced labor in the Bangladesh shrimp sector. This research was not intended to determine the existence or scale of forced labor in the countries and sectors under study, but rather to identify the presence of indicators of forced labor and factors that increased workers' vulnerability to labor exploitation.

### Context/Objectives

Bangladesh is a country facing high levels of poverty, with approximately 50 percent of the population living below the international poverty line.<sup>1</sup> The shrimp sector has been promoted as a needed source of development, and indeed, has provided income to many workers. At the same time previous research has tied the shrimp sector to labor, environmental, and human rights abuses. However, little of the previous research specifically explored indicators of forced labor.

The primary objectives of the project were to:

- obtain background information on the shrimp sector in Bangladesh;
- create a methodology to study the presence of indicators of forced labor in the Bangladesh shrimp sector;
- identify and document indicators of forced labor among workers in the shrimp sector in Bangladesh;
- document the broader working conditions that workers in the shrimp sector experience; and
- determine the risk factors for indicators of forced labor and other forms of exploitation in the Bangladesh shrimp sector.

#### **Bangladesh Snapshot**

**Population:** 161,083,804, July 2012 estimated. (CIA Factbook)

**Labor force:** 75.42 million (CIA Factbook)

**Labor composition:** agriculture (18.4 percent); industry (26.8 percent); services (53 percent) (CIA Factbook)

**GDP:** 282.5 billion (CIA Factbook)

**Top exports:** garments, frozen fish and seafood, jute and jute goods, leather

**United Nations Human Development Index:** Rank of 146 out of 179 (United Nations Human Development Index. 2011.)

**Transparency International Corruption**

**Perceptions Index:** Score of 2.7, rank of 120, comparable with Ethiopia, Guatemala and Iran. (Transparency International, Corruption Perceptions Index 2011)

## ***Research Methodology and Limitations***

Preparatory research began in 2009 and was carried out by Verité's Bangladesh-based partner, Sheva. This initial research included a review of previous research, laws and, policies; identification of and contact with, stakeholders and key informants; and rapid appraisals.<sup>2</sup>

Based on this preparatory research, Sheva developed a mixed methods research methodology that used both quantitative and qualitative approaches. Quantitative data was gathered via surveys using non-probability sampling (convenience and snowball sampling) to select respondents. Therefore, the quantitative findings from this study are biased by the use of nonprobability sampling.

Qualitative data was gathered by including more informal interviews with workers and stakeholders, worksite observation, focus groups, and case studies. The qualitative findings were used to add greater detail to the quantitative findings and to triangulate quantitative findings.

Sheva did not presuppose forced labor, but instead designed surveys to probe for the existence of indicators of forced labor as well as other exploitative conditions.

Survey research was carried out primarily from July – October 2009, to overlap with the peak shrimp season as much as possible. Geographically, research focused on the districts of Satkhira, Khulna, and Bagerhat in the Southwestern region of Bangladesh, the principal site of shrimp production in Bangladesh. Interviews were conducted with over 385 respondents, and researchers conducted additional focus group and semi-structured informal interviews.

Sheva coded the data and analyzed data using SPSS. Verité staff then conducted further quantitative and qualitative analysis of the data, cross-checking the conclusions drawn in the Sheva report, and adjusting them in accordance with Verité's own framework for evaluating forced labor indicators and vulnerabilities.

Because this study is not statistically representative at the national or sectoral level, findings should not be generalized to the entire population. However, clear patterns emerged, and once triangulated with other sources, findings can point to the existence of trends and offer insight into realities facing workers in fry fishing, farming, and shrimp processing.

Researchers faced several challenges including the remoteness of shrimp farming villages (compounded by recent flooding), as well as the hesitancy of many workers to speak openly. Researchers felt that the workers' hesitancy could be tied to several factors including distrust of recent 'exposés' on the sector, as well as fear of stigma that can come from discussing sensitive situations.

## ***Findings Summary***

Verité investigated the presence of indicators of forced labor among workers in shrimp fry collection, shrimp farming, and shrimp processing using International Labor Organization (ILO) guidance titled, "Identifying Forced Labor in Practice," which was published by the Special Action Program on Forced Labor in a 2005 report, *A Global Alliance Against Forced Labour: Global Report under the Follow-Up to the ILO Declaration on Fundamental Principles and Rights at Work*. Information about wages and hours was also included in Verité's study, as wage and hour violations may constitute indicators of forced labor.

The research also sought to clarify the presence of exploitative practices that, while not rising to the technical level of forced labor, nonetheless denote labor rights concerns.

Verité sought additionally to shed light on the demographics of workers involved in these sectors.

### ***Shrimp Fry Collecting Findings Summary:***

- **Induced or Inflated Indebtedness:** A significant number of respondents reported that they were currently indebted to moneylenders or middlemen in the supply chain after taking loans to purchase fry collection supplies. As a condition of receiving the loans, many fry fishers interviewed reported that they were required to sell the middlemen their collected fry at whatever rate was demanded by the middleman. Respondents indicated that the rate provided by the middlemen was often lower than the going market rate. Women in particular, due to limited mobility and social access, have a difficult time negotiating fair rates. Women are all the more dependent on local middlemen, because they must sell their captured fry quickly. Without access to transportation, they are dependent on local middlemen and must accept their terms. Because this arrangement lowers potential earnings, these fry fishers are more susceptible to needing additional loans in the future.
- **Sexual Violence:** Several women interviewed reported that the middlemen to whom they were indebted threatened them with sexual violence as a means to coerce them to accept lower rates for their fry.
- **Abuse and Harassment:** Due to the illegal nature of fry collection following the government's ban, a number of fry fishers reported that they had been the subject of extortion from local government officials or paramilitary groups.

- Overtime: Of all respondents, nine percent worked over ten hours per day in fry collection, and 44 percent of fishers reported working six to ten hours per day. Because of the hazardous nature of the work (particularly continuous immersion in water), six to ten hour daily working hours - which might be considered standard in other sectors - is particularly onerous in this case. Although many fishers work long hours, this overtime is not required by any employer, boss, or supervisor. Instead, it is a survival strategy to increase earnings by increasing volume of catch.
- Engagement in Illegal Activities: Fry fishers are engaged in an illegal activity due to the shrimp fry ban. However, fishers are not forced to engage in this activity by any person or entity – instead it is perceived as one of a very few livelihood options.
- Low Earnings: Workers interviewed reported earning an average of 60-90 Taka per day of work, or about (USD .72 – 1.08) during peak season.
- Health Hazards: Fishers reported many hazards, including illness, from long periods spent immersed in the water, as well as fear of predatory animals.
- Child Labor: Researchers found the presence of child labor in fry collection. Children identified were primarily engaged through their parents. Due to the hazardous nature of the work, engagement in fry collection is likely a worst form of child labor for most children involved.

### ***Shrimp Farm Worker Findings Summary:***

- Excessive overtime; Forced to work on call (day and night). During peak season when interviews were conducted, most workers reported working seven days per week, and many workers worked more than 11 hours per day. In addition to working excessive hours, overtime pay and overtime rates are rarely honored. The fact that scores of economically deprived and unemployed potential workers are ready to replace disgruntled workers may compel current workers to perform household chores or work overtime against their will – conditions which are potential indicators of forced labor. Very often, permanent workers are required to remain on a farm for 28 days per month, with only a two-day break to see their families or attend to other personal matters.
- Limited freedom of movement and communication: Anecdotal reports from "permanent workers" that they are only allowed to leave for two days per month.
- Forced to work for employer's private home or family: Anecdotal reports of workers required to perform household chores for farm owners.
- Multiple dependencies on employer: Permanent workers who are often related to the farm owner are provided with housing on the farm.

- Sexual Violence: The scarcity and necessity of jobs in the fry fishing industry makes women especially vulnerable to threats or actual instances of sexual harassment and/or abuse. Some workers interviewed reported that they felt that they could not refuse sexual advances or threats for fear of losing their jobs. These workers noted that complying with an owner's sexual demands becomes a *de facto* part of their job requirements, and some spoke of the stigma and shame that accompany being sexually abused while also tolerating very cold water and wet clothing – conditions which also pose significant health risks. These workers noted that their need for survival necessitated their tolerance of the situation.
- Dismissal or Exclusion from future employment: Workers perceived the threat of dismissal for voicing complaints. This was particularly problematic around the sexual harassment of female workers.
- Withholding of wages: There were anecdotal reports that permanent workers who are under verbal contract with farm owners will not receive pay if they leave before they end of the agreed upon period. These permanent workers are generally relatives of the shrimp farm owner, which complicates the mechanism of coercion.
- Child Labor: This study identified children under the age of 15 working on shrimp farms. These children face the same dangerous conditions, but work for even less pay. Due to the hazardous nature of the work, most types of shrimp farm work could be classified as a worst form of child labor. Among survey respondents, children at the shrimp farm level are primarily engaged by their parents and enter the shrimp sector because education is unavailable or because their family needs additional income.
- Indebtedness: Wages are low (and even lower for women), so workers sometimes take loans from whoever will loan money to them. Under these circumstances, they have little leverage to advocate for fair terms for these loans, so they often end up performing household chores to pay down their debt. This research did not identify workers who were indebted to shrimp farm owners. However, several workers were indebted to moneylenders. In Verité's experiences, while this type of debt is not an indicator of forced labor, it can add pressure on workers to accept poor working conditions.
- Low wages: The average wage reported among the 89 respondents who were willing to report their wage (94 percent of the total number of interviewees) was 2,588 Taka (30.65 USD) per month. This reflects wages during peak season, and earnings during the low season may be much lower, reflecting the availability of work. Male respondents had slightly higher wages than female respondents, and permanent workers had slightly higher wages than temporary workers.
- Health and Safety Hazards: Many shrimp farm workers spend hours in the water of shrimp ponds. This can lead to skin disease/rashes, respiratory illnesses,



fever, urinary tract infections, diarrhea, and other diseases. Workers stated that crab bites and snake bites (sometimes poisonous) are a regular occurrence.

***Processing Plant Worker Findings Summary:***

- Forced overtime (beyond legal limits): Workers reported that approximately twice per month, following tidal high periods, they might be required to work shifts of up to 24 hours. This corroborates the previous research of the Solidarity Center. Workers are not paid overtime premiums for longer shifts.
- Sexual violence: Workers anecdotally reported the presence of sexual harassment perpetrated against female workers.
- Physical violence: Two percent of workers interviewed reported being subjected to physical abuse from their supervisor.
- Verbal Abuse: Seventy-two percent of workers (122) reported experiencing verbal harassment at their workplace, including yelling from the supervisors, as well as threats that they would lose their jobs if they complained.
- Dismissal: Workers reported that they felt that if they voiced any grievance or complaint regarding their working conditions, their employment would be terminated.
- Child Labor: Children ages ten to 15 were found working in processing plants, primarily accompanying their parents.
- Gender Inequality: Confirming the findings of USAID, Verité found that tasks at processing plants were highly gendered. This had the effect of depressing women's wages, and female workers were concentrated in lower-status, lower paying jobs. Women were also more likely to be contract workers, which creates another layer of vulnerability.
- Unfair wage practices for contract workers: Wages were low for all workers, but for permanent workers, payment was typically regular and transparent. However, contract workers who are paid on a piece-rate basis may face deception in the weighing of their production, leading to lower wages. Contract workers, under the terms of their employment with the labor contractor, may be unaware that approximately one-third of the facility's payment for their production goes to the worker's contractor.
- Lack of grievance mechanism: No workers reported having access to grievance mechanisms.

- Hazardous conditions: Workers reported a variety of health and safety concerns, as well as injuries and illnesses resulting from their engagement in processing plants.

## Background & Setting

This section provides an overview of the shrimp sector in Bangladesh, breaking down the analysis into the history and context of 5 key areas of inquiry: the place, product, people, policies, and programs (the 5P's); and then provides a history of working conditions – with a particular focus on forced labor – in the industry, and a look at how the 5Ps variables have interacted to either contribute to or ameliorate vulnerabilities to labor violations.

### The Five Ps of Shrimp Production in Bangladesh: Place, Product, People, Policies, and Programs

The shrimp sector of Bangladesh has expanded rapidly in recent decades due to support from international aid and development agencies and government programs. While the industry has brought much needed export earnings, there have been reports that shrimp farming has caused environmental damage and triggered the displacement of landless and land-poor farmers, and its cultivation and production have been plagued by hazardous working conditions.

#### Place

Shrimp is one of the most valuable traded marine products in the world today.<sup>4</sup> Bangladesh is a small stakeholder in the global shrimp industry, with 2.5 percent of global shrimp production, behind Thailand, Ecuador, Indonesia, China, and Vietnam.<sup>56</sup> However, the

Shrimp Sector in Bangladesh, 2009-2010 <sup>3</sup>	
Fish Processing Plants	148
Plants licensed by Government of Bangladesh	88
Shrimp Exported, FY 2009-2010	129.81 million (lbs.)
Shrimp Export Earning, FY 2009-2010	USD 348.28 million
Number of Shrimp Hatcheries	130
Shrimp Cultured Land	170,000 Hectare
Unutilized Land for Shrimp Culture	1,000,000 Hectare
Major Export Markets	EU, USA, Japan

shrimp sector is very important in the Bangladesh economy in terms of employment, income generation, and earning of foreign currency. Shrimp earns the country over USD 340 million annually, second only to garments. Europe, the United States, and Japan are Bangladesh's largest shrimp export markets.<sup>7</sup>

### Location of Shrimp Cultivation and Fish Processing in Bangladesh



- Shrimp cultivation area
- Fish Processing area

Geographic setting has played a major role in the development of commercial shrimp farming in Bangladesh. Around 80 percent of the land occupied by shrimp farms is concentrated in the low-lying tidal flats of the Khulna, Bagerhat, Jessore, and Satkhira districts in southwest Bangladesh, and the districts of Cox's Bazar, Chittagong, and Noakhali in the Chittagong Division of southeast Bangladesh, as shown at left.<sup>8</sup>

The shrimp sector employs a significant number of rural workers, in areas that are isolated with few alternative employment options save subsistence farming.

Commercial shrimp farming in Bangladesh began in the 1960's and evolved during the mid 1980's through World Bank- and IMF-guided policy initiatives under a Structural Adjustment Program. This USD 30 million investment program paved the way for

commercial shrimp farming in Bangladesh with infrastructure, technology, and training. Between 1986 and 2000, shrimp exports increased 11 times.<sup>9</sup>

One result was the increased concentration of land ownership in the hands of large landowners, which has in turn resulted in violent conflict over land rights. One report estimated in 1997 that 120,000 people had been driven from their farmland in the Satkhira region of Bangladesh alone because of decline in food availability or direct pressure from shrimp farming interests.<sup>10</sup>

More recently, the global recession caused a drop in Bangladeshi shrimp sales in FY 2007-2008, which rebounded in late 2010. Bangladeshi exporters attribute the export turnaround to getting higher prices without scaling up shipment volume by shipping cooked and ready-to-cook shrimp to the EU and US.<sup>11</sup>

### Product

The two major types of shrimp exported from Bangladesh are *bagda* (saltwater or tiger shrimp) and *golda* (freshwater shrimp). While shrimp can be either caught at sea or farmed, the majority of shrimp exported from Bangladesh is farmed. This report focuses on the supply chain of farmed shrimp. Farm methods range from traditional to semi-intensive production. Traditional shrimp farms require few inputs and produce low yields. The majority of shrimp cultivated in Bangladesh is grown using traditional methods, with less than 125 hectares of land estimated to be farmed using semi-

intensive methods.<sup>12</sup> For this reason, shrimp yields in Bangladesh are lower than competitors such as Indonesia and China, which use more intensive methods.<sup>13</sup>

Shrimp is a fragile, high-risk food export. It is vulnerable to natural disasters, market fluctuations, and viruses. White Spot Syndrome Virus (WSSV) affects the *bagda* species, and bacterial infections affect the *golda* species. Both shrimp species have suffered from contamination and quality issues leading to a cycle of poor sales and tarnished international reputation. The EU and US banned shrimp imports from Bangladesh in 1997 (EU), 2001 (EU), and 2004 (US) for failure to comply with quality regulations.<sup>1415</sup> Following alerts by EU countries about shrimp contamination from banned antibiotics, Bangladesh issued a self-imposed ban on fresh water shrimp exports to EU countries in 2009, which it recently lifted.<sup>16</sup> In June 2011, the US announced mandatory stringent testing requirements under its new Food Safety Modernization Act (FSMA), which may negatively impact Bangladesh shrimp exporters.<sup>17</sup>

The shrimp supply chain now includes 4 production steps, from fry collection – which occurs year-round, with a peak period in November – to shrimp farm to depot to packaging for export at a processing plant, as shown below.



Source: <http://aciarc.gov.au/files/node/2196/pr90chapter09.pdf>

Fry Collection: Fry are caught in the surf and in rivers and estuaries, or produced in hatcheries. Approximately 425,935 individuals caught fry in 2005. Around 40 percent of all fry catchers are men, 30 percent women, and the rest are children. Lacking land and assets, the fry collectors are the most vulnerable workers along the chain. Over 30,000 intermediaries purchase fry and sell them on to other intermediaries. Fry *faria* (wholesalers) buy fry from catchers or hatcheries throughout the year. They sell the fry to an *aratdar* (middlemen). Fry *aratdar* typically buy fry from the fry *faria* and sell fry to the commission agent. Often *faria* and *aratdar* are indebted to intermediaries higher up the chain and are committed to sell fry exclusively to that lender.

USAID estimated in 2006 that 50 percent of shrimp fry were wild caught, with the majority of wild-caught *bagda* shrimp coming from the Cox's Bazar region; and wild-caught *golda* shrimp, from Khulna (60percent), Noakhali (35percent), and Cox's Bazar (5percent).<sup>18</sup>

In 2000, the government enacted a ban on wild-caught fry collection, in recognition of environmental concerns and to promote hatchery production. Wild fry are still preferred by farmers, and wild fry collection has continued virtually unabated. Fry catchers have been made more vulnerable by the ban, which has created the necessity to pay bribes to policy and local law enforcement officials in order to continue operating. Women and children have been disproportionately affected.<sup>19</sup>

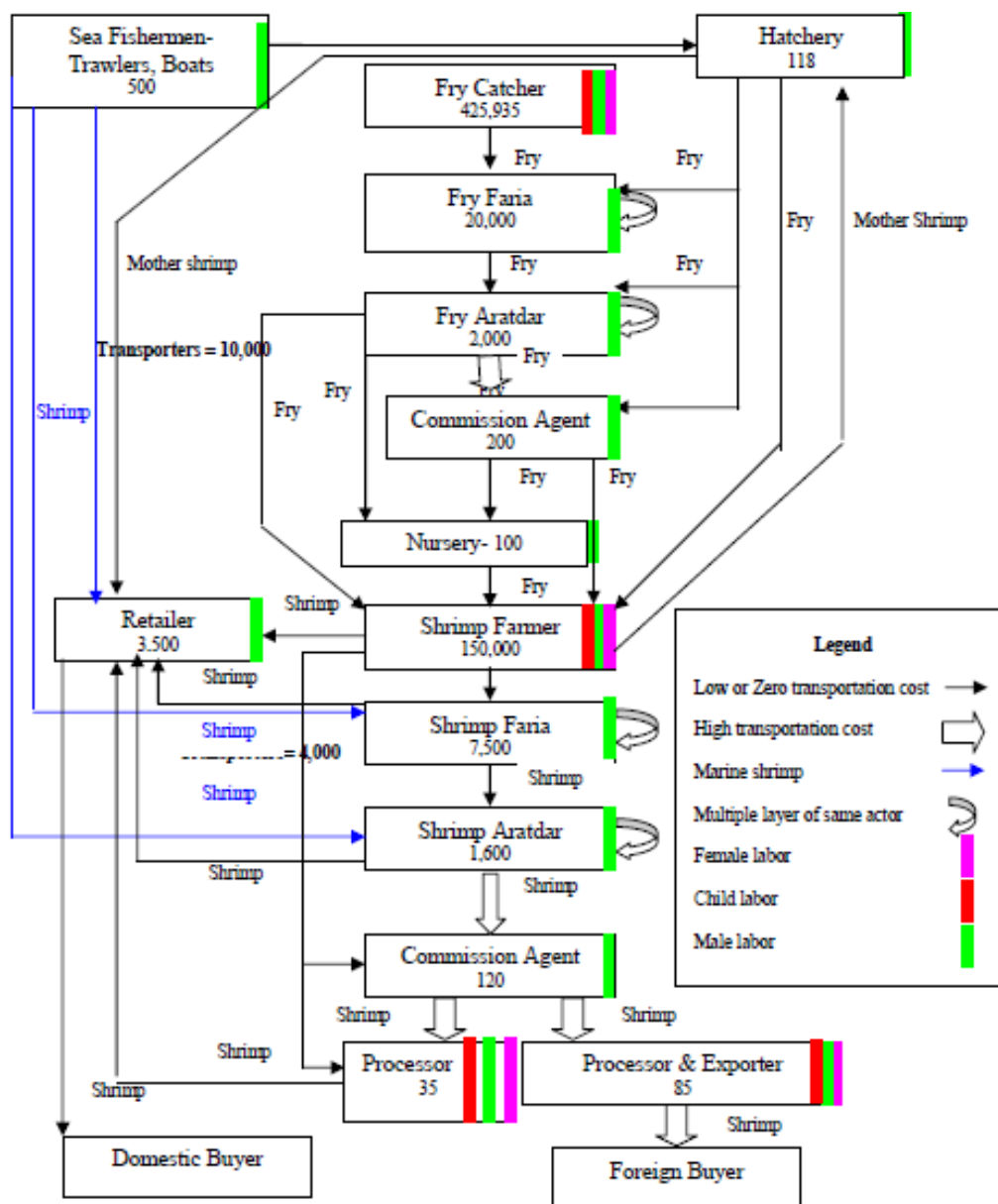
Shrimp Farming: Shrimp are farmed using primarily traditional practices, with some farmers using modified-traditional or semi-intensive methods. Farmers using modified-traditional or semi-intensive methods have typically received donor assistance to do so.<sup>20</sup> There are approximately 150,000 farms producing shrimp and prawn, which employ over 600,000 workers. Many of these workers are unremunerated family members, while others are hired for temporary or seasonal work.

Depot and Processing Plants: Middlemen usually transport the shrimp by van from the farmlands to the urban depots, which are situated near processing factories. At the depots, pre-processing activities such as washing, de-heading, icing, and packaging are done before the shrimp go to the factories for final processing and packaging.<sup>21</sup>

Other players in the supply chain whose livelihoods depend on the sector include ice sellers, ice factory owners, plastic box and sheet manufacturers, van operators, van owners, truck drivers, and truck owners.<sup>22</sup>

The timing of the shrimp harvest in Bangladesh varies by both district and type of shrimp being produced, with the core harvest of *bagda* shrimp occurring between June and September in most regions; and of *golda* shrimp, between October and December.<sup>23</sup>

## Actors in Shrimp Supply Chain in Bangladesh



Source: Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf).

## **People**

The exact number of workers in the Bangladesh shrimp industry is difficult to estimate. With a high percentage of undocumented workers, as well as unregistered farms and processing plants, many workers are unaccounted for in official statistics. The Bangladesh Shrimp and Fish Foundation estimated the number at 600,000 direct workers, who support some 3.5 million dependents.<sup>24</sup> Others say there may be as many as 1.2 million individuals directly engaged in production and exchange throughout the shrimp value chain and a further 4.8 million household members whose livelihood is linked to the sector.<sup>25</sup>

As noted above, traditional farming methods predominate in Bangladesh. The typical traditional shrimp farmer practices a mixture of shrimp and rice farming. Shrimp farming is practiced in paddy fields during the dry season, when the salinity of soil and water in the coastal region preclude the cultivation of rice. In the Khulna region, for example, *bagda* fry are trapped in February, cultivated from March till June, and harvested in July. In August, the rainy season begins and the land is used for rice paddy cultivation for a period of 3 to 4 months.<sup>26</sup>

While shrimp cultivation and processing provides livelihoods for the poor, small farmers, intermediaries, and exporters, the profits generated from shrimp exports mainly accrue to high-end importers/foreign buyers, and politically powerful elites in the region such as processors, absentee landowners, large farmers, and politicians. Fry collectors constitute 50 percent of the total shrimp sector employment; yet receive 6 percent of the sector's profits. Fry collection is the major source of livelihood for women and children in many coastal areas. Fry catchers are generally considered to be the most vulnerable workers in the shrimp supply chain. The majority are landless, poor, and often indebted. USAID estimated in 2006 that 40 percent of fry catchers and sorters were women and girls; and 28 percent of all fry catchers and sorters were under the age of 15.<sup>27</sup>

## **Policies**

Groups including the World Bank, the Asian Development Bank, and the Food and Agriculture Organization of the United Nations (FAO) have supported the growth of the shrimp sector in Bangladesh.<sup>28</sup> Shrimp farming is considered a means of speeding development and alleviating poverty in rural Bangladesh. However, the expansion of export-oriented shrimp culture has met with strong opposition, and serious political, socio-economic, and environmental concerns have been raised including increased poverty, landlessness and food insecurity, displacement of communities, pollution of drinking water, poor working conditions, and impacts on health and education.<sup>29</sup> Shrimp farming has increased land values and led to conflict over land rights and access to natural resources.<sup>30</sup> Murder, kidnapping, bomb attacks, violent intimidation, and rape have all been linked to the conflict. Thugs hired by large-scale shrimp farmers to protect their land and interests have targeted landless protesters. In 1997, an estimated 150 deaths were attributed to shrimp farm conflict in Bangladesh. These were deaths of

protesters, people accused by farm guards of stealing shrimp, and also resulting from rivalries between groups of shrimp farmers.<sup>31</sup>

Government Policies: The government has been criticized for not moving quickly enough to address human rights violations in national policy frameworks.<sup>32</sup> Government activities in the Bangladeshi shrimp sector have historically focused on improving environmental and market conditions, with a lesser focus on labor or human rights issues. The Ministry of Fisheries and Livestock, Department of Fisheries, Bangladesh Fisheries Development Corporation, and the Bangladesh Fisheries Research Institute are the main organizations responsible for aquaculture and its development in Bangladesh. The Ministry of Labor and Employment is responsible for shrimp labor inspections; in 2006, there were only 20 inspectors for 50,000 factories in the country.<sup>33</sup>

To leverage scarce resources, the Bangladeshi government created several ad hoc governance institutions that network together various ministries, as well as private actors in civil society, to address regulatory gaps. What have emerged are alternative forms of both public and private forms of labor governance within the labor sector that complement the traditional work done by the Ministry of Labor and Employment. Another form of regulatory governance that has developed is private or self-regulation by various employer organizations. The key export associations all claim to have undertaken extensive initiatives to address labor problems in their members' factories.<sup>34</sup>

As mentioned above, in 2000, for environmental reasons and to promote the development of hatcheries, the government enacted a ban on wild-caught fry collection that had the unanticipated effect of increasing the vulnerability of fry catchers in the sector.<sup>35</sup>

The Government approved a National Child Labor Elimination Policy in March 2010 that provides a broad framework for national child labor elimination efforts. The policy aims to make a meaningful change in the lives of working children by withdrawing them from all forms of child labor including hazardous work and worst forms of child labor. It identifies 10 strategic areas of action for achieving this aim, and outlines a set of target activities and implementing partners for each. Following approval of the child labor elimination policy, attention has turned to the formulation of a national plan of action as part of efforts to operationalize the policy.<sup>36</sup>

With the help of USAID, the government established the Shrimp Seal of Quality (SSOQ)—a private certification agency—in 2002. The SSOQ is a voluntary certification process that certifies that the operator has met minimum requirements in the areas of food safety and quality assurance, traceability, environmental sustainability, labor practices, and social responsibility. The SSOQ's 4th principle, entitled 'Labor Practices', has the following sub-points on labor and gender regulations:



1. Employers shall not use bonded or forced labor.
2. Employers shall compensate workers in compliance with laws in force in Bangladesh.
3. Employers shall ensure that working conditions comply with laws in force in Bangladesh. Employers shall evaluate health and safety hazards and take reasonable steps to eliminate or control risks to workers posed by these hazards, and educate the workers on these risks.
4. Employers shall not require workers to work for more than the regular hours prescribed by laws in force in Bangladesh. Workers shall be entitled to at least one day off in every 7-day period without jeopardizing their employment. All overtime hours must be worked voluntarily.
5. Employers shall not discriminate in employment based on gender, age, or religion.
6. Employers shall ensure that no worker is subjected to any physical, sexual, psychological, or verbal harassment, abuse, withholding of earned wages, or other form of intimidation.
7. Where children are employed, employers shall comply with the relevant provisions of laws in force in Bangladesh.<sup>37</sup> Where feasible, employers shall make accommodations to provide working children access to educational opportunities. Employers shall not employ children under the age of 14.
8. Employers shall comply with the relevant provisions of laws in force in Bangladesh relating to the welfare of female workers who are pregnant, breast-feeding, or on maternity leave.
9. Labor shall be allowed to associate, organize, bargain collectively, and execute their rights as prescribed by laws in force in Bangladesh.<sup>38</sup>

The SSOQ had reportedly been largely ignored by the shrimp industry.<sup>39 40</sup> Several new donor programs address traceability and quality (see below).

The government finalized a national shrimp policy (also called the Shrimp Action Plan) in 2008 to ensure quality control in shrimp export and create demand on the international market. It was sent to the cabinet for approval in 2010, but does not appear to be ratified.<sup>41</sup> Developed with technical assistance from Katalyst and the Bangladesh Shrimp and Fish Foundation, the policy requires that shrimp be harvested free from environmental hazards and under fair working conditions.<sup>42</sup> The draft plan calls for a shrimp tax on foreign exchange earned to 'expedite shrimp farming through developing technology sustainable in the local socioeconomic, cultural, and environmental conditions.'<sup>43</sup>

In March 2011, the Department of Fisheries released a "Code of Conduct for Selected Segments of the Aquaculture Industry in Bangladesh", prepared jointly with the Bangladesh Shrimp and Fish Foundation. The Code of Conduct applies to 9 segments of the shrimp industry value chain, including *bagda* and *golda* hatcheries and shrimp

farms, depots, ice plants, fishing boats, transport vans, and feed mills. The Code addresses environmental, social, resource-use conflicts and food safety. Labor-related issues mentioned in the code include:

- Shall comply with National Labor Law applicable to segment (mill, hatchery, etc.)
- Shall not employ child labor

The Code also specifies worker health and hygiene requirements, including a valid medical certificate, HACCP training, adequate flush lavatories and wash basins, and disinfecting foot baths at entrances at buildings.<sup>44</sup>

In 2011, the Government opened the Bagehot Shrimp Research Center, with office and training facilities, including 4 laboratories, 9 research ponds, and a hatchery. The Center's work focuses on enhancing shrimp production, shrimp health management, shrimp feed and nutrition, post-harvest handling, and quality control of shrimp and shrimp products.<sup>45</sup>

CSR in the Shrimp Industry in Bangladesh: Together, Thailand and Bangladesh export USD 4 billion worth of shrimp sold in US retail stores and restaurants such as Wal-Mart, Costco, Sysco, Harris Teeter, IGA, Trader Joe's, Giant, Long John Silver's and Red Lobster.<sup>46</sup> Multinationals such as Wal-Mart and Darden Foods have pushed the corporate social responsibility (CSR) agenda by raising supplier environmental and labor requirements in response to criticism for sourcing shrimp from plants with child labor. Wal-Mart, which buys more shrimp than any other US company (about 3.5percent of total US shrimp imports) is working with the Global Aquaculture Alliance and the Aquaculture Certification Council to certify that all its foreign suppliers of shrimp adhere to best aquaculture practice standards.<sup>47</sup>

In 2011, Sysco Corporation announced it would start acquiring seafood from fisheries either certified or under assessment by the Marine Stewardship Council, with plans to increase sustainable seafood purchases by 2015 as part of a multi-stage World Wildlife Fund commitment.<sup>48</sup>

Bangladeshi shrimp supplier involvement in CSR has been limited, mirroring low CSR involvement in other sectors in Bangladesh, due to the absence of strong labor unions, consumer rights groups, and government oversight.<sup>49</sup> However, with export bans to the EU and US, and consumer reaction to labor issues in the sector, companies have become more aware of CSR's importance. To date, local CSR activities have focused on improving environmental and not social aspects of the shrimp supply chain. Even so, Bangladesh has yet to conform to environmental requirements of FAO, Global Aquaculture Alliance /Aquaculture Certification Council, (GAA/ACC), and International Principles for Responsible Shrimp Farming. Local CSR organizations in Bangladesh such as the Corporate Social Responsibility Centre and BRAC have no shrimp-related activities.<sup>50</sup>

## ***Programs***

Bangladesh has a host of donor programs that impact the shrimp industry, including livelihood development, environment improvement, gender, education, and health. Specific donor activities focused on the shrimp industry's labor and environmental challenges include:

- The Coastal Development Partnership (CDP) implemented the "Safeguarding Sundarban Ecosystem from Irresponsible Commercial Shrimp Farming (SECO)" project with the support of EGP of the Netherlands Committee of the IUCN. The project ended in May 2010. In 2006, with the support of World Fish Center, CDP had implemented a project entitled "Awareness Creation among the Shrimp Farmers on Socially Responsive and Environment Friendly Shrimp Culture in the Southwest Coastal Region of Bangladesh". From 2003 to 2006, CDP monitored human rights, land rights, labor rights, and environmental degradation by the shrimp farms in the South West Coastal Region under 'CDP- SSOQ Partnership Program'.<sup>51</sup>
- The World Bank's 6-year 'Integrated Fisheries Livelihood Project', with an estimated start date of 2012 and budget of USD 156 million, aims to improve fishery management, create 1,000 jobs, and increase net incomes for approximately 250,000 poor rural households in Bangladesh. The project focuses on improving inland freshwater capture and developing testing and monitoring capabilities.<sup>52</sup>
- The Bangladesh Aquaculture Alliance (BAA), launched in mid-2011, is a platform for all stakeholders of the shrimp industry to "ensure traceability, quality, and increased production of shrimp". Stakeholders included in the initiative are fish and shrimp farmers, hatchery owners, ice plant owners, feed producers and millers, processing plants, and exporters.<sup>53</sup> (While press releases indicated a launch date of 2011, no website for BAA was found.)
- The Greater Noakhali Aquaculture Extension Project (GNAEP) is being implemented by the Department of Fisheries with support from DANIDA and is focused on promoting small-scale aquaculture in the greater Noakhali Region. Both projects targeted small and resource-poor farmers. The project is also implementing a traceability system.
- The Happy Shrimps Project (Sustainable Shrimp Production), a partnership of 3p (Institute for Sustainable Management), DEG (a member of KfW banking group, gsm Institute (Global Sustainable Management GmbH) and a European wholesaler, is focused on traceability along the entire supply chain.<sup>54</sup>

- Two Bangladesh-based ILO projects could impact some in the shrimp industry: 1) ILO Prevention and Elimination of the Worst Forms of Child Labor in the Urban Informal Economy, funded by the Government of Netherlands, and 2) ILO Time Bound Program for Elimination of the Worst Forms of Child Labor – Preparatory Phase, funded by DFID, Norwegian Government and USAID (through American Center on International Labor Solidarity). Partners to TBP include UNICEF and ADB.<sup>55</sup>
- USAID's Poverty Reduction by Increasing the Competitiveness of Enterprise (PRICE) project, 2008-2013, works to reduce poverty in Bangladesh by supporting the creation of sales, jobs, and investment in the aquaculture, horticulture, and leather products sectors, particularly for the benefit of women and small and medium enterprise (SME) suppliers. For shrimp, the program focuses on compliance, food safety and quality, low productivity, and labor issues. PRICE implemented an initiative to audit and validate the compliance of 10 processing plants with all aspects of Bangladeshi labor law. After this review and improvement of labor-related procedures, PRICE developed and implemented labor standards compliance courses for workers, managers, and owners of shrimp processing plants.<sup>56 57</sup>
- The Better Fisheries Quality, Strengthening of Fishery and Aquaculture Food Safety and Quality Management System in Bangladesh (BEST-BFQ) is a € 10.2 million program funded by the EU, Government of Bangladesh, and NORAD, implemented by UNIDO (2010-2014). The program focuses on strengthening capacity of the Fisheries Inspection body to ensure appropriate testing is carried out and to improve controls of frozen fish exports (particularly shrimp) to meet international standards (for EU market access). The program includes improving the socio-economic conditions of target groups through implementation and enforcement of labor law. This follows the Bangladesh Quality Support Program (2006-2010), which established national testing, inspection, and quality management of shrimp along the value chain.<sup>58</sup>
- Katalyst has been working in partnership with the Ministry of Fisheries and Livestock (MoFL), Winrock International, the Bangladesh Shrimp and Fish Foundation (BSFF), GTZ, Canadian International Development Agency, UK Aid, and others since January 2008 on shrimp in the following areas: Making quality inputs and better cultivation techniques available; ensuring compliance with international standards; establishing a code of conduct for the industry; and expanding shrimp farming into new areas.<sup>59</sup>
- The Bangladesh Institute of Labor Studies Research Center is developing a code of conduct for employers on women workers.<sup>60</sup>
- Oxfam/Bangladesh is developing a livelihoods strategy for the informal sector.<sup>61</sup>

## Working Conditions in the Shrimp Supply Chain in Bangladesh

Shrimp production in Bangladesh has been mired in controversy not only relating to land conflict and human rights, but also with respect to labor rights and working conditions. Most research to date has focused on child labor and gender disparities in the shrimp industry, but a few organizations have documented evidence of other exploitative labor conditions, most notably the Environmental Justice Foundation, USAID, and the Solidarity Center. The Environmental Justice Foundation's (EJF's) report *Smash and Grab: Conflict, Corruption and Human Rights Abuses in the Shrimp Farming Industry* identified corruption and weak governance as encouraging the expansion of the shrimp industry, often illegally. In some cases, rural farmers' land was taken by corrupt and forceful means by shrimp producers, who then force these farmers and their families to meet quotas in order to stay on their land. The geographical and social isolation of many of these individuals contributes to their vulnerability.<sup>62</sup> The EJF report also notes gender disparities in the shrimp industry, which lead to job segmentation, wage inequality, and increased job insecurity for women. It also documents sexual intimidation and rape.<sup>63</sup>

Hours, Wages, Benefits and Health and Safety: The shrimp supply chain is characterized by seasonality and low pay, and it is not uncommon to work 12-15 hour days during the peak season. Some reports also documented the practice of a weekly 24- to 26-hour shift during peak season.

USAID's report *A Pro-Poor Analysis of the Shrimp Sector in Bangladesh* identifies violations of the 8-hour workday; forced and unpaid overtime; failure to provide healthcare, childcare, and maternity leave; failure to observe the right to organize; as well as health and safety violations.<sup>64</sup> In *The True Cost of Shrimp*, the Solidarity Center and its partner organizations documented work shifts over 12 hours per day, forced and unpaid overtime, failure to observe minimum wages, inadequate healthcare and childcare resources, and insufficient health and safety standards at most facilities.

Gender and Informalization: USAID has noted severe wage disparities in processing plants: Women earn approximately 64 percent as much as their male counterpart fry catchers and sorters, 71 percent of male packers, and 60 percent of male cooks in processing plants. USAID also notes that in processing plants, where women outnumber men, 92 percent of the women's labor time used is considered temporary or casual.<sup>65</sup>

The Solidarity Center has also identified widespread casualization of the industry, where cheaper forms of temporary, casual, or otherwise noncontract labor are preferred to long term, full-time employment with benefits; and the concomitant exploitation of female workers, who have a greater likelihood of being informal workers.<sup>66</sup>

The ILO's *A Socio Economic Overview – Shrimp Processing in Bangladesh*, 2005, noted the predominance of women in informal and "casual" employment and focused specifically on the workplace problems women workers face.<sup>67</sup>

Casualization of the workforce has taken the form of a move away from permanently employed laborers toward flexible contract laborers supplied by third-party contractors. In this situation, casual workers are not aware of the wage paid by the factory owners to the contractor, and the factory owners are not aware of the salary system of the contractors.<sup>68</sup>

These contract workers do not fall within the legal definition of 'worker.' According to the definition in Section 2 (XXVIII) of the Industrial Relations Ordinance Act of 1969, a worker is 'a person who enters into a contract of service under the management and does not include a person who works under the control and supervision of the contractor'. This means that workers employed through contractors do not enjoy protection under the Industrial Relations Ordinance, and inspectors from the Department of Labor have no legal responsibility toward these casual laborers other than to check the cleanliness of the workers and look for health hazards.<sup>69</sup> Given the heavy competition for employment, shrimp factory workers must either accept onerous working conditions or not work.

Child Labor: Much of the literature details extensive child labor abuses, particularly in shrimp fry catching, shrimp farming, and shrimp processing. This work threatens a number of child rights including the right to education, to health, to recreation, and the right to freedom from harmful work.<sup>70</sup>

The ILO found that in some cases, children work in factories because women workers, lacking care options, must take their children to their workplace.<sup>71</sup> The Solidarity Center also reported child labor in shrimp processing.<sup>72</sup>

Bangladesh Labor Law (Bangladesh *Sram Ain*) does not prohibit child labor. Instead, the Bangladesh *Sram Ain* Labor Act describes the conditions under which children are allowed to work. In Bangladesh, the labor court hears all claims relating to labor, and the relief afforded to workers is in the form of monetary damages or injunctions. The penalty for persons found to be practicing forced labor is imprisonment for one year.

Forced Labor: USAID reported in 2006 that loan taking was prevalent among fry catchers. Typically poor and landless and with few options for credit, fry catchers frequently enter into "suboptimal contracting arrangements" in which they borrow money from middlemen (fry *faria*) either to cover household needs or to finance fishing capital – nets and buckets – and then commit to selling their fry to these *faria* for a set price. USAID observed that many fry catchers were spending years in a cycle of debt, and that physical force (torture) was used as a mechanism for loan payment enforcement.

The Solidarity Center documented forced, excessive and unpaid overtime among shrimp processing workers.<sup>73</sup>

## Methodology & Limitations

Verité's research in Bangladesh aimed to assess the circumstances surrounding forced labor in the shrimp sector. Verité worked with its Bangladesh-based partner NGO, Sheva, to conduct the in-country field research. Sheva (*Nari O Shishu Kallyan Kendra*) is an NGO that focuses on women's development, labor rights, and microcredit.

Through a collaborative process, a mixed method research methodology was developed consisting of a literature review, rapid appraisals,<sup>74</sup> worker surveys, focal group discussions, and case studies. Research was carried out by a team of researchers drawn from Sheva staff, as well as from the Departments of Sociology and Urban and Rural Planning at Khulna University, which is located in the shrimp-producing, southwestern region of Bangladesh; and a Khulna-based grassroots NGO, Pathikrit. Upon completion of the field research, the data were collated, coded, and analyzed by Sheva, and then further analyzed and condensed by Verité.

Quantitative data was gathered via surveys using non-probability sampling (street samples, establishment surveys, and snowball sampling) to select respondents. Therefore, the quantitative findings from this study are biased by the use of nonprobability sampling. The quantitative portion of the research was not meant to be statistically representative at the national or sectoral level, but to offer trends, analysis, and insight into conditions facing workers in the sectors studied.

Qualitative data was gathered by including more informal interviews with workers and stakeholders, worksite observation, focus groups, and case studies. The qualitative findings were used to add greater detail to the quantitative findings, and to triangulate quantitative findings.

The following broad priorities guided the research:

- updating information on the demographic features and livelihood strategies of workers at all key levels in the Bangladesh shrimp supply chain;
- documenting working conditions and identifying any existing patterns of forced labor within the shrimp sector;
- describing the circumstances that contribute to worker vulnerability to forced labor within the shrimp sector, particularly with respect to the practice of loan-taking and potential debt bondage.

Three key levels of the shrimp supply chain were identified for intensive survey research: the shrimp fry collection level, the shrimp farm level, and the shrimp processing plant level. Additional surveys, observations, and key informant interviews provided information about the links between these levels, providing information about

the roles of moneylenders, buyers, transporters, dealers, brokers, and other intermediaries in the system.

## Research Design

The presence of forced labor was not presupposed in the research. Rather, the research probed for the presence of indicators of forced labor and other exploitative labor conditions, as established by the ILO. Verité's methodology was anchored in the principles of ILO Convention 29, which contains the internationally accepted definition of forced labor. At the start of the research initiative, categories for indicators of forced labor were developed based on ILO guidance titled, "Identifying Forced Labour in Practice", which was published by the Special Action Programme on Forced Labour in a 2005 report, *A Global Alliance Against Forced Labour: Global Report under the Follow-Up to the ILO Declaration on Fundamental Principles and Rights at Work*. The ILO's guidance breaks down indicators of forced labor into those related to lack of consent and to menace of penalty, as shown below.<sup>75</sup>

### Box 1: Identifying forced labour in practice

#### Lack of consent to work (the "route into" forced labour)

- Birth/descent into "slave" or bonded status
- Physical abduction or kidnapping
- Sale of person into the ownership of another
- Physical confinement in the work location – in prison or in private detention
- Psychological compulsion, i.e. an order to work, backed up by a credible threat of a penalty for non-compliance
- Induced indebtedness (by falsification of accounts, inflated prices, reduced value of goods or services produced, excessive interest charges, etc.)
- Deception or false promises about types and terms of work
- Withholding and non-payment of wages
- Retention of identity documents or other valuable personal possessions

#### Menace of a penalty (the means of keeping someone in forced labour)

- Physical violence against worker or family or close associates
- Sexual violence
- (Threat of) supernatural retaliation
- Imprisonment or other physical confinement
- Financial penalties
- Denunciation to authorities (police, immigration, etc.) and deportation
- Exclusion from future employment
- Exclusion from community and social life
- Removal of rights or privileges
- Deprivation of food, shelter or other necessities
- Shift to even worse working conditions
- Loss of social status

Information about wages and hours was also included in Verité's study, as wage and hour violations may constitute indicators of forced labor.



The research also sought to clarify the presence of exploitative practices that, while not rising to the technical level of forced labor, nonetheless denote labor rights concerns. Verité sought additionally to shed light on the demographics of workers involved in these sectors.

The research process began with initial meetings at Sheva's headquarters in Dhaka to conceptualize the project and develop an appropriate research methodology. Existing research was reviewed, contacts were made with experts in the shrimp sector, and a reconnaissance team was sent to the shrimp-producing districts of Khulna, Satkhira, and Bagerhat to meet with relevant stakeholders and to identify critical areas of concern relating to labor and human rights.

A legal expert carried out a review of existing policies, laws, and ordinances related to forced labor, human trafficking, and the shrimp sector. A roundtable meeting on forced labor and the shrimp sector was held with labor experts, civil society representatives, and university representatives in Khulna, a centrally located region, in order to identify assessment indicators and strategic intervention points. The Team Leader and Field Coordinator then carried out rapid appraisals, including the administration of a survey questionnaire to various stakeholders, including workers engaged in fry collection, shrimp farms, and shrimp processing plants.

Based on this preliminary research, specific research questions were developed, including:

- questions designed to solicit basic demographic data on workers involved in shrimp production:
  - age
  - sex
  - household composition
  - status of land ownership
  - employment history
- questions designed to generation information about the structure of the overall shrimp industry, with an emphasis on aspects likely to be associated with worker vulnerability to forced labor:
  - the means by which people entered into shrimp production, key actors in their entry, and the terms and conditions of their employment
  - seasonal variation in the availability of employment in the sector and income generated
  - the role of credit and debt bondage in workers' lives, and the social organization of credit borrowing and debt repayment within the supply chain
- questions about the working conditions faced by workers at various levels of the supply chain:
  - nature of the work
  - worker safety

- length of work day
- number of days worked per week
- availability of adequate equipment and facilities
- degree of geographic isolation
- questions focused on the presence of indicators of forced labor:
  - menace of penalty
    - threat or incidence of physical, psychological, or sexual violence
    - threat or incidence of withheld wages, termination, or worse working conditions
    - threat or incidence of social humiliation or isolation
    - threat or incidence of legal punishment
  - lack of consent/involuntariness
    - debt bondage
    - restricted freedom of movement and/or trafficking
    - withholding of wages
    - deception
    - caste-based labor
- questions about the current policy and governance environment in Bangladesh, and about government and NGO programs to combat force labor in the shrimp sector.

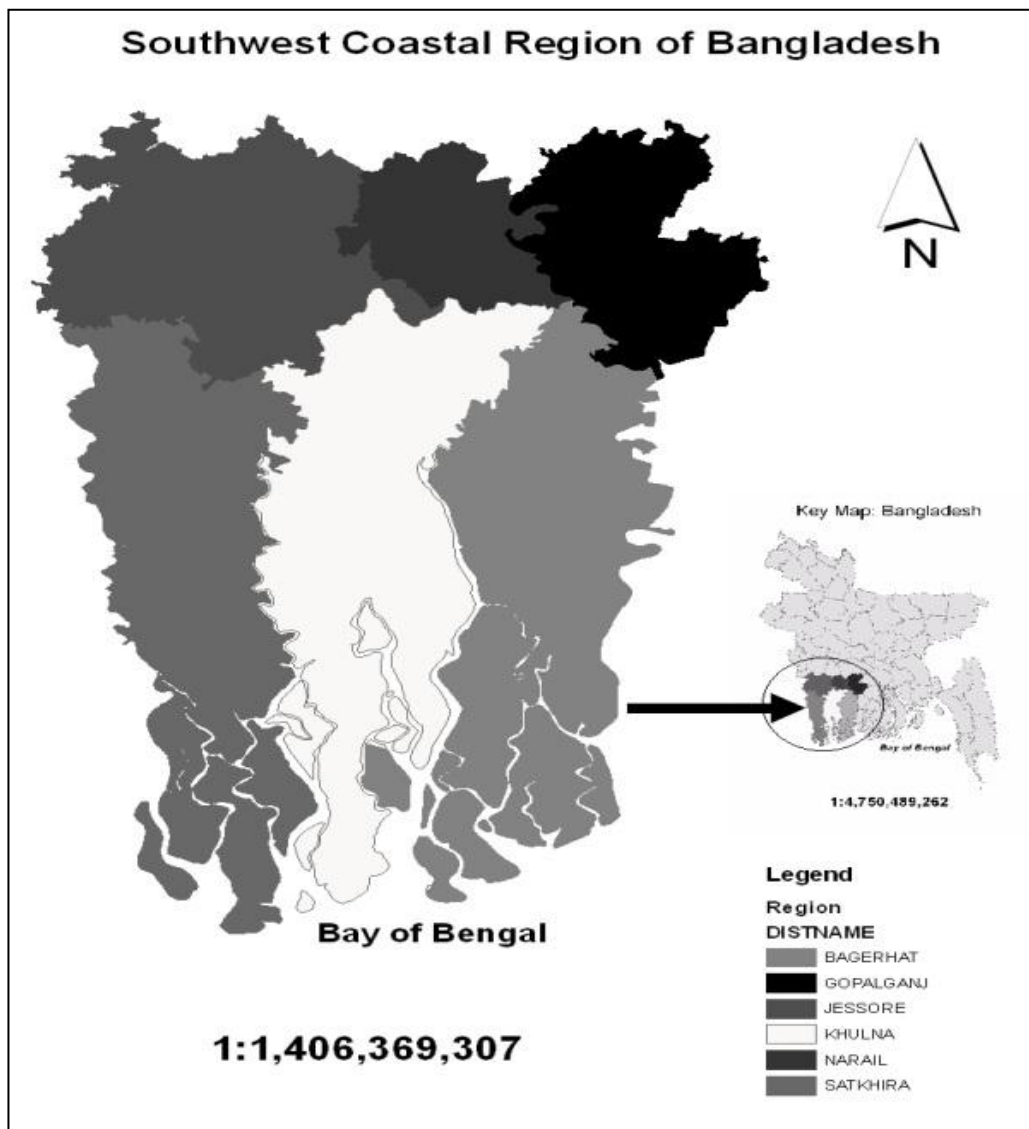
These questions were transformed into interview and observation checklists and survey questionnaires, and then pilot tested in the field prior to administration by the research team.

## Timing

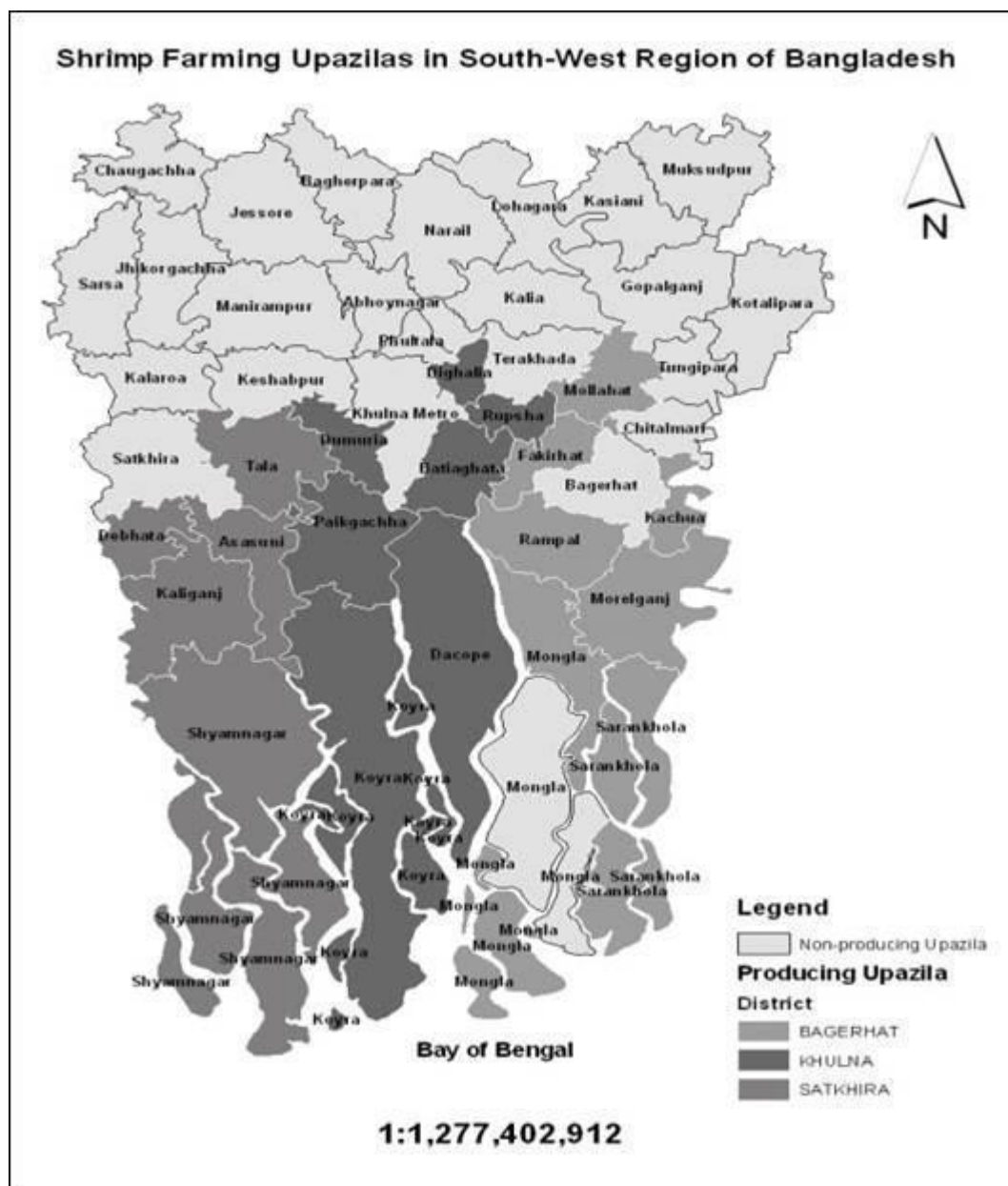
The research was timed to coincide with the peak months of shrimp production as much as possible, given the time constraints of the study. According to a recent USAID report, the timing of the shrimp harvest in Bangladesh varies by both district and type of shrimp being produced, with the core harvest of *bagda* shrimp occurring between June and September in most regions, and the harvest of *golda* shrimp occurring between October and December.<sup>76</sup> Worker surveys were developed and administered between the months of July and October 2009, and additional rapid assessments of key production areas were conducted in November of 2009, and between September and November of 2010. Interview respondents were asked to report on their conditions of work over the previous year.

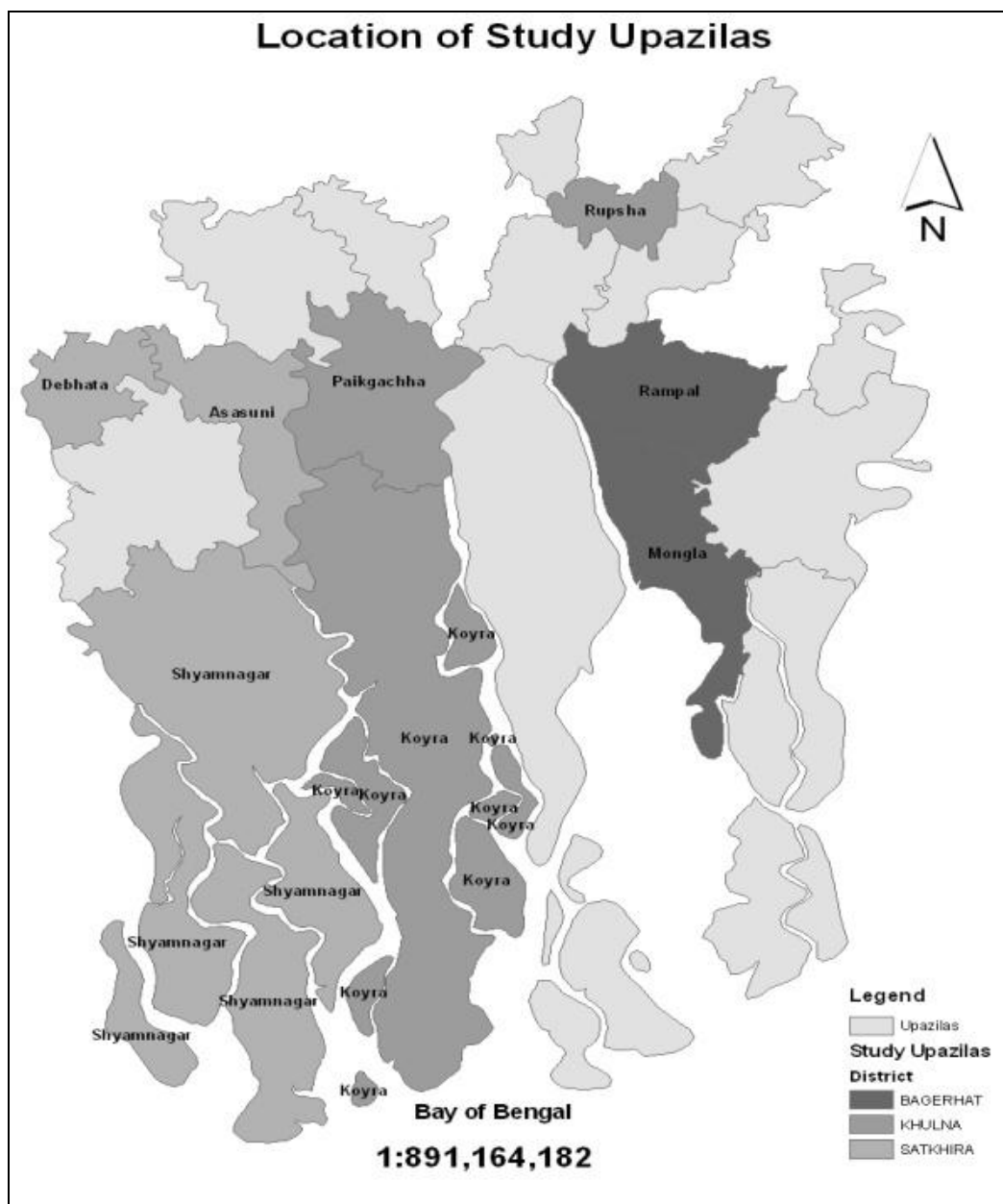
## Location and Scope of the Research

Based on established knowledge of the shrimp sector in Bangladesh, the decision was made to focus research on the districts of Satkhira, Khulna, and Bagerhat, in the southwestern coastal region of Bangladesh, the Sundarban region on the Bay of Bengal. The presence of extensive mangrove forests - which provide protected habitat for mother shrimp (which produce fry) and the year-round availability of brackish tidal water critical to traditional production methods - have made this region the principal site of fry catching and shrimp production in the country. The following maps show the southwestern region of Bangladesh, shrimp producing areas, and the study areas:



(a) Southwestern region of Bangladesh





(c) Location of study sub-districts (*upazilas*)

## Sampling and Access

The ILO has recently noted the numerous difficulties associated with meaningful sampling of populations potentially involved in forced labor.<sup>77</sup> In this study, because the total population size of people involved in different levels of the Bangladesh shrimp industry is not known, decisions about sample size were made based on the research team's informed, but ultimately subjective, appraisal of the relative significance of each of the main strata of the supply chain (fry catchers, farm workers, and processing plant workers), and of the relative vulnerability of workers at each level to forced labor. The total number of interviews conducted at each level of the supply chain was determined by allocating research time and resources across these levels, weighted accordingly.

Villages were selected through a process of expert interviews, reviews of previous research, and rapid analyses.<sup>78</sup>

Questionnaire-based interviews were administered to 385 respondents in ten different villages within the study area. One hundred shrimp fry catchers, 95 shrimp farm workers, and 170 shrimp processing plant workers were surveyed. In addition, processing plant workers and shrimp fry collectors were interviewed through two separate focus-group discussions (FGDs). Respondents at each level of the supply chain were interviewed for case studies.

District	Upazila	Village	Level					FGD	Case Studies
			Fry Collection	Farm	Depot	Processing Plant	Total		
Bagerhat	Mongla	Joymonirghol	23				23		
		Biddarbahan		29			29		
	Rampal	Srifaltala		17			17		3 (fry collectors)
		Foyla Bazar			20		20		
Khulna	Rupsha	Jabusa				60	60		4 (processing plant workers)
		Baghmara				35	35	1	4 (processing plant workers)
	Paikgachha	Batikhali	26	19			45		1 (fry collector)
Satkhira	Debhatra	Subarnobad		30			30		2 (farm workers)
		Bashantapur	51				51	1	2 (fry collectors)
		Noapara				75	75		4 (processing plant workers)
Total			100	95	20	170	385	2	20

In addition to the research described above, the Bangladesh team carried out a field visit to the remote islands of Dublar Char to study the labor conditions of dried-fish workers, and to determine the extent to which shrimp is present in the dried-fish supply chain. Field research consisted of focus groups and expert consultations. The Bangladesh team had determined through its desk research and stakeholder consultations that there were indicators of possible trafficking and forced labor of children and adults on Dublar Char amongst the fisher folk in the dried-fish industry, including the dried shrimp industry. The findings are offered as a case study in Appendix I of this research report.

The surveys conducted among fry catchers were essentially convenience samples, in which researchers walked through villages and along coastal shorelines where fry collecting was taking place, asking people if they would be willing to participate in the research. Among this population, interviews were primarily carried out on the riverbanks where people (mostly women and children) were fishing with hand nets, and also on river boats, where men were fishing with large nets. Other interviews were conducted in the homes of fry catchers to gain insight into their living conditions. Along the riverbanks, most interviews were conducted early in the morning; and on boats, interviews were conducted during the evening high tide while fry were being caught. Interviewers made efforts to interview the various demographic groups (by age and gender) that previous research identified as participating in fry collection.

Research conducted on shrimp farms also used convenience sampling, as farms were located with the help of local villagers. Farm owners and their families (who are themselves often also involved in shrimp production) were interviewed informally, and paid farm employees were formally surveyed. Farms ranged in size from very small family operations (approximately one-third of an acre) to very large (500 to 550 acres). Farm workers were not interviewed in the presence of farm owners.

In the case of processing plants, researchers were not allowed access to the inside of plants, so establishment surveys were not possible. Instead, researchers relied on snowball sampling to identify workers willing to participate in the research. After completion of an interview, respondents were asked if they could assist the researchers in identifying additional respondents. Interviews were conducted offsite, away from plant owners or their representatives, often in the evenings after work, or in the mornings, when workers returned home from their night shifts. Researchers attempted to capture workers who participated in both day and night shifts, as well as both permanent and contract workers. Research was carried out in two villages in the Khulna district and one village in the Satkhira district.

### **Control of Potential Inaccuracy and Bias**

To counter the potential for bias resulting from the dynamics of the research encounter, field staff participated in a two-day training program before commencing research.



Three female field investigators were included in the research team in order to facilitate comfortable data collection from female shrimp workers.

For this research, gaining access to remote communities was one of the greatest challenges. The research team capitalized on the fact that several research assistants were from the areas under study – when the team visited these areas, they often stayed in the local homes of research assistants' family members.

Workers and marginalized stakeholders were sometimes found to be intimidated or uncomfortable during interviews, particularly around sexual harassment/assault. This seemed to be connected both to the history of violent conflict in the sector, and a more recent disruption in shrimp exports due to exposés of poor working conditions in the sector. Interviewers felt that workers also feared the stigma associated with sexual assault. Interviewers altered their interview techniques in order to encourage in-depth, honest responses, and sought assistance from a local grassroots NGO, Pathikrit. Pathikrit was consulted on alternative interview techniques and approaches, and methods for establishing comfort and trust with workers. Some interviews were facilitated directly by Pathikrit to triangulate Sheva's results.

Through working with Pathikrit, researchers discovered that a less structured conversation was more likely to elicit responses regarding sensitive subjects. Because workers were intimidated by use of the structured interview form, findings around sexual harassment and abuse are generally impressionistic and anecdotal, but researchers feel the findings do illustrate the nature of conditions faced by female workers, if not the extent or prevalence.

In order to ensure the quality of collected data, field supervisors checked the work of field researchers at the end of each research day, reviewing their completed questionnaires and asking them to explain or correct any anomalies and inconsistencies as necessary. In addition, field supervisors took five percent of the filled-in questionnaires to the field and verified the quality and details of the information collected by field investigators.

## **Data Analysis**

Following completion of the field research, the raw data were reviewed, coded, and entered into a database by Sheva staff. Two hundred and twenty-five variables were identified at the shrimp fry collection level, 218 at the shrimp farm level, and 247 at the shrimp processing plant level. Sheva used the software program SPSS 12+ to analyze the data, focusing on descriptive and causal analysis of various correlations, with an eye toward identifying any patterns of indicators of forced labor or factors contributing to forced labor vulnerability. Key findings were written up and submitted as a preliminary report from Sheva to Verité. Verité staff then conducted further quantitative and qualitative analysis of the data, cross-checking the conclusions drawn in the Sheva report, and adjusting them in accordance with ILO guidance on "Identifying Forced Labour in Practice."

Verité also conducted a post-hoc analysis of data in all six country studies by applying a larger set of forced labor indicators issued by the ILO in December 2011 (*Hard to see, harder to count: Survey Guidelines to Estimate the Forced Labour of Adults of Children*), which are intended for use in forced labor survey design and analysis but which were not available at the time the fieldwork was carried out. See *Appendices III, IV, and V* for charts reflecting the analysis for this study.

## Limitations

Because this study is not statistically representative at the national or sectoral level due to the use of non-random sampling (convenience and snowball sampling), findings should not be generalized to apply to the entire population. However, clear patterns emerged, and once triangulated with other sources, findings can point to the existence of trends and offer insight into realities facing workers in fry fishing, shrimp farming, and shrimp processing.

Due to the fact that the scope of the work focused on examining indicators of forced labor specifically rather than more general labor concerns, researchers focused their survey work exclusively on paid workers. This policy led them to exclude shrimp farm owners and their family members from survey-based data collection, interviewing them only in the context of background research on the farms and shrimp industry. This decision made sense for large farms staffed by paid employees, but, in fact, many shrimp farms in Bangladesh (including some of those included in the study) are quite small and owner-operated. While paid employees are typically hired to do specific tasks like building retaining walls or harvesting on such farms, the owner and his family members often contribute substantial labor to farm operation as well.<sup>79</sup> The omission of such owner-workers from the study therefore likely missed examples of exploitive labor performed by family members – potentially including children. In addition, the literature suggests that small farm owners are often indebted to larger landholders or shrimp buyers higher up in the supply chain, so omitting them from the surveys may have led researchers to miss instances of debt bondage as well.

An additional limitation of the study was that researchers were unable to gain access to the inside of shrimp-processing factories, and so were not able to document first-hand the working conditions faced by shrimp processors. The use of non-random sampling methods to select processing plant workers for interviews also meant that the plants investigated were non-randomly selected, and potentially non-representative.

## Research & Findings

Major research findings are reported in three separate sections, for shrimp fry, farms, and processing plants. Findings from dry fish processing on the islands of Dublar Char are offered in Appendix I.

The findings cover 1) Demographic characteristics 2) Presence of Forced Labor Indicators and 3) Other Issues of Concern.

The categories for indicators of forced labor are based upon the ILO's guidance on "Identifying Forced Labor in Practice."<sup>80</sup> Information about wages and hours has also been included, as wage and hour violations may constitute indicators of forced labor. Although the presence of these indicators signals an increased risk for forced labor, each case must be assessed individually to determine the interplay of indicators and the context to determine whether or not it rises to the level of forced labor. The following findings are based on worker interviews, as well as researchers' direct observations, expert consultations, and a comprehensive literature review.<sup>81</sup>

## Shrimp Fry Collection

### *Introduction and Current Understanding*



Figure 1-Pull net collection - Verite photo

Shrimp fry are obtained by two different methods: wild capture in the ocean, and domestic cultivation in hatcheries.

Wild shrimp fry capture is practiced extensively in Bangladesh, taking place in 12 districts throughout the country. Approximately 400,000 men, women, and children participate in wild fry collection, with women making up approximately 40 percent of total workers.<sup>82</sup>

Fry catching involves sifting through surf and estuaries to collect shrimp fry in nets. Two methods are used for collecting fry in nets: 'pull nets' and 'set bag nets.'



Figure 2 - Set net collection - Verite photo

Fishers using pull nets drag a net of approximately two-meters-by-two-meters by hand through river water. Fishers then empty fry into containers, while separating out by-catch on the shore.<sup>83</sup> Women are more likely to be engaged in 'pull net' fry collecting.<sup>84</sup> This work involves long periods standing in water.

Fishers using set nets arrange nets with open mouths in the river using bamboo poles. Fry moving in the tide are collected in the nets. A collector in a boat empties the nets approximately every 20-25 minutes during high tide.<sup>85</sup> Because men are more likely to have access to boats, men are more likely to be involved in this type of fry collection.<sup>86</sup>

Collected fry are then carried back to the villages to be sorted and counted. Fry are usually sold to a middleman (a *faria* or *aratdar*) who, in turn, will sell the fry to shrimp farmers to stock their ponds.



In the regions under study, fry are roughly available from November through July.<sup>87</sup>



Khulna, Satkhira, Bagerhat		
Type of Fry	Available	Peak
Bagda	November-June	March-April
Golda	April – July	May-June <sup>88</sup>

### Environmental Consequences of Wild Fry Collection

Wild fry collection has strong environmental implications. Fry collection removes a significant amount of the wild stock, as evidenced by the fact that the average amount of fry is currently falling. The decreased stock and resultant decreased collection increase pressures on fishers who already work long hours for low earnings. The significant by-catch of other species further reduces the ability of local fishers to engage in alternate livelihoods such as traditional capture fishing activities.

- Thornton, Coralie, Steve Trent, and Juliette Williams. *Desert in the Delta: A report on the environmental, human rights, and social impacts of shrimp production in Bangladesh*. London: Environmental Justice Foundation, 2004.

The vast majority of fry collection is performed during the high season, which varies regionally but is approximately March through June in Khulna, Satkhira and Bagerhat.<sup>89</sup> Collection may also be carried out to some degree during the lean season, but catch rates are much lower. During harvest, work is particularly intensified during full moon periods when fry are more concentrated at the surface of the water. On a daily basis, work is based on tidal patterns. Pull net fishers usually operate against the low tide, whereas set net fishers tend to operate during high tide.<sup>90</sup> Fry collectors may supplement their income in the off-season through participation in agricultural activities or other types of capture fishing.<sup>91</sup>

Fry can also be cultivated in hatcheries, but hatchery production – while increasing – still accounts for a small percentage of the overall fry supply, with wild caught fry currently meeting a majority of demand.<sup>92</sup> Demand for wild caught fry endures because farmers believe that wild fry are heartier than hatchery

fry.<sup>93</sup>

At the bottom of the shrimp supply chain, fishers engaged in fry collection are among the most vulnerable. Shrimp fry fishers are typically landless and living in poverty.<sup>94</sup> Previous research has noted that fry fishers make extremely low wages.<sup>95</sup> Fry fishers generally live near the sources of fry (beaches and rivers).<sup>96</sup> Most have low levels of education, leaving them with few opportunities for alternative livelihoods, particularly as increased salinity of the land has jeopardized traditional agricultural activities.<sup>98</sup>

Fry catching is often a hazardous activity for those involved. Because many modes of collection involve standing for long periods in water, fishers have reported illnesses such as skin diseases and rashes, urinary tract infections, diarrhea, and respiratory illness. In the Sundarban, fry collecting occurs in the mangrove areas, where predatory animals, including tigers and crocodiles are present.<sup>99</sup>

The government in 2000 banned wild fry collection in an attempt to minimize environmental degradation, making wild fry collection *de facto* illegal and fry fishers criminals. The ban was ineffective at halting collection activity, and instead had the effect of increasing corruption, as fishers vulnerable to coercion began to pay bribes and face extortion from low-level local government and paramilitary members.<sup>100</sup>

Cycles of debt are common among fry catchers, who often take loans from middlemen known as *faria* and *aratdar* to purchase supplies such as nets for collecting fry or to cover household expenses in lean times. Generally, the terms of taking loans from these middlemen oblige fry fishers to sell their collected fry back to that middleman, at whatever price the middleman requests. This price is often lower than the going market rate.<sup>101</sup>

Engagement in shrimp fry collection has several "pull" factors for fishers – that is, there are several factors that may make it attractive, particularly as compared to available alternatives. It requires little initial capital and loans can be taken to finance startup costs. (The effect of these loans and subsequent debt will be discussed below). Although wages and return on labor are low, they are high when compared to alternative sources of income available to these demographic groups, such as sharecropping. Finally, the fry collection itself does not require land ownership.<sup>102</sup>

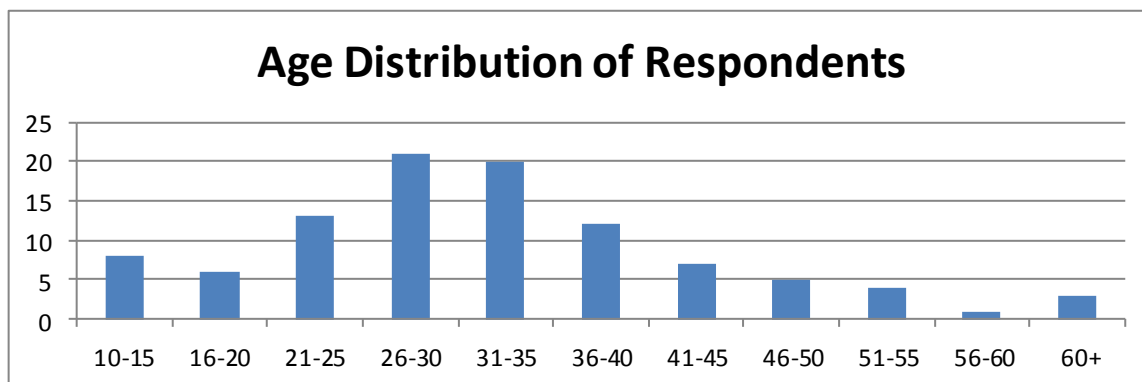
Each section below will present Verité's findings on these indicators, an analysis of these findings, and when available, a comparison with findings from previous research.

## **Research Findings**

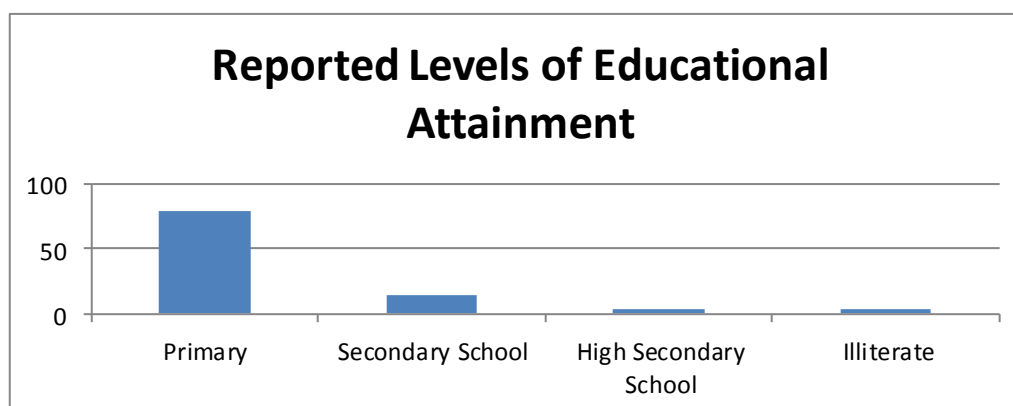
### ***Demographic Characteristics of Respondents in Shrimp Fry Catching***

Gender: Out of 100 fry fishers interviewed, 59 were female (59 percent) and 41 (41 percent were male).<sup>103</sup> Researchers attempted through street sampling to survey a balanced number of men and women.

Age: The average of respondent was approximately 31.6 years of age.<sup>104</sup> Confirming the findings of USAID, Environmental Justice Foundation, and the Solidarity Center, researchers found the presence of child labor in shrimp fry collection. Researchers attempted through street sampling to interview a balanced range of ages, including children. Children interviewed were primarily engaged by and/or accompanying their parents.



**Educational Attainment and Previous Job Experience:** Most respondents reported low levels of educational attainment. Most (83) fishers interviewed reported a primary school level of education or identified as illiterate.<sup>105</sup>



Several fishers reported engagement in previous jobs. Previous jobs reported included agriculture (7), fishing (2), day labor (16), and rickshaw driving (2). These reported jobs are primarily informal livelihoods. In combination with low levels of educational attainment, it suggests that fishers engaged in fry collecting lack viable options for alternative livelihoods. In informal interviews, several fishers told interviewers that they viewed fry collecting as their only option to earn a living. For female respondents in particular, fry collecting appears to represent an opportunity to bring in income, particularly when male heads of household are unable to work. For example, two women confided to researchers during informal interviews that they began engaging in shrimp fry collecting when their husbands became unable to work due to drug addiction.

**Migration Status:** Nearly all fishers interviewed (94) reported that they were local to the *Thana*.<sup>106</sup> The remaining 6 respondents reported that they migrated to the *Thana*.

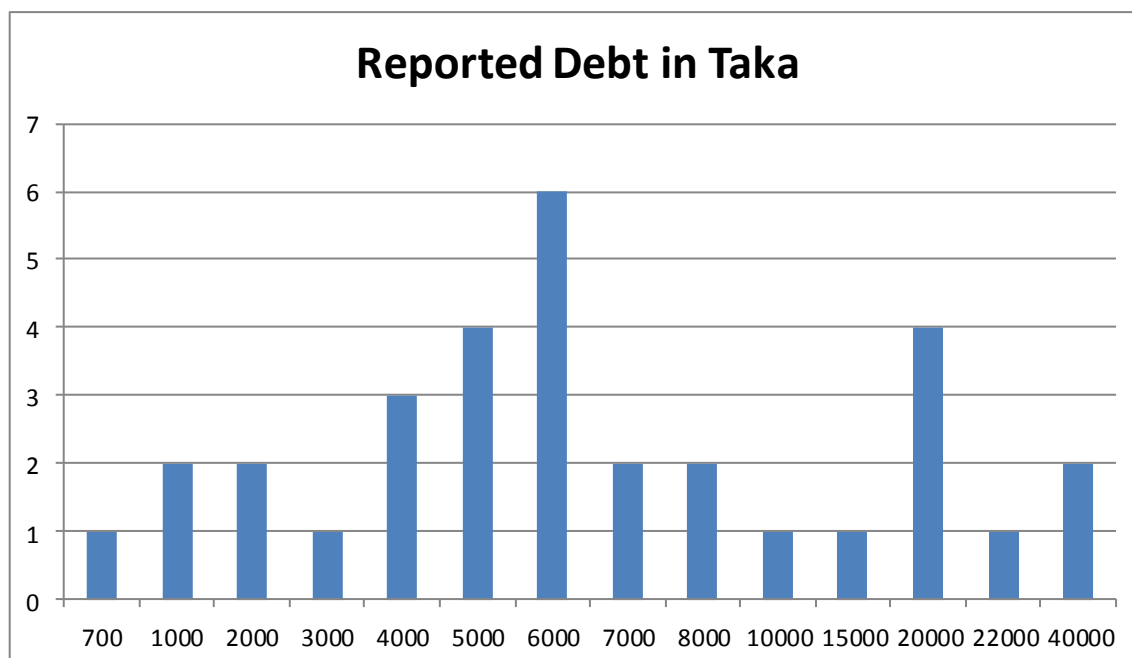


### ***Presence of Indicators of Forced Labor in Shrimp Fry Catching***

Verité detected the presence of the following indicators of forced labor in shrimp fry collection among adult workers:<sup>107</sup>

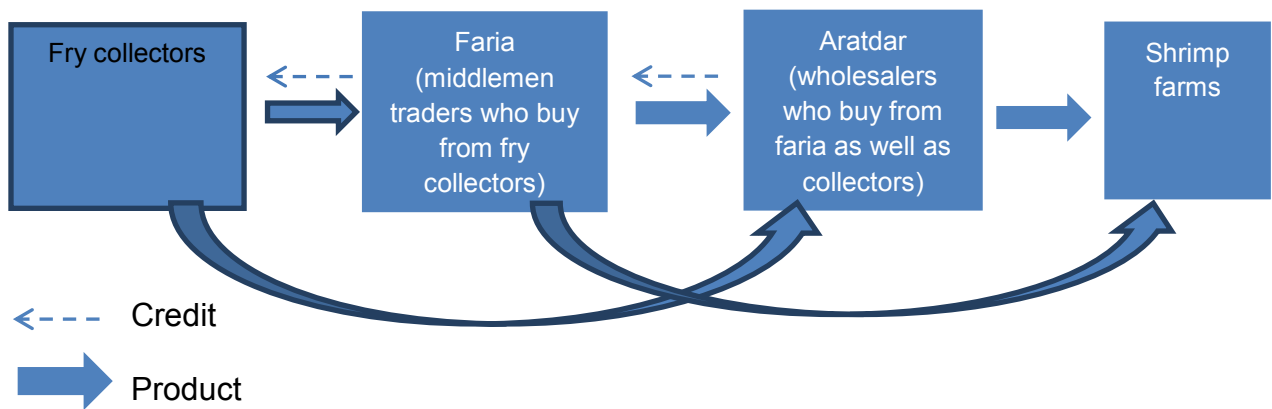
**Induced or Inflated Indebtedness:** Thirty-two respondents (32 percent) described themselves as being in some kind of debt. Thirteen respondents with reported debt (41 percent of indebted respondents) took loans to purchase business inputs. Examples provided to researchers included the nets, bowls, and ropes used in fry collecting. Other respondents who reported being in debt had borrowed money to pay for food and 20 percent had borrowed money to pay for repairs of their home.

Amounts of reported debt ranged from 700 Taka – 40,000 Taka. The average debt reported was Taka 9,834 Taka (116.70 USD).



Much of the previous research linked debt directly to middlemen known as 'faria.' Fry collectors take loans from *faria* during the off-season (both to cover inputs such as nets and household needs) and commit to selling their collected fry to the middleman at whatever price the *faria* sets. Of those who reported indebtedness to Verité, 7 workers (22 percent) owed their debt to fry *faria*. These loans are called '*dadon*.' The price at which a *faria* will purchase fry is often lower than market rates.

Although not a direct topic of this research, *faria* themselves can be indebted to *aratdar*, to whom they re-sell the fry they purchase from fry collectors. The terms of the loans between *aratdar* and *faria* are similar to the terms of loans between *faria* and collectors: in many cases, *faria* are required to sell their purchased fry to *aratdar* at terms determined by the *aratdar*. This may be recorded in a written or verbal contract, and violence can be the menace of penalty if *faria* do not honor the terms of this contract.<sup>108</sup> This supply chain dynamic places downward pressure on the collectors at the bottom of the chain; the more pressure *faria* are under to deliver fry to *aratdar* at a low price, the more pressure those same *faria* are likely to exert on fry collectors.



There is a gendered-aspect to *faria* debt. Key informants' interviews suggested that women (and children) fry fishers are more closely tied to their homes, with fewer modes of travel. Therefore, they are at the mercy of the local *faria* and are obligated to accept whatever rate is offered to them. On the other hand, male fry fishers are more likely to be able to travel to trading centers where they can evaluate rates of purchasers and select a *faria* on the most advantageous rate and loan terms.

*Faria* were not the only source of debt identified. Eighteen fishers also took loans from local moneylenders known as *mohajans* or *dadondar*. Key informants noted that loans from moneylenders tend to come with higher interest rates than loans from *faria*.

Of fry fishers who reported being in debt and reported frequency of their debt, 18 reported taking one loan per year. Another 3 took loans twice per year; 2 took loans 3 times per year. One fisher reported taking loans 8 times per year and one reported taking loans 10 times per year. Based on informal interviews with fishers, fishers who take multiple loans per year are more likely to become locked in a cycle of debt, as 8 percent of fishers interviewed reported taking second and third loans to pay off original loans.

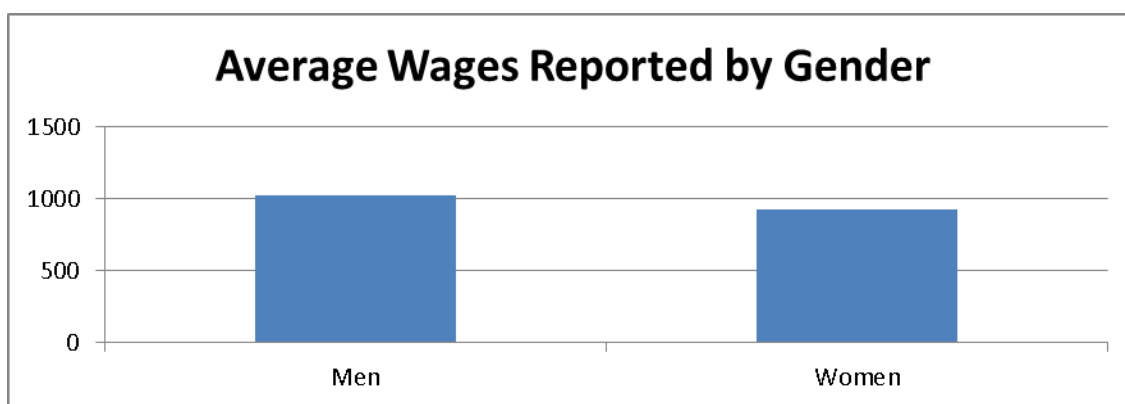
Of fry fishers who reported having debt, 13 reported that should they become unable to pay back their debt, responsibility for paying back the debt would fall to their family members. Although no fry fishers were interviewed who reported that they themselves had inherited debt, this finding does suggest that there is a possibility for inherited debt.

**Harassment and Sexual Violence:** In 2000, the government of Bangladesh enacted a ban on wild fry shrimp collection,<sup>109</sup> although collection continues on a large scale despite the ban. However, the ban has made fry fishers vulnerable to exploitation and harassment as their work is now technically illegal. Verité found that fry fishers face intimidation from local authorities and must occasionally "pay bribes in order to continue their work."<sup>110</sup> 16 percent of fry fishers interviewed reported that they had been subject to extortion by local authorities and paramilitary groups,<sup>111</sup> and 11 percent had experienced what they considered credible threats of violence. Extortion from paramilitary groups (BDR) was reported primarily in Debhata Upazila. Of the fry fishers interviewed, 2 percent reported the threat of legal sanction from local authorities.

Female fry fishers are particularly vulnerable to sexual harassment. Background interviews with female fry fishers suggested that some middlemen used verbal threats of sexual violence to negotiate lower rates for shrimp fry.

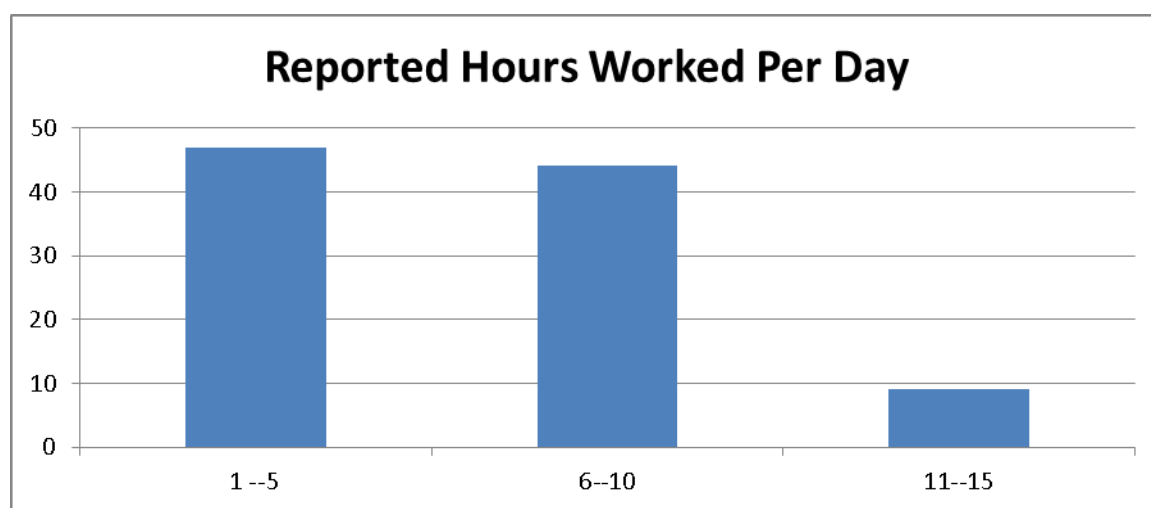
**Wages:** Field research showed an average wage among fishers interviewed of approximately of approximately 60-90 Taka per day (USD .72 – 1.08) during peak season. This is generally consistent with the USAID finding of wages "under a dollar a day,"<sup>112</sup> as well as findings reported by the Environmental Justice Foundation that shrimp fry fishers make USD .45 – USD 1.00 per day.<sup>113</sup>

Among fishers interviewed, there was a discrepancy between the wages of men and women. The most common wage bracket for men and women surveyed was 501-1000 Taka per month (reported by 15.8 percent of men interviewed and 26.3 percent of women interviewed).<sup>114</sup> However, several men eared wages in higher brackets (2001 Taka – 2500 Taka, and 2501 Taka to 3000 Taka) while no women earned over 2000 Taka. The average reported earnings for men were 1026 Taka per month and the average reported earnings for women was 921 Taka per month.



The finding of a gender wage disparity in the higher wage bracket is consistent with USAID's 2006 finding that women fry fishers' earnings were lower than men's earnings. The mechanism for this discrepancy will be discussed further in the following section.

**Working Hours:** Previous research identified long hours as endemic to fry collecting, with most research reporting an average of 6-10 hours worked per day.<sup>115</sup> Among respondents to Verité's research, 53 fishers (53 percent) reported working more than 6 hours per day. (44 percent percent of fishers interviewed worked 6-10 hours daily, and 9percent of respondents worked 10 or more hours per day.) Forty-seven percent of fishers interviewed worked 1-5 hours daily. Many of the fishers who are engaged for fewer hours are probably participating in fry collection to supplement other insecure sources of income.<sup>116</sup>



Fishers who reported working more than 10 hours daily ranged in age from 26-50. Fishers who reported long hours of more than 10 hours daily were more likely to be women; while 1 percent of men interviewed worked 10 or more hours daily, 8 percent of women interviewed reported working these hours.

Thirty-eight percent of child fishers (ages 10-15) interviewed worked between 6-10 hours daily. According to ILO standards, this would be considered long working hours and thus a worst form of child labor.

Sixty-two percent of respondents reported working 7 days per week during the peak season.

Women interviewed were also slightly more likely to report working 7 days per week than men: Thirty-seven percent of women interviewed reported working 7 days per week as compared to 27 percent of men.

Although women interviewed in this study tended to work longer hours, the discrepancy in wages can be partially explained by a variance in methods used by men and women.

While women usually collect fry from river banks in "pull nets", men are more able to take small boats out into deeper parts of the river where catch rates are higher and they can use "set nets." This would enable men to collect a higher quantity of fry while working fewer hours.

### ***Other Issues of Concern regarding Working Conditions in Shrimp Fry Catching***

Child Labor: Researchers determined incidences of child labor in fry collection, as 8 survey respondents were under age 15. Children engaged in shrimp fry collection generally accompany their parents. Parents of children involved in fry catching reported that their children do not attend school due either to a lack of an accessible school, or because the children must work to supplement the family income.

Due to the hazardous nature of the work, fry collection is a worst form of child labor. This finding is reinforced by the fact that 38 percent of respondents under age 15 reported working 6-10 hours per day, which exceeds the allowable standard for under-age workers.

Health and Safety: The work of fry collection has inherent dangers. Even when work hours are not illegal (i.e. 6-10 hours per day as reported by 44percent of respondents in Verité's research), it must be considered that these hours are spent standing in water for long periods. Previous research has established that standing in cold salty water for over 5 hours per day can expose fishers to illnesses such as malaria, dengue, and diarrhea. Women also are vulnerable to contracting urinary and vaginal infections from standing for long periods in the water.<sup>117</sup> Interview respondents reported a range of ailments including fever, respiratory disease, and skin rashes.

## Shrimp Farming

### *Introduction and Current Understanding*



Figure 3-Research on shrimp farm - Verite photo

Shrimp farming has increased significantly in recent decades. In 1982-3, shrimp farm covered roughly 52,000 hectares. By 2006, there were approximately 150,000 hectares of shrimp farms in Bangladesh – most of which are in the districts of Satkhira, Khulna, and Bagerhat, where research was conducted. These farms employed approximately 600,000 workers.<sup>118</sup>

Most shrimp farms use the traditional shrimp farming method, which has been used since the 1950s. In the traditional method, farms (known as '*ghers*') are connected to estuaries through gated channels through which water flows with the tides. Fry wash into the *ghers* on the tides and are trapped in the ponds for cultivation. These fry are supplemented with fry purchased from fry traders (*faria* and *aratdar*).

There is a seasonal aspect to shrimp farming, thus much of the employment is seasonal and temporary. Peak seasons vary slightly by regions; but for *bagda* shrimp, which make up the majority of harvested shrimp, gher farming season is roughly May –



November, with peak harvest season beginning in mid-October.<sup>119</sup> This high period is known as '*goan*'. Within peak harvest period, work is particularly intensified twice per month during the tides.

The growth of the shrimp sector in Bangladesh, sometimes referred to as the "Blue Revolution" was encouraged by the government and international aid and development agencies as a way to provide both a food source and income to poor rural communities, and export revenue for the country. While the development of the shrimp sector has done much to increase the national economy of Bangladesh, the rapid growth of shrimp farming has also had damaging environmental and social consequences.

As much of the land, traditionally used for agriculture were flooded to make way for shrimp farms, the land has become increasingly salinized, and in many cases can no longer be used for traditional agriculture.<sup>120</sup> Mangroves have been damaged which can lead to increased flooding and erosion.<sup>121</sup> Further, shrimp farming requires less labor than many agricultural activities, such as rice farming, lowering employment opportunities.<sup>122</sup>

#### **Case Study – Impact of Increased Salinity**

Lohit is a hired farm worker. He is 65 years old and works as a guard. Lohit used to own five hectares of land that he tried to grow crops on. However, his neighbor was much wealthier and wanted to buy Lohit's land. To force Lohit to sell, the neighbor flushed salt onto Lohit's property, finally forcing Lohit to lease his land for 300 BDT/year. Lohit needs to supplement his income by working as a hired guard on his neighbor's shrimp farm. Lohit told researchers that similar things happened to many of the small landowners in the area.

The environmental and social changes have had particular impact on poor, landless workers, who may have been hired to work on agricultural farms in the past or practiced sharecropping and subsistence farming. Now the shrimp-farming sector is one of few employment options in many areas.<sup>123</sup>

Workers are hired on shrimp farms to clean ponds (algae and weeds gather on gates and on the surface), construct fences and embankments, maintain the ponds, or to act as guards. Most of the work is seasonal. Much of the work is hazardous, as it requires many hours standing in the water.

Due to the seasonal and temporary nature of the work, pay is accordingly low. Previous research has estimated that it may be as low as 3743 Taka annually (65 USD).<sup>124</sup>

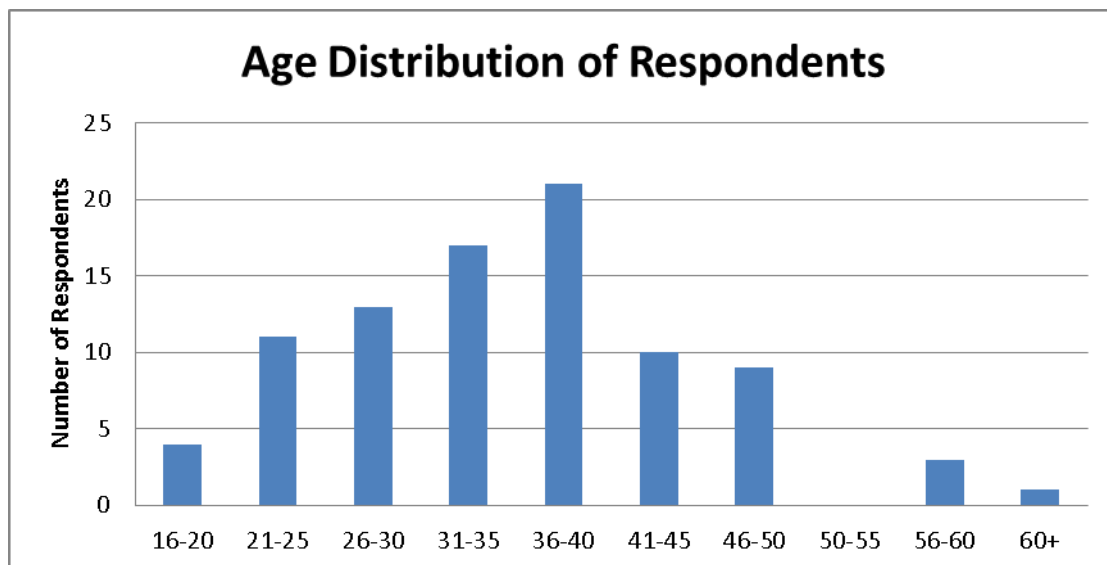
As in other areas of the shrimp sector in Bangladesh, women are particularly vulnerable to exploitation.<sup>125</sup> Previous research has reported allegations of harassment and sexual abuse on shrimp farms.<sup>126</sup> According to key informants, due to high social stigma, many women may be fearful to discuss these incidents.

Previous research has also identified child labor on shrimp farms, both working on small farms owned by their parents, as well as accompanying parents to hired labor as shrimp farm workers.<sup>127</sup>

## Research Findings

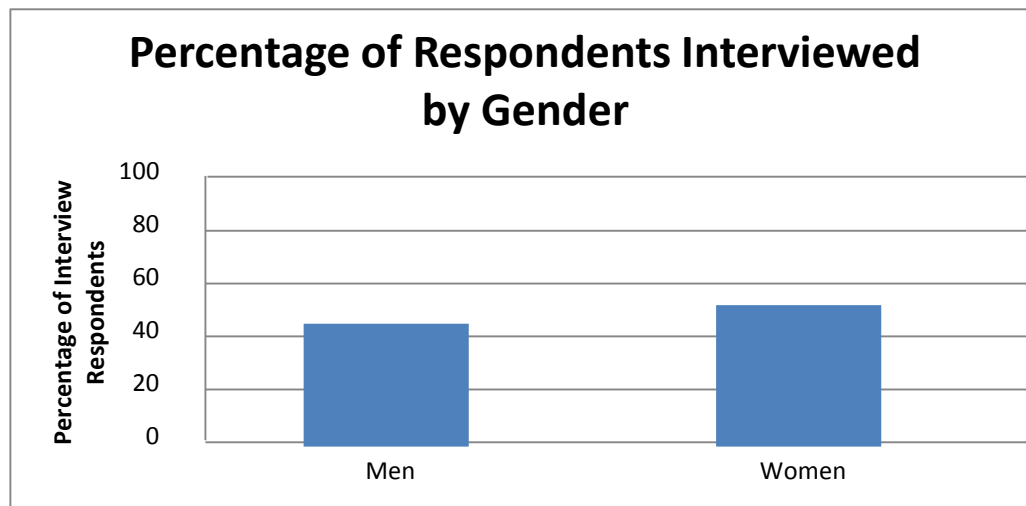
### *Demographics Characteristics of Respondents in Shrimp Farming*

Age: Workers interviewed on shrimp farms ranged in age from 16-20 to above 60. The largest cluster of workers ranged from 21-50. This may be indicative of the physical challenges of farm work.

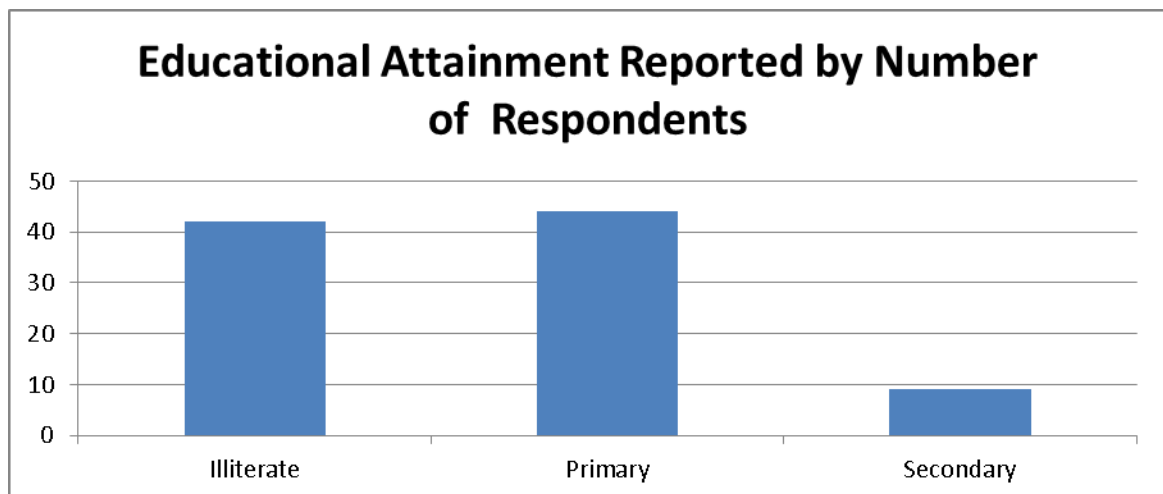


Gender: Both men and women were included among interview respondents; 46.5 percent (79) of respondents were men, while 53.5 percent (91) of respondents were women. This breakdown of survey respondents by gender is not representative of the actual hired labor pool on shrimp farms in Bangladesh. USAID estimated that male shrimp workers are more common on farms.<sup>128</sup> However, Verité researchers determined that it was important to interview a relatively larger number of female workers because previous research had determined that women engaged in the shrimp supply chain are particularly vulnerable to exploitation.





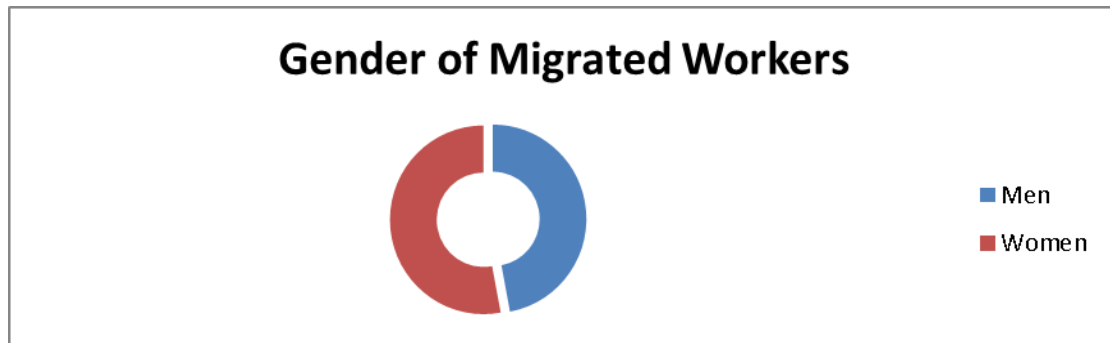
Education: Educational status among respondents was relatively low, with most respondents reporting their educational attainment as either "illiterate" or "primary school".<sup>129</sup>



Most workers interviewed stated that they worked on shrimp farms because it was the only job accessible to them. Fifty-nine workers (approximately 63 percent of workers interviewed) reported that shrimp farming was the only job they had ever held. Of the remaining 37 percent of workers, previous positions had also been of a temporary nature. Most with previous employment experience had participated in agriculture (31.4 percent of workers with a previous job); as a day laborer (28.6 percent of workers with a previous job); and 11.4 percent of workers with a previous job had been fry collectors.

Origin: Most respondents – 78 percent – were local (to the *Thana*), although approximately 18 percent had migrated to their current location to work.

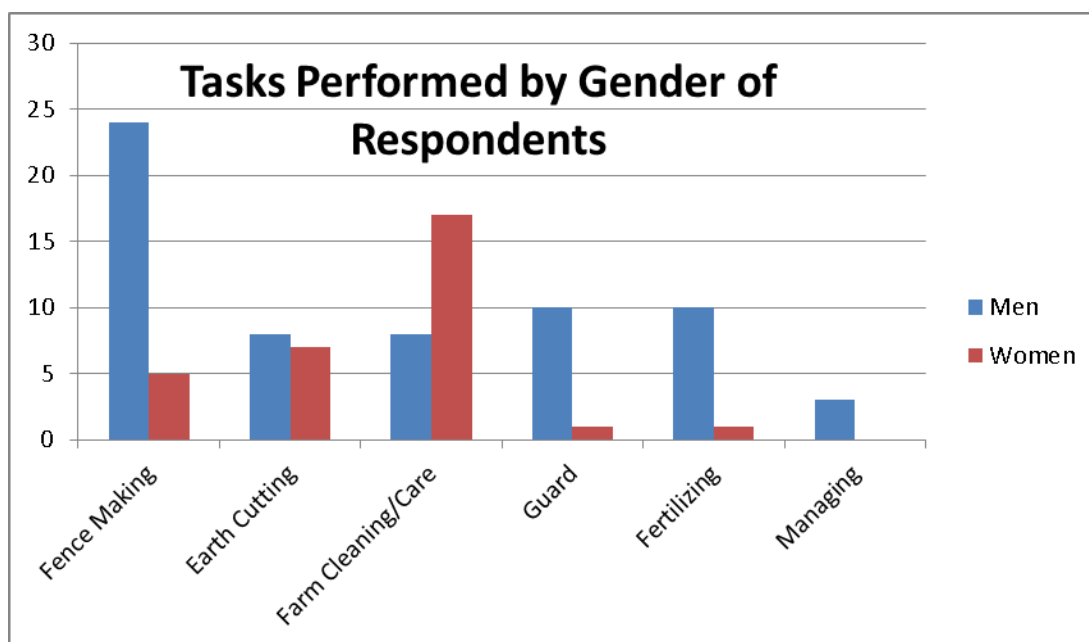
Among the sampled population, 29 percent (9) of women had migrated compared to only 13 percent (8) of men. According to expert interviews, migrant women are often from the poorest communities surrounding a farm, or will migrate from poor communities seeking shrimp sector work.



Job Status: 13.6 percent (13) were "permanent" workers who worked as guards or general caretakers on the farm. Permanent workers are responsible for harvesting the shrimp from the nets. Permanent workers are also occasionally tasked with overseeing hired labor on farms. Verité researchers found through key informant interviews that these permanent workers are often related through kinship networks to the farm owners. Among survey respondents, and according to key informant interviews, permanent workers are predominantly male.

The remaining 88.5 percent (84) of workers were "temporary" workers, who were primarily hired by the farm owner. Only two temporary workers interviewed reported that a crew leader recruited them. Temporary workers were involved in farm cleaning/care, earth cutting, and applying fertilizer. Due to the seasonality of shrimp farming, most temporary workers are only engaged during "goan," although they may do some maintenance between harvest periods.

Confirming research conducted by USAID,<sup>130</sup> Verité found that tasks performed by farm workers were highly gendered. Women are disproportionately represented in farm cleaning/care, whereas other tasks – specifically fence making, guarding, and fertilizing – are predominantly male. Out of 29 workers who participated in fence making, approximately 83 percent (24) were men. In addition, 91 percent of guards were men, as well as 91 percent of those participating in fertilizer application. "Managing" the farm was entirely handled by males. On the other hand, women represented 68 percent of all workers involved in the cleaning of the farm.



### ***Presence of Indicators of Forced Labor in Shrimp Farming***

Verité detected the presence of the following indicators of forced labor in shrimp farming among adult workers:<sup>131</sup>

Forced to work for employer's private home or family: Permanent workers revealed in focus group discussions and informal interviews that they are sometimes required to perform chores at the farm owner's household and that these tasks are unremunerated. Workers who reported these additional required chores perceived that if they refused, their jobs would be endangered.

Several workers also reported in focus group discussions with researchers that if they work for a farmer who has multiple farms, they might be required to work on each of his farms, even if their original agreement was only for work on one farm. This is another factor leading to longer overtime.

Sexual Violence: Few workers reported harassment in formal interviews, but in focus group discussions, female workers shared their knowledge of frequent sexual harassment of female workers on shrimp farms.<sup>132</sup> Workers said that farm owners sexually proposition female workers, and that if women refused, they were faced with the possibility of losing their jobs. Further, several workers reported that guards, farm owners, and other workers would touch women "inappropriately" (i.e. touching breasts); particularly the women who spend time underwater cleaning gherms, and thus appear in wet garments.

### **Case Study Mita: Under Assault**

Mita is a 30-year-old female worker at a shrimp farm in Bagerhat. She is married with two children. After Mita got married, she thought her husband would take care of her, but her husband got sick and became unable to work. Mita began looking desperately for work to support her family.

She met another woman, Taslima, who worked at a shrimp farm, who said she could get Mita a job. The woman introduced Mita to a labor contractor who led a group of woman workers and arranged for them to do seasonal work on shrimp farms.

Mita and the other women are primarily tasked with cleaning and weeding the gher. This requires them to be in the water for long hours of the day. Mita quickly noticed the effect this had on her skin – she had rashes that were painful and became infected. She also received bites from various creatures in the water such as snakes, crabs, and insects. There was no medical treatment provided to her when she received these bites.

A crew leader oversees Mita's work and has the ability to fire her. She feels she is underpaid for her work – on her farm the female workers make 50-70 Taka per day, while the men make nearly double that for the same work. Mita believes this is unfair, but she feels that if she were to complain, she would lose her job.

One day, Mita arrived at her job, and was sexually assaulted by the farm owner. Mita was mortified by the incident and fears that if anyone found out, her reputation would be ruined and she would be out of a job. She lives in fear that this will happen again.

**Dismissal:** Nearly all workers interviewed reported fear that if they were to express any grievance, they would be quickly dismissed.

### **Case Study: Rahul: Short-Term Loans to Bridge Income Gaps**

Rahul is a 35-year-old man who works repairing fences on a shrimp farm. He works to support his wife and his two children. He has worked in the shrimp sector for 12 years.

Rahul has only a primary level of education. He had previously worked as a day laborer, but that work was unreliable. He works in the shrimp sector because he feels it is his only viable option.

However, at less than 2000 Taka per month, his earnings do not fully pay for his family's needs.

To pay for necessities during lean periods, he borrows money from shrimp traders in town. He has taken 6 loans in the past year. When he cannot pay back his debt with his pay check, he is required to perform household chores for the trader. It is his understanding that if he dies or becomes incapacitated; the responsibility for paying off his debt would fall to his family.

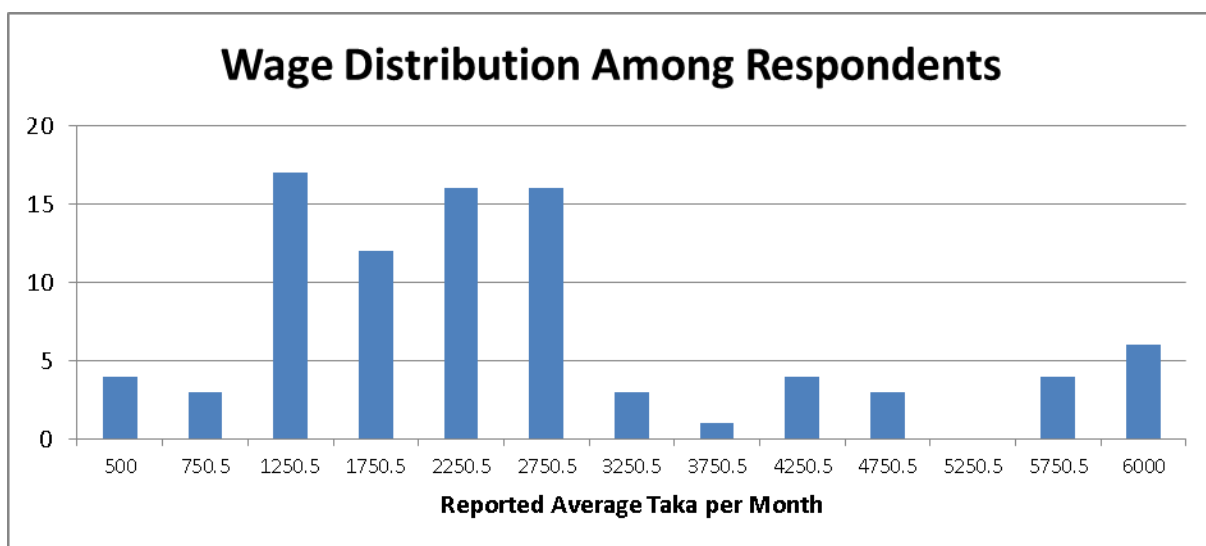
Even with the loans, his family often cannot make ends meet, so he brings his 12-year-old son to the shrimp farm with him. There is no school available nearby, so at least this way, Rahul's son is helping to support the family.

Rahul has never received information about what his rights as a worker might be. He has never received the benefit of any NGO intervention.

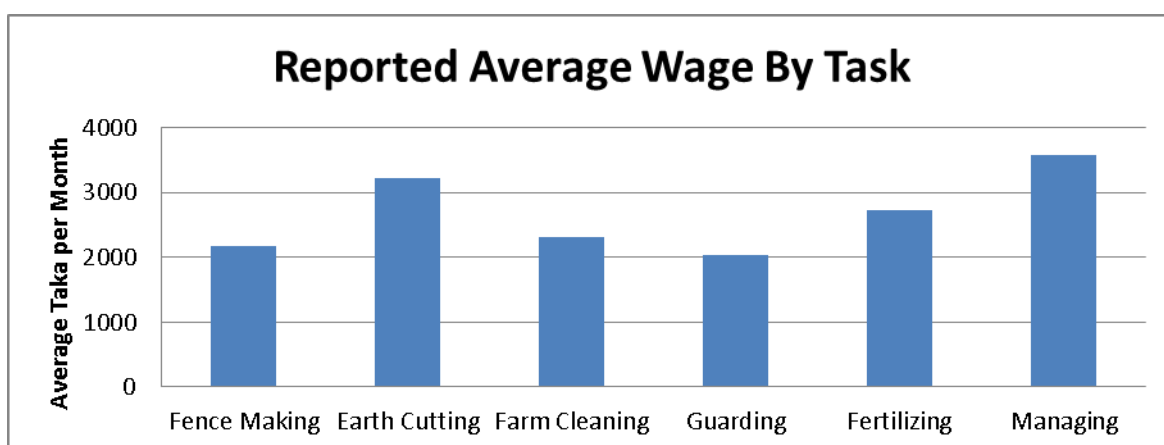
### ***Other Issues of Concern regarding Working Conditions in Shrimp Farming***

Wages: All workers reported being paid in cash.

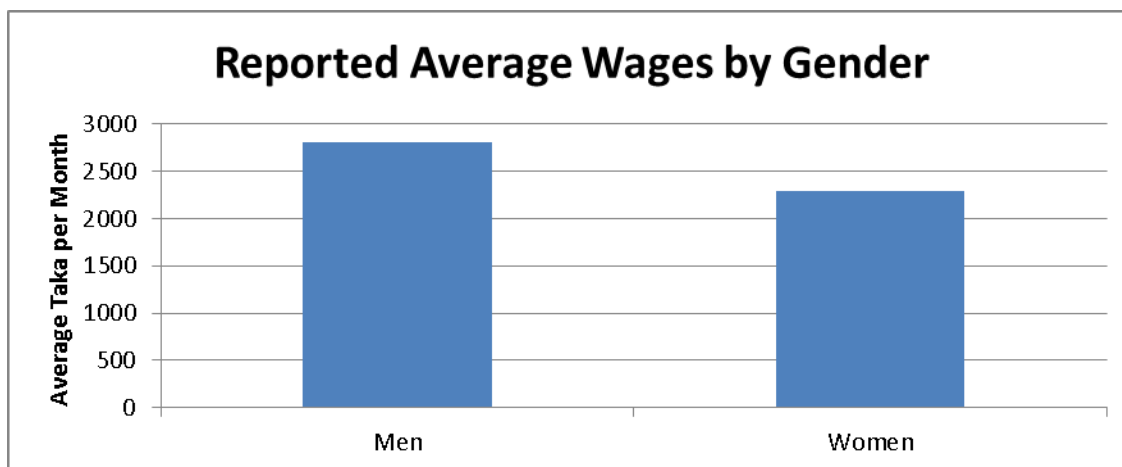
The average wage reported among the 89 respondents who were willing to report their wage (94 percent of the total number of interviewees) was 2588 Taka (30.65 USD) per month.<sup>133</sup>



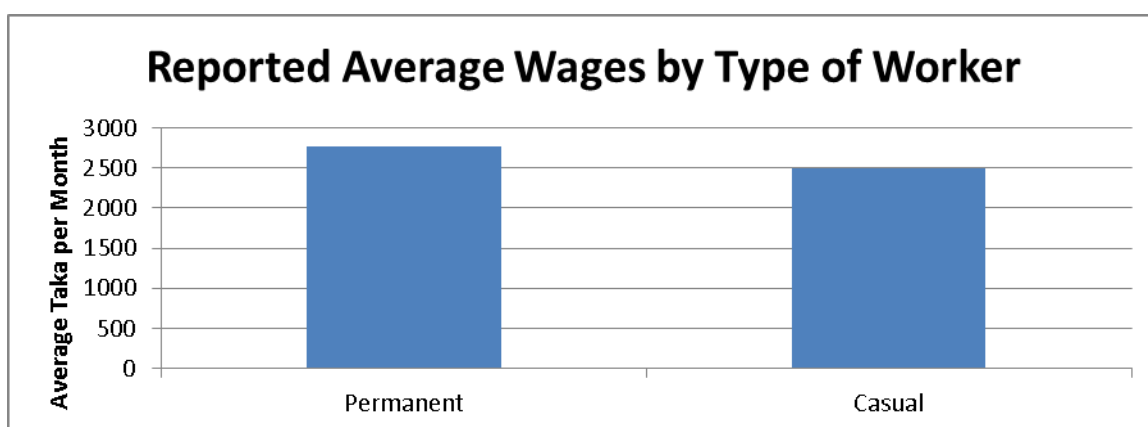
Managers earned the highest wages. Earth cutters and fertilizer applicators earned higher wages, while guards and fence makers earned the lowest wages.



The gender segregation of tasks appears to have an effect on wage levels. Male interviewees earned an average of 2805 Taka per month (33.22 USD), while female interviewees earned an average of 2296 Taka per month (27.20 USD).



Permanent workers reported average wages of 2770 Taka per month (32.81 USD), while temporary workers reported average wages of 2490 Taka per month (29.49 USD). This difference amounts to 279 Taka, or 3.30 USD, per month.



**Working Hours:** Workers were interviewed during peak season: 84.2 percent of workers interviewed (80 workers) reported that they had worked 7 days per week during the past week; 12.6 percent of workers interviewed had worked 11-15 hours per day; 3.2 percent of workers interviewed reported having worked 16-20 hours per day; and 4.2 percent of workers interviewed reported having worked 21-24 hours per day.

It should be noted that the workers who reported 21-24 hours were primarily permanent workers who are "on-call" 24 hours per day, as they live on the premises and act as guards, but may not be actively working for the entire period. In the survey, all workers reported that they work the full week voluntarily, in order to make more money. However, in less formal interviews, several workers stated that during peak periods, overtime was compulsory; and if they refused, their jobs could be terminated.

'Permanent' workers reported slightly higher wages on average. They also reported longer hours.

Permanent workers were reluctant to discuss their hours in 1-on-1 interviews, but in focus group discussions, several permanent workers revealed that they are essentially "on-call" 24 hours a day. Their housing and food is provided by the farm owner, and their freedom of movement is limited – they are required to stay on the farm for approximately 28 days per month, with a 2-day break per month to visit family. Workers reported that if they left the farm outside of these restrictions, their jobs could be terminated or they could face a pay cut.

Indebtedness: Of shrimp farm workers interviewed, 11 percent (10 workers) reported that they had taken loans and were indebted at the time of the interview. Workers who reported debt had taken loans exclusively from moneylenders. Workers that held debt at the time of the interview reported that they took loans 1-6 times per year. Loans ranged in amount from Taka 2000 (23.69 USD) to Taka 50,000 (592.28 USD).

A total of 45.5 percent of interviewed shrimp farm workers with debt reported that they were required to pay back their debt with interest; 63.6 percent of shrimp farm workers with debt reported that if they were unable to pay back their debt, responsibility for that loan would fall to family members; 18.2 percent of shrimp farm workers with debt interviewed reported that they could also pay back some of their debt through household chores or other work performed for the lender. Loans were used primarily for income smoothing, and secondarily as investment capital for small enterprise. Of workers who reported the motivation for their debt, 4 workers mentioned accommodations or rent, 2 mentioned food, and 4 mentioned funding small enterprises.

Because this study focused on the hired labor of shrimp farms, no surveys were taken of the shrimp farmers themselves. However, previous research<sup>134</sup> found that shrimp farm owners, particularly owners of small farms, are also vulnerable to indebtedness. Farm owners unable to buy inputs such as fry and supplies take loans from middlemen (*faria* and *aratdar*). Similar to the conditions faced by shrimp fry collectors, shrimp farm owners are then obligated to sell back their shrimp at prices determined by the middlemen, at rates that are often below market value.<sup>135</sup> Because shrimp farm owners are themselves often indebted, downward pressure is placed on their employees, creating a strong incentive to require more productivity from workers at lower wages in order to pay off the debt. Workers also reported that their payments from owners are sometimes delayed, if the owner himself does not have enough cash to make a payment.<sup>136</sup>

Although no shrimp farm workers interviewed were directly indebted to their employer, these debt findings still create vulnerability for workers. The necessity of paying down their debt increases their dependence on their employment in the shrimp sector, and in Verité's experience, may thus decrease their ability to communicate any grievance or refuse any requests by their employer. Employers, while not necessarily the source of the debt, are able to leverage this debt to ensure that their labor pool will comply with any requirements they make. Further, the dependence on taking loans to cover basic



necessities indicates that the wages paid to workers on shrimp farms are well below a basic standard of living.

Health and Safety: Work on shrimp farms often requires long periods of time standing in polluted, brackish water. This is particularly true for workers (predominantly women) who clean algae from the surface of the *ghers*.

Survey questions were designed to probe for severe health and safety issues. Workers were asked open-ended questions about what they considered to be their primary health and safety concerns.

Workers expressed fear of snake and crab bites. Several workers reported past incidents in which workers died from snakebites. Workers also reported being plagued with fever, respiratory illness, and skin infections. 100 percent of workers reported concerns with health and safety.

Child Labor: A total of 7.4 percent of workers interviewed stated that they brought their children with them to the shrimp farm to engage in work. All workers who reported bringing their children reported that their children were 10-15 years old. None of these children attend school. Their parents stated that there was no good option for school, and that they needed to contribute money to the family income. These children earned between 20-140 Taka (0.24-1.66 USD) per day.

## Shrimp Processing Plants

### *Introduction and Current Understanding*



Figure 4 - Processing plant - Verite photo

Shrimp processing plants in Bangladesh are labor intensive – an estimated 600,000<sup>137</sup> workers in approximately 65 processing plants manually de-head, peel, and prepare shrimp; pack the shrimp on ice; load the shrimp into and out of trucks; and clean the processing plants.

A typical plant contains processing rooms, warehouses, a laboratory, bathrooms, and administrative offices. The entire plant is kept wet with disinfectants to prevent the spread of disease.<sup>138</sup> Many processing plants also have dressing rooms, and childcare facilities, although according to informant interviews, these may be opened only to workers when outside inspectors visit the plants.

A major concern regarding labor conditions in shrimp processing plants is the casualization of the labor pool. While plants may employ some permanent workers, the majority of workers in each plant will be casual or “contract” workers hired through labor contractors. There may be several contractors providing labor to one factory.

Shrimp processing plants operate in a market that is intensely competitive both domestically and internationally. The pressure to meet price and time demands of buyers is high. The subcontracting of labor supply to third parties is one mechanism that plant managers have adopted in order to meet the fluctuating and somewhat unpredictable demands of the market; and to reduce labor cost and keep price points competitive. Further, because of the seasonal nature of shrimp harvesting in which harvesting is intensified for two weeks a month, there is a subsequent effect on the demand for labor in processing plants. For approximately two weeks per month during harvest season, there is a high degree of processing plant work, but for the remaining two weeks per month, there is very little work.<sup>139</sup> This further necessitates the flexible labor pool provided by contractors.

In Verité's experience, workers employed through a labor contractor are particularly vulnerable to labor exploitation. In the shrimp processing industry of Bangladesh, workers categorized as "contract" employees (although they do not have actual contracts with the employer) reportedly do not receive equal wages to regular workers, or benefits, from employers.<sup>140</sup> This trend toward casualization has had a particular impact on women: 92 percent of women's labor in processing plants is temporary/contract based, according to a 2006 estimate.<sup>141</sup>

Regardless of employment status, pay in processing plants is low and hours are long. The Solidarity Center reported that the average pay rate for starting employees was the equivalent of 23 USD per month, with experienced employees earning approximately 26 USD per month.<sup>142</sup> This same report noted that contract workers were paid by the piece and earned less than workers paid by the hour. Contract workers expressed concern that the weighing process was not transparent and that they were paid less than the wages due to them for the amount of shrimp processed. According to these workers, there was no effective grievance mechanism for voicing concerns on weighing and wage payment or other matters.<sup>143</sup>

The intensity of labor requirements at processing plants is closely tied to the shrimp harvest cycle. During peak harvesting times (approximately twice per month according to tides), workers may be required to work one or more 24-hour shifts per week. At other times during the harvesting season, workers routinely work 12-hour shifts.<sup>144</sup> Overtime premiums are rarely paid.<sup>145</sup>

Overtime hours are particularly onerous because of the hazardous conditions found in many plants. Workers must stand for long periods and are exposed to significant temperature differences. Workers in processing plants are at risk for a host of injuries and illness including arthritis, urinary tract infections, repetitive strain, muscle strain, cuts, inflammation, fungal infections, and diarrhea.<sup>146</sup> Bathrooms and toilet facilities are insufficient, and workers in some cases lack free access to them.<sup>147</sup> It has been reported that few contract workers wear protective equipment because could slow the process.<sup>148</sup>

Previous research has identified child labor in processing plants. According to past reports, children are often employed by contractors and do not appear on any official employment lists. Many working children in processing plants accompany their mother to work.<sup>149150</sup>

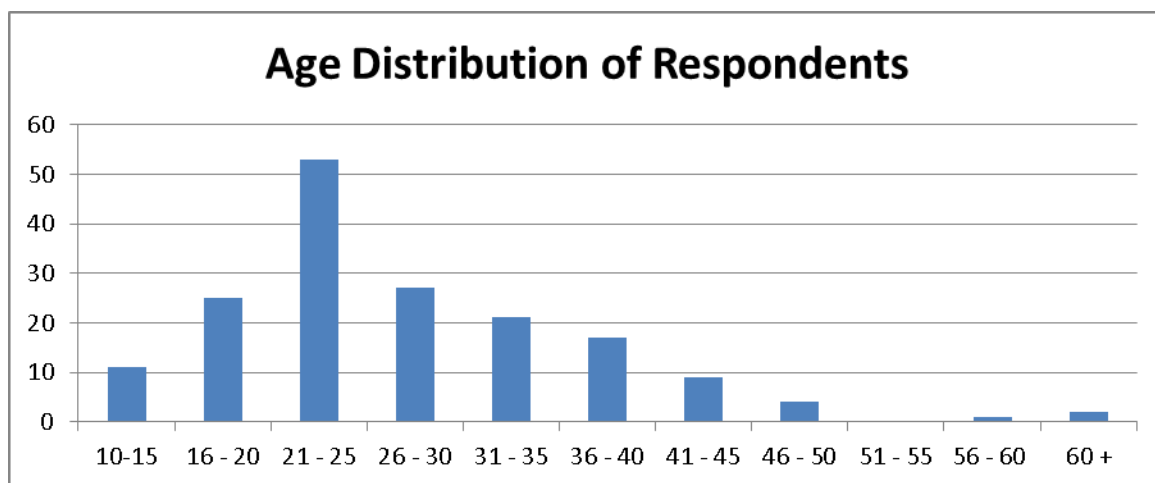
The following section will detail the outcomes of Verité's research into these areas.

## Research Findings

### *Demographic Characteristics of Respondents in Shrimp Processing*

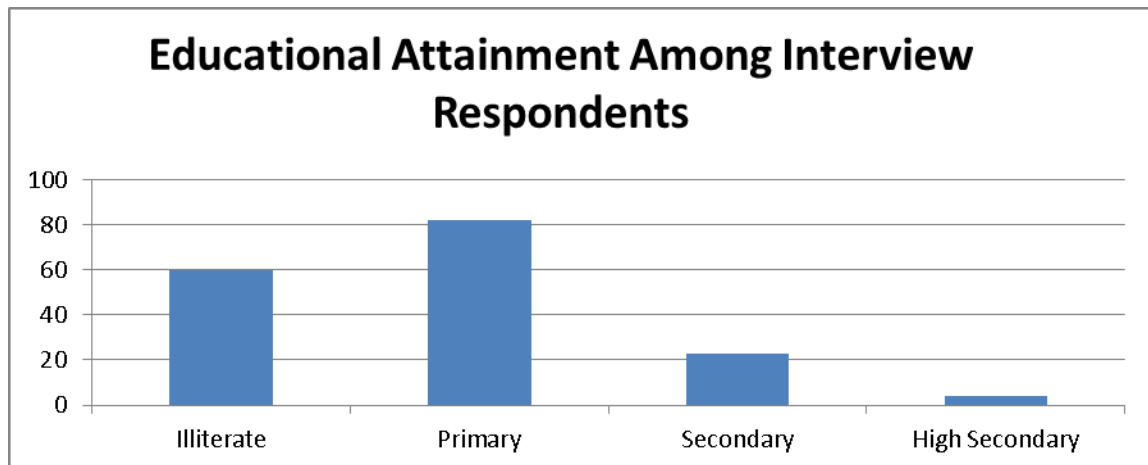
Gender: Out of 170 survey respondents, approximately 46.6 percent of respondents were men and 53.3 percent of respondents were women.

Age: Twenty-five respondents were in the age range of 16-20; 53 respondents were in the age range of 21-25; 27 respondents were in the age range of 26-30; 21 respondents were in the age range of 31-35; 17 respondents were in the age range of 36-40; 9 respondents were in the range of 41-45; 4 were in the range of 46 – 50; 0 were in the range of 50-55; one was in the range of 56 – 60; and 2 workers reported ages above 60. The concentration of workers between the ages of 16 and 40 suggests that shrimp work is physically demanding, which is consistent with previous reports of harsh physical conditions.



Family/Marital Status A total of 63 percent (107) of respondents reported that they were married; 56 (33 percent) reported they were unmarried/never married; 3 (2 percent) reported they were divorced; and 3 (2 percent) reported they were widowed. Case studies conducted with workers suggest that workers are likely to enter the shrimp-processing sector after a major life change, such as death of a parent or divorce from a spouse, necessitating additional income.

**Educational Attainment:** Levels of education were low. Of workers who reported their education level, 35.2 percent of workers (60) described themselves as illiterate; 48.2 percent (82) reported a primary level education (grades 1-5); 13.5 percent (23) reported a secondary school education (grades 6-10); and 2.3 percent (4) reported high secondary school education (grades 11-12).<sup>151</sup>



**Origin:** 32 (18.8 percent) workers reported that they had migrated (domestically) to work in the shrimp sector.

**Alternative Sources of Income:** Of 98 workers who reported spouse's or household head's occupation, most reported jobs that were casual or otherwise insecure: 10 reported that a member of their household was involved in business; 3 reported that they worked in cold storage; 10 reported household members who were day laborers; 6 reported farm labor; 23 reported farming; 7 reported fishing; one reported fry collecting; one worked in packing; 20 in rickshaw driving; 14 in other service; and 3 in cottage industries. Beyond demonstrating that the families of shrimp processing plants tend to be economically insecure, this list illustrates possible alternate livelihoods for the demographic of workers involved.

### ***Presence of Indicators of Forced Labor in Shrimp Processing***

Verité detected the presence of the following indicators of forced labor in shrimp processing plants among adult workers:<sup>152</sup>

**Forced Overtime (Beyond Legal Limits):** Workers interviewed reported working excessive hours. Nearly half (47.1 percent) of all respondents reported having worked 11-15 hours on average for the past 3 days, with an absolute average among all workers interviewed of 10.5 hours for the past 3 days. Five workers (2.9percent) reported having worked at least one 21- to 24-hour shift during the past 3 days. Verité researchers believe that the actual number of workers working the 24-hour shift s during peak periods may actually be higher. Because interviews were conducted outside of the plant, interviewers only had access to workers who were leaving. While interviews were occurring, many workers were still inside the plant working, and based on the

movement patterns of workers, researchers believe that for some workers, shifts lasted 24 hours and possibly more. Focus Group Discussions revealed that 10-12 hours per day is typical, with longer hours – sometimes including a 26-hour shift – required during peak production periods. These peak periods occur approximately twice per month.

There did not appear to be significant differences in the number of hours worked by contract and permanent workers. For both categories of workers, the most common range of hours worked was 11-15 hours per day. Three contract workers and 2 permanent workers reported having worked a 21- to 24-hour shift during the past 3 days.

Eighty percent of workers interviewed (136) reported that they are not paid a premium for overtime hours worked.

The voluntary nature of overtime work is unclear. Among workers surveyed, all who worked overtime reported that they did so voluntarily, to earn more money. This was reported by workers earning both piece-rate and hourly wages. However, in Focus Groups and extensive interviews for case studies, several workers reported that, when there is a high volume of shrimp to be processed, overtime is required and workers who refuse could have their jobs threatened.

Of workers interviewed, 150 (88percent) reported that they work 7 days per week. Contract workers interviewed were more likely to report working 7 days per week: 92 percent of contract workers interviewed reported working 7 days per week compared to 76 percent of permanent workers interviewed.

Harassment and Abuse: Twenty-six workers (15percent of all workers interviewed) and 22 percent of women interviewed reported that they had knowledge of or experience with sexual harassment.<sup>153</sup> In Focus Group Discussions and extensive interviews for case studies, workers reported that supervisors often request sexual favors from women, and threaten retaliation (up to and including termination) if their advances are declined.

Seventy-two percent of workers (122) reported experiencing verbal harassment at their workplace. This verbal harassment included yelling from the supervisors, as well as threats that their jobs would be lost if they complained.

Two percent (4) of workers interviewed reported being subjected to physical abuse from their supervisor.

Dismissal: In Focus Groups and extensive interviews for case studies, several workers reported that, when there is a high volume of shrimp to be processed, overtime is required and workers who refuse will have their jobs threatened. Workers expressed a perception that reporting a grievance regarding any work conditions (wages, sexual harassment, hazardous conditions) could result in dismissal.

### **Case Study: Lili: No Avenues for Grievance**

Lili is a 35-year-old woman. She was happily married at 18, but when Lili was 23-years-old, her husband was killed during a land dispute. Suddenly, Lili needed to support her two children by herself.

Lili and her husband had been living with her father-in-law, who no longer wanted to support her and the children after his son's death. Lili moved back in with her own father. One of her relatives was working in the shrimp processing plant, so Lili sought a job through the same contractor.

Lili took a job cleaning the plant, which is one of the lowest paid tasks. Wanting more money, she started de-heading shrimp. She started working with about 20-25 other women who also de-head shrimp. They are each paid on a piece-rate basis, per basket of shrimp they de-head. Lili earns 10 Taka per basket, earning about 90 – 100 Taka per day and about 2150 Taka per month. Her shifts are as long as 17 hours during peak seasons. Lili feels that the contractor cheats the other workers on wages by slipping extra shrimp into her baskets, but feels she has no way to complain. If she expresses her concern to her contractor, she'll be fired. As Lili says "If I complain, he'll say 'Don't come in to work tomorrow.'" Losing her job is not an option for Lili, as she is the only wage earner in her family.

Lili is always exhausted and sometimes falls asleep while at work. She is worried that she won't be able to feed her children, and beyond that, she worries about her children's options to make a living in the future.

### ***Other Issues of Concern regarding Working Conditions in Shrimp Processing***

Labor Contractors: According to experts interviewed, labor contractors recruit workers from both local communities, as well as workers who have migrated to work in the shrimp sector. These workers are generally extremely poor and seeking any source of income.

Shrimp processing plants use contractors to supply workers because it allows them access to a highly flexible labor pool, which is often necessary as plants work to meet the time and cost demands of buyers. Further, it allows plants to avoid any direct employment relationship with workers. Several contractors may provide workers to the same facility. Contractors act as their workers' supervisors within the facility (although the plant may provide its own supervisors as well), so contractors are often in a position to enforce disciplinary measures or fire workers. This makes expressing any grievance difficult for workers without fear of losing their job.

Contractors are also in a position to control workers' wages, often to the workers' disadvantage, such as in the rigged piece-rate schemes discussed above. For more information on how contractors control wages, please see the 'Wages' Section in work conditions.

The vulnerability of contract workers lies at the intersection of two other factors of vulnerability. First, contract workers are more likely to be women, who tend to hold lower status and lower wage jobs. Further, contract workers are more likely to be migrant workers. The intersection of these vulnerabilities will be further discussed in the 'Wages' section of this report.

Further while both local and migrant workers were predominantly contract workers, among respondents, migrant workers were proportionally more likely. Of 32 migrant workers, 88 percent (28) were contract workers.

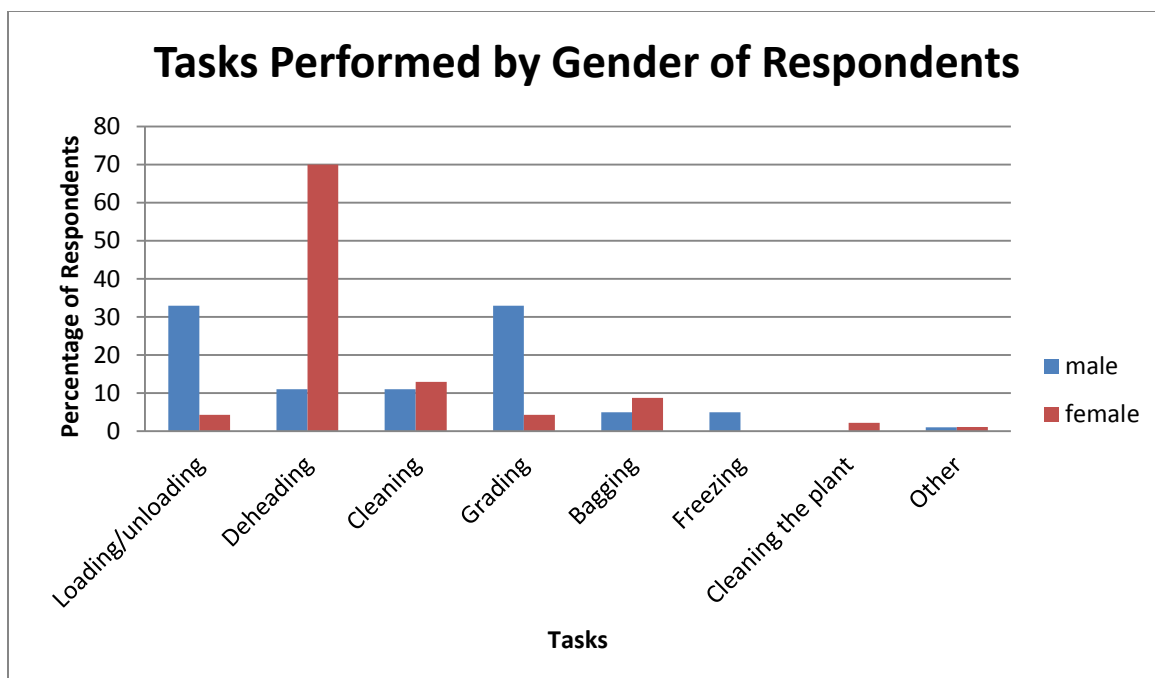
Child Labor: Eleven respondents reported that they were between the ages of 10 and 15. This finding is consistent with previous reports that child labor is present in shrimp processing plants.<sup>154</sup> Four adult workers reported that they bring their children under the age of 15 with them to their jobs at the processing plants and that these children participate in and are paid for performing tasks at the plant.

Gender Segregation of Job Tasks: Survey respondents participated in a variety of tasks within the processing plants.

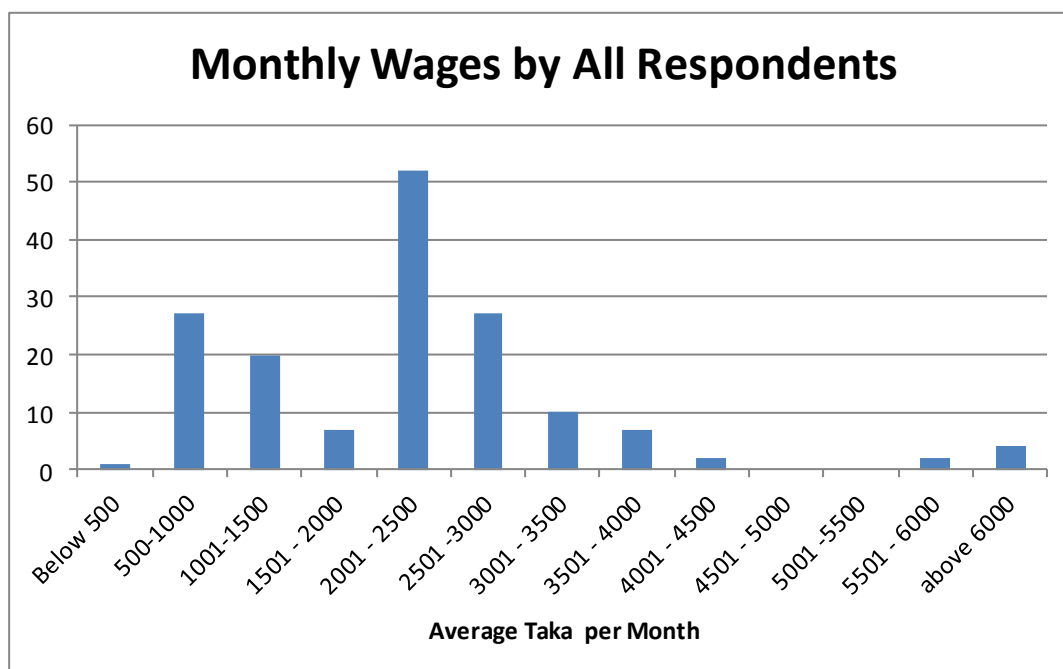
Task	Frequency	Percent
Loading/unloading shrimp	30	17.6
De-heading shrimp	73	42.9
Grading shrimp	30	17.7
Cleaning shrimp	21	12.3
Bagging shrimp	8	4.7
Freezing shrimp	4	2.4
Cleaning the plant	2	1.2
Other	2	1.2
Total	170	100

Confirming the findings of previous research, particularly the 2006 USAID report, Verité found a gendered aspect to work performed by survey respondents in shrimp processing plants. Men interviewed were more likely to be involved in loading/unloading the shrimp from trucks, as well as grading the shrimp, whereas women interviewed were more likely to be involved in de-heading shrimp. As will be shown below, this has important implications for levels of wages earned by men and women in shrimp processing.

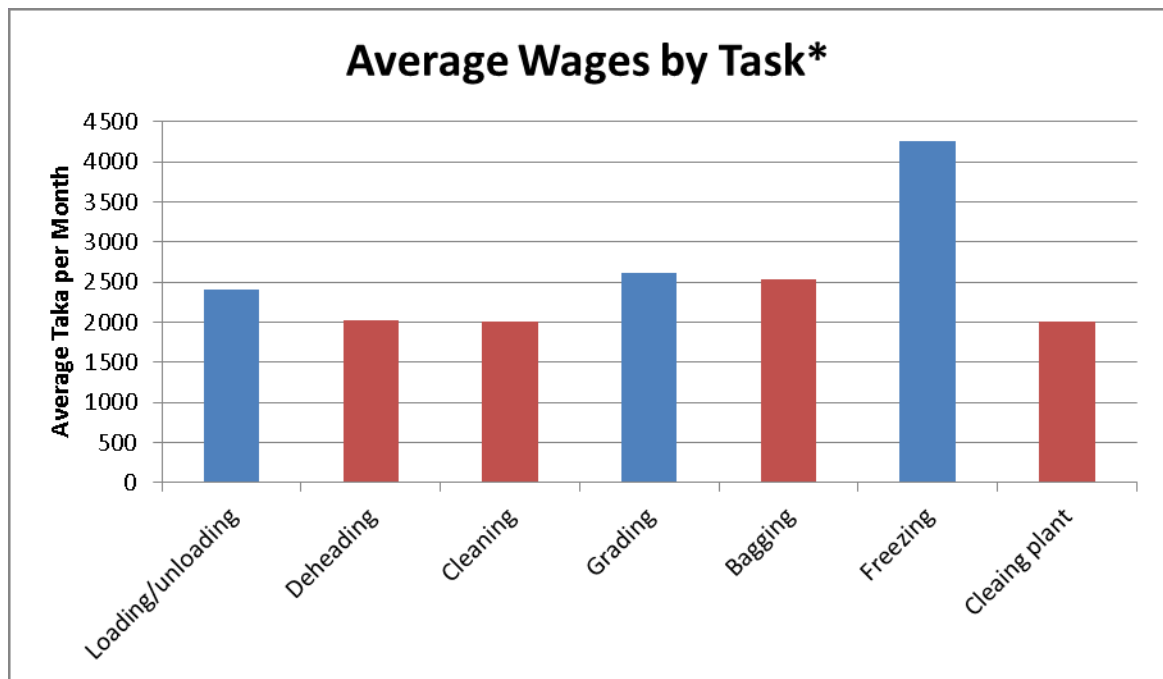




Wages: Wages fell into 2 primary clusters: between 500 and 1500 Taka (592 to 17.76 USD) and between 2001 and 3000 Taka (23.69 to 35.52 USD).<sup>155</sup> Thus, for most workers at shrimp processing plants, wages are low, with the largest group of workers making between USD 23 and USD 35 per month. These findings are generally consistent with a previous report that processing plant workers' wages range from approximately USD 23 per month to USD 26 per month.<sup>156</sup>



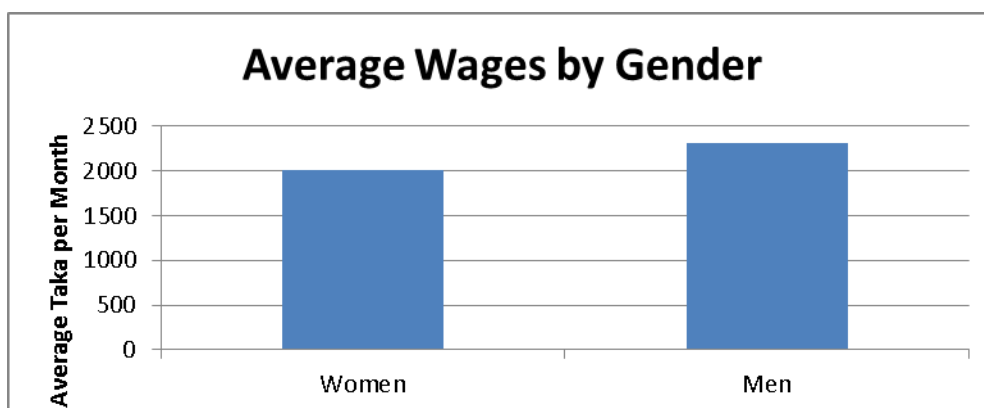
Workers participating in loading/unloading reported an average wage of 2407 Taka, workers in de-heading reported an average wage (in Taka per month) of 2018; workers cleaning shrimp reported an average wage of 2012; workers in grading reported an average wage of 2610; workers bagging shrimp reported an average wage of 2531; workers freezing shrimp reported an average wage of 4252; and workers cleaning the plant reported an average wage of 2000 Taka.



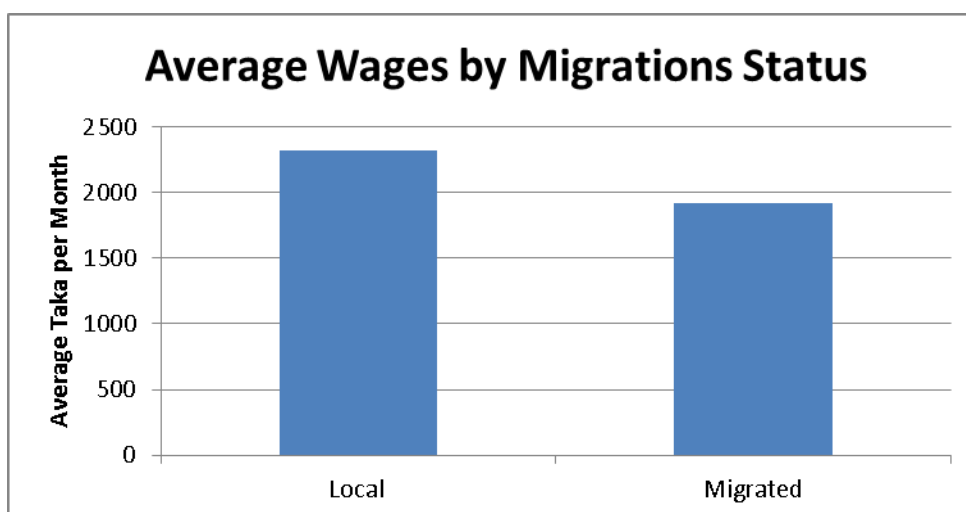
*\*Blue bars indicate tasks in which male workers predominate; red bars indicate tasks in which female workers predominate.*

Thus the gendered division of tasks has a direct bearing on wages: Grading, loading/unloading, and freezing shrimp, in which males are more likely to be employed, have higher average wages than de-heading, and cleaning the plant, where females are more likely to be employed. Further, all workers who reported income over 6000 Taka per month were men; no women reported income at this level.

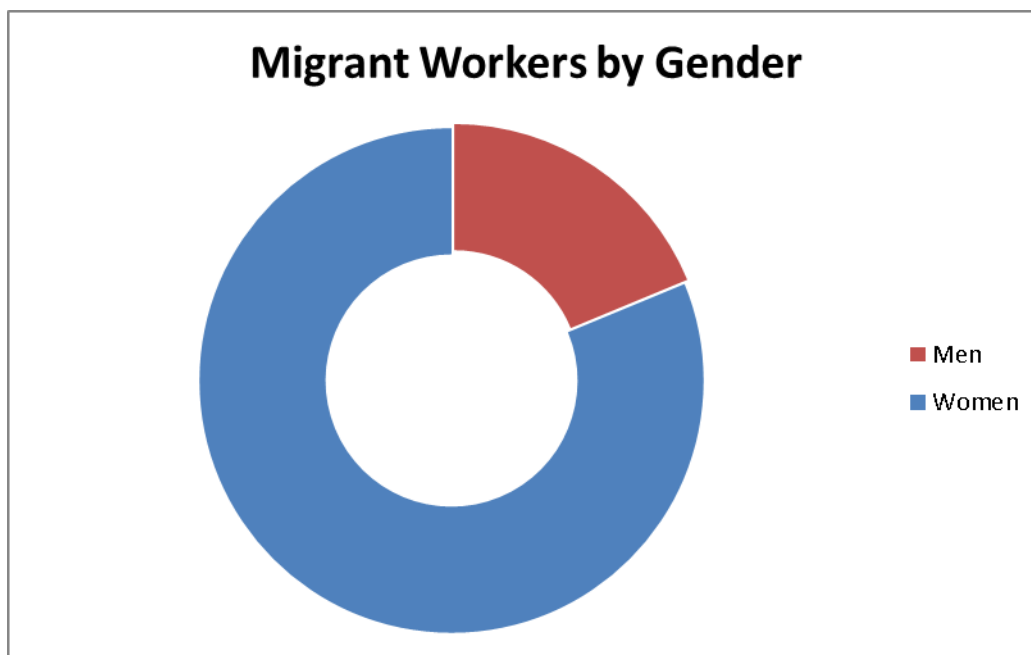
While previous research has suggested that women constitute the majority of the labor force, Verité's study additionally indicates gender inequality in job tasks and wage distribution. The average wages of female respondents were nearly 300 fewer Taka per month, or about 14 percent less than the average wages reported by male respondents. The average wage for men who reported their wages was 2311 Taka per month (USD 27.82), the average wage for women who reported their wages was 2006 Taka per month (USD 24).<sup>157</sup>



Verité research also indicated a difference between the wages of those workers who said they were local to the *Thana*<sup>158</sup> where the processing plant was located compared to those who said that they had migrated from elsewhere in Bangladesh. Local workers had an average wage of 2319 Taka per month, while those who migrated reported an average wage of only 1919 Taka per month.



It should be noted that the lower wages of migrant workers are at least partially explained by the influence of gender on earning potential: of 32 total migrant workers, approximately 81 percent were female (26).



Contract workers are also vulnerable to receiving low wages. Most migrant workers are contract workers, and contract workers are predominantly female, suggesting that there is an intersection of vulnerability for female, migrant, contract workers. The average wage for contract workers was 2171 Taka per month. The average wage for permanent workers was 2336 Taka per month. Interviews and focus group discussions indicated that contract workers are often paid on a piece-rate basis. For example, contract workers involved in shrimp de-heading are paid per basket of shrimp that they de-head (wages reported ranged from 10-20 Taka per basket). Permanent workers are more likely to be paid a fixed wage.<sup>159</sup>

Workers paid on a piece-rate basis reported in Focus Group Discussions and interviews that they felt that their supervisors rigged the system to shirk their pay. For example, contract workers involved in de-heading shrimp were paid per basket of shrimp. Supervisors fill baskets with shrimp to a pre-established weight, and then give this basket to the worker for de-heading. The worker's pay is tied to the pre-established weight of the basket. Workers reported that supervisors would fill the baskets to exceed the predetermined weight, so that workers were forced to de-head more shrimp than they were getting credit for.

### **Case Study: Chandra – Vulnerability of Contract Workers to Pay Shirking**

Chandra is a contract worker in a shrimp processing plant.

She has been working in a shrimp processing plant for the past 5 years. When she first got married, her husband was working and able to support the family. Chandra supplemented their family income with casual work as a maid. When her husband lost his right hand in a machinery accident, she needed to gain a more formal source of income to support her 3 children.

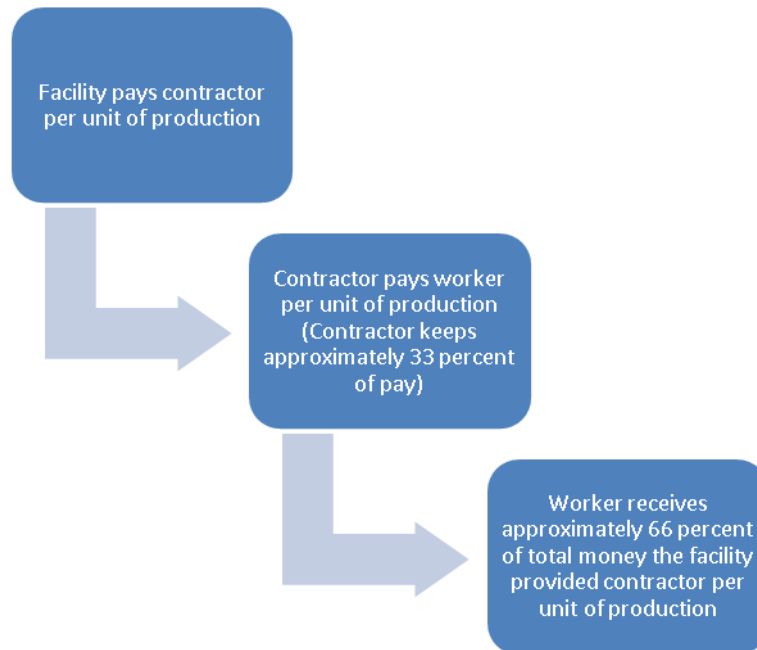
She was hired by a labor contractor, and works under his terms and conditions, de-heading shrimp at a processing plant. Chandra is paid by the piece and earns 10 Taka per basket of shrimp.<sup>i</sup> In an average day, Chandra can de-head about seven to eight baskets of shrimp, earning her 70-80 Taka per day. Each basket is supposed to have a set weight of shrimp in it so that payment is consistent, but Chandra feels that the contractor often sneaks more shrimp into the basket, meaning that she has to do extra work for the same amount of pay.

Chandra works long hours. During peak season, Chandra told researchers that workers often work 24-hour shifts. If she or the other de-headers make mistakes, they are screamed at by the contractor. Chandra has seen women faint during these long shifts from standing too much.

Chandra has also heard that the contractor sexually harasses women by soliciting sexual favors.

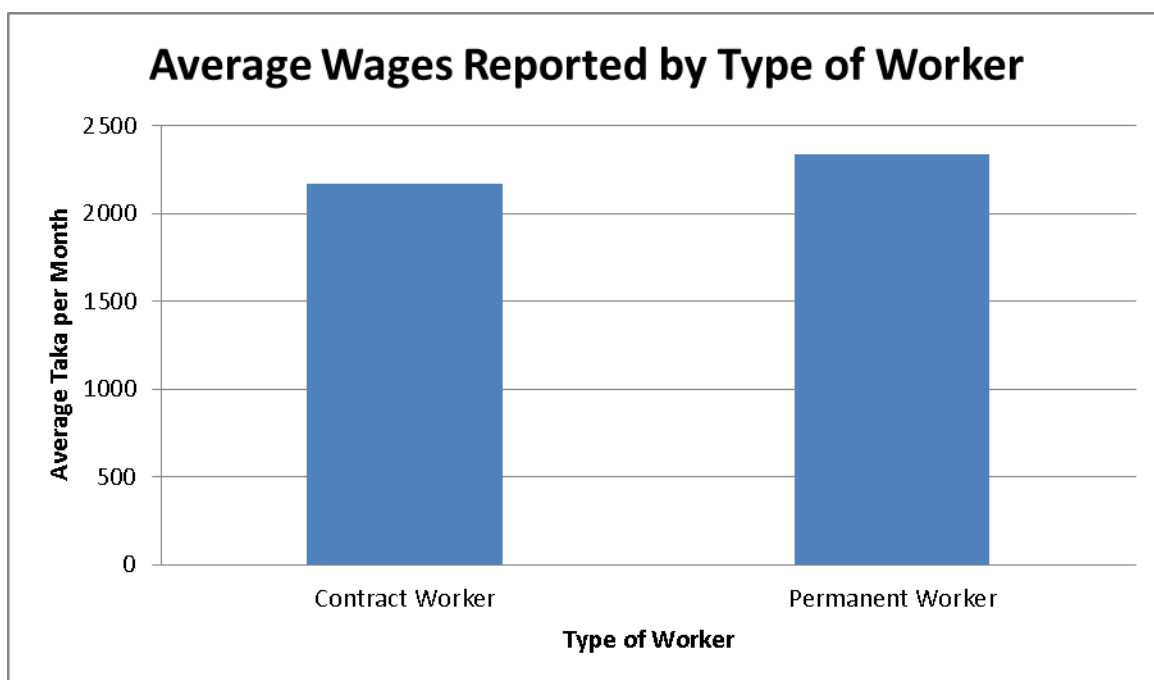
Chandra's youngest child is six-years-old. He stays by himself while Chandra is at the plant. Even with her salary, Chandra cannot make ends meet. Her oldest daughter wants to get married, and Chandra has no way of paying for the marriage, which she feels will hinder her daughter's ability to escape poverty. Chandra described her situation as "helpless."

In contract labor agreements, the facility pays the contractor per unit of production (i.e. per the number of shrimps deheaded.) The contractor then directly pays the workers he engages. Previous research has noted that workers "are not aware of the amount of money paid by the factory owners to the contractor for their labour, and the factory owners are not aware of the salary systems of the contractors."<sup>160</sup> According to key informant interviews, under a typical arrangement, of the pay per unit paid to the contractor by the facility, approximate 2/3 of the pay goes to the worker, and 1/3 of the pay goes to the contractor.



### Division of Pay Per Unit of Production





Health and Safety: Workers reported a variety of health and safety concerns, citing freezing temperatures; exposure to a constantly wet environment; lack of breaks (in Focus Groups and Case Studies, workers reported 10-minute breaks per shift of 10-15 hours); pain from long periods of standing; and lack of access to the bathroom (including for menstruating women).

Lack of toilet facilities was repeatedly cited by workers as a major concern. In a Focus Group Discussion, workers reported that the facility has bathrooms, but they are generally unusable, and not stocked with toilet paper or soap. However, when an inspector is scheduled to visit the plant, these bathrooms are suddenly fully functional.

Grievance Mechanisms: All workers interviewed reported that they had no viable grievance mechanism. Workers reported in Focus Group Discussions and extensive interviews for case studies that the only person they could, in theory, bring their concern to was a direct supervisor, which is unhelpful as supervisors are often the source of the concern. Thirty-four percent of workers interviewed reported that their supervisor would threaten their job if they complained.

### **Case Study: Rabi: Verbal Abuse**

Rabi is a permanent worker at a processing plant. When Rabi was 16-years-old, his father died of a heart attack, and the burden of financially supporting his mother and sister fell to Rabi. Rabi inherited a small piece of agricultural land from his father, but that land flooded, leaving Rabi with no income or livelihood. He had had no training in another profession.

After a long period of time seeking a job, Rabi was able to find a job in a processing plant through a relative. When he joined, he was told he would work 10 hours per day with two days off per week, but he states that the reality does not match those promises. In reality, he works 12 hours per day, with only a 10-minute break and works 7 days per week.

He reported that he is sometimes exhausted and makes mistakes, which are met with screaming from the plant supervisor and threats that he will be fired. He cannot afford to lose his job since his family would have no other way to survive. He works overtime to make ends meet, but is not paid a premium for overtime hours.

He has now been working in the plant for 15 years. His salary started at 2000 Taka per month, and it has risen only to 2800 Taka per month over that time, even though Rabi feels that he is a more efficient worker than he used to be. He would like to leave this job, but fears he would not find another position, and as always, his first priority is the survival of his family.



## **Conclusion: Risk Factors for Indicators of Forced Labor Identified by the Research and Lessons Learned**

This report has covered background information on the Bangladesh shrimp sector; the methodology that was developed to study the presence of indicators of forced labor in particular areas of the Bangladesh shrimp sector; the presence of indicators of forced labor and other labor violations; and the factors that increase workers' vulnerability to labor exploitation. While these findings are not statistically representative, the report provides an overview of the indicators of forced labor and other forms of labor exploitation uncovered amongst workers, as well as factors that increase workers' vulnerability to labor exploitation

### ***Risk Factors***

Verité's research identified certain groups of workers that may be particularly vulnerable to exploitation:

Women: Women were found to be at heightened levels of vulnerability throughout the supply chain. At the fry collection level, women lack access to more efficient modes of harvesting fry and lack access to buyers or alternate sources of credit. They are therefore dependent on their local middlemen for access to credit, and can easily become entrapped in a cycle of debt as they are required to repay their debt to the middleman through fry, at a price dictated by the middleman, even if that price is well below market rates. There are reports that some female fry collectors are sexually assaulted or verbally assaulted as a means of intimidation both by middlemen, and by unscrupulous local authorities, paramilitary groups, or others who may wish to exploit the fact that the fry collector is participating in an illegal activity.

At the shrimp farm level, women workers are again vulnerable to sexual assault and have low-paying, low-status jobs that often leave them ill and injured.

At the processing plant level, the vulnerability of female workers intersects with the vulnerability of contract or "casual workers." It is estimated that over 90 percent of the casual labor force at shrimp processing plants is female. Women are generally in lower paying jobs than men, and contract workers receive lower wages than permanent employees.

Contract workers: In processing plants, contract workers reported that their contractor (who acts as their supervisor) may attempt to cheat them of wages by

manipulating the piece-work weighing system by which they are weighed. Contract workers, (compounded by the fact that they are predominantly women) also reported sexual harassment from employers and supervisors. Because they have no direct employment relationship with the facility, they are greatly limited in their access to grievance mechanisms.

Verité also identified several indicators and dynamics that increased workers vulnerability to forced labor or exploitation:

The lack of alternative livelihood opportunities; low educational attainment: To some degree, lack of alternative livelihoods is a question of the Bangladeshi economy and the poverty that surrounds the vast majority of shrimp sector workers. Lack of opportunity is also tied to the low rates of educational attainment reported by respondents: the majority of workers in every section of the supply chain self-reported their educational attainment as elementary level or illiterate. This dynamic will likely continue as children interviewed currently engaging in fry collection, farms, and processing plants cited a lack of available, accessible, affordable education as a driver for them to seek work. Child workers also sought to augment the income of their families, but by ceasing their education early, thereby limit their own access to future opportunities outside of the shrimp sector.

Fear of dismissal: Among workers interviewed throughout the shrimp supply chain in Bangladesh, a common refrain was that the workers felt that they had no options other than the shrimp sector for their livelihood; that they would work somewhere else, if they could, but that their survival, however meager, was tied up in their participation in the shrimp sector. Workers rarely felt that they had any grievance mechanism or avenue for recourse. In fact, the most common indicators of menace of penalty—identified at both the farm and processing plant levels—were fear of dismissal or exclusion from future work for voicing any complaints. Even with the exploitive conditions workers faced daily, workers are still cognizant that they are dependent on their job to provide for themselves and their families. Many workers told interviewers some version of "I would like to get a job, but there are no other options." Essentially, that lack of options is the critical point of vulnerability to exploitation for workers in the shrimp supply chain in Bangladesh.

Downward pressure in the supply chain: In general, workers further down the supply chain have higher levels of vulnerability. Fry collectors, for example, are among the most vulnerable workers, particularly when their debt to middlemen is considered, as is the fact that women and children's labor is predominant. As they are not working in a closed system, like a processing plant, inspections or

interventions become difficult. With the ban on fry collecting, and the current move towards sourcing more shrimp from hatcheries, these workers are becoming more squeezed – it will become more and more difficult for them to sell their catch, but they lack other livelihood alternatives and will therefore become more vulnerable to exploitation.

While small shrimp farm owners may face their own situations of debt to landowners and middlemen, the workers they employ tend to absorb the financial pressures these farmers are face, in the form of long hours and low wages. Permanent workers, who are often relatives, are provided with housing, which may provide needed shelter, but also adds a layer of dependence. These workers may have limited freedom of movement as they are required to remain on the farm 28 days a month and be on call 24 hours a day.

At the processing plant level, the plants themselves are under pressure to meet their buyers' needs for price, at a speed and unpredictable demand that compels them to seek a flexible labor pool of contract workers supplied by a broker. Again, these workers are absorbing market pressure from further up the supply chain; as discussed above, the casualization of labor puts workers at risk of low wage.

Ultimately, at every level of the supply chain, researchers found indicators of work and life under duress: workers detailed long hours, low pay, hazardous conditions leading to injury and illness, as well as the presence of abuse and harassment. However, with the exception of induced indebtedness at the fry collection level, there were few examples of indicators (other than lack of alternate livelihood opportunities) that were acting to bind a worker to their boss, employer or current work situation.

### ***Lessons Learned***

This research exposed some of the challenges of conducting research on hidden populations and vulnerable workers. These challenges faced and lessons learned by researchers included:

Difficulty of conducting research post natural disaster: Much of the survey area had been hit hard by a cyclone in previous months, leaving many roads washed out or flooded and already patchy communication even more limited. This had several impacts on research. First, it meant that travel was slower than planned and reaching out to local contacts was difficult. Further, the destruction of the cyclone meant that workers were dealing with more extreme poverty than normal. For example, several fry collectors researchers spoke with had had their homes washed away. Workers were so concerned with their immediate survival, that responding to researchers' queries often seemed to have little to do with their daily lives and concerns. In these situations, researchers relied on local

contacts, particularly members of the research team who originated from those villages, to establish relationships of trust within a community.

Hesitancy of workers to discuss sensitive issues: Many workers were generally hesitant to speak with researchers, but this challenge was amplified when women were asked questions regarding sexual assault/abuse/harassment. After consultation with local NGOs experienced with this population, researchers found that less formal, non-structured interviews – often, even without the researcher taking formal notes – allowed workers to feel more comfortable and share more of their experiences. Ultimately, this led to findings around sexual abuse/harassment to be more anecdotal and impressionistic, but the women's stories nonetheless provided important information about their working conditions.

Limited access to worksites: Access to processing plant workers was limited as researchers were not allowed inside the plants. Instead, researchers used snowball sampling to identify workers. To provide a more balanced sample, researchers attempted to include workers from both day and night shifts, both contract and permanent workers, and those participating in a variety of tasks. Interviews were conducted away from the worksite, which allowed respondents to speak more openly.

In general, Verité found that multiple sources of information were needed to triangulate findings and provide an accurate, nuanced view. This includes literature review, expert consultations with a wide variety of stakeholders, and interviews with workers, employers, and other actors. Research findings were also strengthened by the use of both qualitative and quantitative research techniques.

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## APPENDIX I: Findings from Dublar Char

Dublar Char is an offshore set of islands, or sandbank, on the southern coast of the Sundarbans<sup>161</sup> in Bangladesh. It is a seasonal fishing ground surrounded by a large tract of mangrove forest bordering the coast. It falls under the administrative direction of the Sharonkhola range of the Sundarban East Forest Division of the Khulna Forest circle. The small islands of Meher Ali, Alor Kol, Tiar Char, and Dimer Char together comprise Dublar Char. Fishing on the island is primarily for the dried-fish industry.

The area is remote and very difficult to access, which heightens the vulnerability of migrant and child workers who labor in the dried-fish industry on the island. Researchers were familiar with allegations, primarily from the media, of child labor and possible trafficking for labor in building makeshift houses, sorting fish, washing and drying nets, cooking, cleaning fishing boats, procuring firewood, carrying loads, and packaging.<sup>162</sup>

According to informants interviewed by Verité-Sheva, children are brought to Dublar Char mainly to perform menial labor in the fishing camps for the dried-fish industry. Local dried-fish traders, known as bahardars, recruit children for the work through informal brokers. These brokers target children from impoverished families, promising their parents that the children will be well-remunerated and will have good food and shelter. Families are sometimes also offered a monetary advance on their children's salary.

To clarify information received from preliminary interviews and desk research, researchers conducted follow-up interviews on-site at Dublar Char. Researchers also sought to determine the extent to which shrimp was involved in the fishing activities on Dublar. Researchers first visited in December 2009. No evidence of large-scale shrimp fishing was detected. Research indicated that the fish yield from Dublar Char is for the dried-fish industry, for domestic consumption. Researchers learned that some very small species of shrimp were dried for the use of fish feed and poultry feed.

### Case Study: Ajit – Trafficked and Afraid

Ajit is 12 years old. His father was approached by a recruiter who promised Ajit's father an advance if Ajit would come with him and work in the fishing sector. At first, Ajit was excited to have a job and go to the sea. However, when he arrived on Dublar Char, life was very different from what he had been promised.

He has to rise at dawn and works for hours before he is served his first meager meal. He won't eat again until late at night. All day long he sweeps the yard, dries fish, fetches water and firewood and carries loads to and from the boats.

When he can finally go to bed, he goes to a dark, dirty temporary cabin made from palm branches. He is terrified of the strange noises he hears from the jungle at night and wants nothing more than to go back home. But there is no way to escape.

A second visit was conducted in December 2010. Researchers found that some shrimp, including Cat Tiger shrimp, are caught occasionally as by-catch and may be exported. Even with this new information, researchers determined that shrimp represent a nominal amount of the fishing activity in Dublar, and only as an unintentional by-catch.

Interviewees included least 4 local officials (who shall remain anonymous due to the dangers of the area) as well as 2 adult workers and 3 adolescent workers.

One of the first concerns that respondents mentioned was the harsh living conditions on Dublar Char. These islands are so close to the mangrove forests that tigers and other wild animals are a threat during the dry seasons. During the rainy season (April to November), the islands are prone to frequent tidal surges and tropical storms. Respondents also noted that armed criminal groups control the area, and fishing vessels are vulnerable to attack by pirates.

According to informants, fishers come to Dublar Char from November to April, and during this time, the islands become important fishing junctions for the dried-fish industry. Sea-faring motor boats and trawlers use Dublar as a base port for deep-sea fishing. Their catch is brought back to the islands, cleaned, sorted, and dried before being shipped to different regions of Bangladesh (Chittagong, Syedpur, Sylhet, and Dhaka) for local consumption.

The *bahadar* are mostly from Satkhira, Bagerhat and Pirojpur. These businessmen bring workers from their own regions (including broker-trafficked children) in boats carrying 8-16 people. They build makeshift houses, sheds for drying fish, and erect tube-wells for water. Interviewees reported that the *bahadar* sometimes work cooperatively with organized crime groups to transport trafficked workers to the area.

Children between the ages of 10 and 15 are engaged in different tasks such as building makeshift houses, carrying and sorting fish, gathering firewood, cleaning and washing fishing nets, and cooking. Interviewees confirmed that children are recruited through the *bahadar's* brokers and that they are usually lured from poor families with promises of a good salary, good food, and good treatment. Families are paid 5,000 – 7,000 taka (59.30-83.04 USD) as advances against their children's salaries.

Once the children arrive, they are subjected to harsh working conditions from dawn to dusk, usually provided with two meals a day, and allowed very little rest. Because of the remoteness of these islands and critical security concerns, once taken to these islands, the children cannot leave before the season is over. Many who try to flee are caught and subjected to even more severe treatment.

Members of the Forest Department, the Coast Guard and the police carry out occasional raids to rescue and release children, but there has not been any permanent solution to the problem. It was estimated by one of the interviewees that 300 to 500 children work in Dublar Char during fishing season every year. The government tends to carry out raids following on media reports, but a longer term solution is needed. NGOs

are limited in their ability to help given the remoteness of the location and the heightened security risk.

During the peak fishing season, anywhere from 500 to 1000 boats sail from Dublar Char into the Bay of Bengal and return after 10 to 15 days with their catch. These boats aim primarily to catch whitefish, but some shrimp are caught in the nets along with the white fish as a by-catch. Shrimp accounts for less than 10 percent of the catch from Dublar.

Some of the shrimp are of high quality, particularly the Cat Tiger, which is in demand in European and Japanese markets. The majority of shrimp caught are processed as dry shrimp for domestic consumption, although some is shipped to Mongla for export.

Researchers attempted to complete further research on the marketing channels for the shrimp coming out of Dublar, but found that due to the high levels of control exerted by the *bahardar* and their alleged ties to violent criminal groups, few people were willing to discuss these topics.



## APPENDIX II: Legal Review

### Relevant Laws

Bangladeshi Law is based primarily on British Common Law and includes laws initially enacted as acts that were later codified. The Constitution is a more modern source of law that came into existence in 1972, however it does not provide for remedies or punishments for prohibited acts.

#### A. Constitution of Bangladesh Part III, Art. 34: Prohibition of Forced Labor

(1) All forms of forced labor are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

(2) Nothing in this article shall apply to compulsory labor,  
(a) by persons undergoing lawful punishment for a criminal offence; or  
(b) required by any law for public purpose.

#### B. Penal Code

§374: Whoever unlawfully compels any person to labor against the will of that person shall be punished with imprisonment of either description for a term which may extend for one year or with fine or with both.

#### C. The Contract Act

§ 10: All agreements are said to be contracts if they are made with the free consent of the parties competent to contract for a lawful consideration and with a lawful object, and are not hereby expressly declared to be void.

§14: Consent is said to be free when it is not caused by: Coercion as defined in section 15, or Undue Influence as defined in section 16, or Fraud as it is defined in section 17, or Misrepresentation as it is defined in section 18, or Mistake.

Consent is said to be so caused when it would not have been given but for the existence of such coercion, undue influence, fraud, misrepresentation or mistake.

§15: Coercion is the committing or threatening to commit any act forbidden by the penal code, or the unlawful detaining or threatening to detain any property to the prejudice of any person whatever with the intention of causing any person to enter into contract.

§16: A contract is said to be induced under undue influence where the relations subsisting between the parties are such that one of the parties is in a position to dominate the will of the other and uses that position to obtain an unfair advantage over the other.

§17: Fraud means and includes any of the following acts committed by a party to a contract, or by his agent with intent to deceive another party or to induce him to enter the contract:

- (1) the suggestion as a fact of that which is not true by one who does not believe it to be true
- (2) the active concealment of a fact by one having knowledge or belief of the fact
- (3) a promise made without any intention of performing it
- (4) any other act fitted to deceive;
- (5) any such act or omission as the law specially declares to be fraudulent.

§18: Misrepresentation means and includes:

- (1) the positive assertion of that which is not true
- (2) any breach of duty which without an intent to deceive, gains an advantage to the person committing it by misleading another to his prejudice
- (3) causing however innocently a party to an agreement to make a mistake as to the substance of the thing which is the subject of the agreement

## D. Bangladesh Srom Ain, 2006 Amended (Bangladesh Labor Act, 2006)

### 1. Employment Contracts

- Establishment is defined as any shop, commercial establishment, industry where workers are employed (Chapter 1, part 2, paragraph 31).
- No employer (of any establishment) shall employ any worker without employment papers (Chapter 2, paragraph 5).
- Employers are required to maintain records of the employment including wages, vacation etc., in the form of a —seize book.” Both the employer and worker will sign this book (Chapter 2, paragraph 7).
- Employers are required to keep a register of all employees with employment details such as date of employment, job description, hours, break and days off. This is required for all types of employment including temporary and seasonal workers (Chapter 2, paragraph 9).
- Employers are considered to include those who are in charge of hiring at the plant, administrators, and also include their representatives, anyone in charge of running the plant (Chapter 1, paragraph 49).
- Workers who are not temporary and whose names are on the payroll of the plant and who has worked for at least one year at that employment will receive compensation for the layoff (Chapter 2, paragraph 14). A temporary worker is a worker employed in an establishment for work which is essentially of temporary nature, and is likely to be finished within a limited period.

### 2. Resignation

- A permanent worker may resign from his service by giving to the employer in writing 60 day's notice; the notice is 30 days for a monthly rated temporary worker, and 14 days for other temporary workers. Where a worker intends to resigns from his service without any notice, he may do

so by paying to the employer wages in lieu of the legally required notice (Chapter 2, paragraph 27).

### 3. Punishment

- A worker may be punished for “dishonest acts” in the workplace with various forms of punishment including penalty fees (Chapter 2, paragraph 23).
- No fine exceeding one-tenth of the wages payable to a worker in respect of a wage-period may be imposed in any one wage-period on any worker, and no fine shall be imposed on a worker who is under the age of 15 years (Chapter 2, paragraph 25).

### 4. Benefits

- Maternity Leave

Bangladesh Srom Ain 2006 provides maternity leave for 8 weeks prior to delivery and eight weeks after delivery.

- Sick Leave

Every worker, other than newspaper workers, is entitled to sick leave for 14 days with full wages in a calendar year upon provision of approved medical certification. Newspaper workers shall be entitled to sick leave with half wages for not less than one-eighteenth of the period of services.

- Annual Leave

Bangladesh Srom Ain 2006 provides paid annual leave to every worker who has completed one year of continuous service in an establishment. The number of paid leave days varies with the worker's job and whether the worker is an adult or not an adult.

- Festival Holidays

Bangladesh Srom Ain 2006 provides every worker 11 days of paid festival holidays in a calendar year. If a worker is required to work on any festival holiday, two day's additional compensatory holidays with full pay and a substitute holiday shall be provided for him.

- Casual Leave

Every worker shall be entitled to casual leave the full wages for 10 days in a calendar year.

- Workmen's Compensation

If personal injury is caused to a worker by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation in accordance with the provisions of the Act (Chapter 12, paragraph 150).

## 5. Work Place Conditions

- Bangladesh Srom Ain 2006 provides for clean working conditions, emphasizing clean air, light, bathroom facilities, and requires owners to ensure that the work areas are well maintained and clear of trash and dirt (Chapter 2, paragraph 51). Workers are required to request in writing to employers to fix any unsafe condition in the workplace.
- No person shall be employed in any establishment to lift, carry or move any load so heavy as to be likely to cause him injury (Chapter 6, paragraph 74).
- In any establishment no person shall enter or be permitted to enter any chamber, tank, vat pit, pipe, flue or other confined space in which dangerous fumes are likely to be present to such an extent as to involve risks of persons being overcome thereby, unless adequate procedures and precautions as stated in the Act have been taken to ensure his safety (Chapter 6, paragraph 77).
- No person shall be permitted to enter in any establishment, any boiler furnace, boiler, flue chamber, tank, at, pipe or other confined space for the purpose of working or making any examination therein until it has been sufficiently cooled by ventilation or otherwise to be safe for persons to enter (Chapter 6, paragraph 77).

## 6. Wages

- No wage period shall exceed one month. Wages shall be paid before the expiry of the 7th day after the last day of the wage period; or upon termination of employment, before the expiry of the 7th working day from the day on which his employment is so terminated (Chapter 10, paragraphs 122 and 123).
- No employer shall pay any worker wages at a rate lower than the relevant minimum wage declared or published by the government (Chapter 10, paragraph 149).

## 7. Work Hours

- Bangladesh Srom Ain 2006 provides that workers cannot work for more than 8 hours, but in certain situations up to 10 hours, in a day. No worker shall work for more than 6 hours without an hour break or 5 hours without a half hour break. The law provides for a 48 hour work week but no more than 60 hours a week.
- The law provides for shops and businesses a day and a half break at the end of the work week, and for factories and establishments, one day.
- No women shall, without her consent, be allowed to work in an establishment between the hours of 10 pm and 6 am.

## 8. Overtime

- Law provides that workers will receive overtime for hours worked beyond the normal work hours. The amount of overtime is double the amount of regular

wages for regular employees, however the amount for contract workers is to be determined based on negotiation (Chapter 9, paragraph 108).

#### 9. Employment of Children and Adolescents

- Children cannot be employed in any sector<sup>163</sup>. In addition, parents are prohibited from entering into agreements with employers for the employment of their children. Adolescents can be employed where they can provide a certification of fitness from a doctor (Chapter 3, paragraphs 34-35).

Note: The Labor Act, Chapter 1, part 2, paragraph (Lxiii) states that 'child' means a person who has not completed his 14th year of age, and paragraph (viii) states that 'adolescent' means a person who has completed his 14th year but has not completed eighteenth year of age

- Adolescents cannot be employed to clean or maintain machinery that is running or clean the center of any machinery whose parts are rotating or in use (Chapter 3, paragraph 39).
- Adolescents cannot work for more than 5 hours in any day or 30 hours, up to 36 hours including overtime, in any week in a factory or mine, and in other establishments for no more than 7 hours in any day or 42 hours, up to 48 hours including overtime, in any week. They are allowed to work only between the hours of 7 am to 7 pm (Chapter 3, paragraph 41).
- Adolescents are prohibited from working under water or in caves or deep underground holes (Chapter 3, paragraph 42).

#### **Role of Labor Inspectors**

The ILO has urged governments to take the role of labor inspectors seriously. Their investigations are pivotal in preventing forced labor practices. Conversations with Bangladeshi human rights lawyers<sup>164</sup> reveal that while labor inspectors do visit the sites as required by law, they have been known to accept bribes and deliver strictly positive reviews of labor conditions at the sites.

Among the issues identified (and last updated in 2007) by the International Labor Organization are (See "Labor Inspection Convention, 1947 (No. 81) Bangladesh, Published 2007"):

1. Insufficient budget for inspectors.
2. Inadequate number of inspectors employed while number of registered premises increase (in 2007 premises increased by 67percent and workers by 140percent).
3. Materials and resources necessary for competent inspection have not been updated in over 20 years.
4. Due to lack of funding in some regions, inspectors are forced to receive reimbursement for their travel expenses from the employers which automatically jeopardizes the impartiality of the inspection.

5. Inspectors are not legally required to keep the name of complaining workers confidential, which indicates that inspectors are not receiving sufficient or accurate information from the workers regarding their situation.

6. Inspectors routinely allow for employers to remedy any violations found instead of filing charges in the Labor Court. In addition, inspectors do not engage lawyers in these matters.

It has also been reported that the inspectors give pre-warnings to the administrators who then are able to ensure that working conditions meet legal standards for the duration of the inspection (The true cost of shrimp).

### **ILO Conventions Ratified by Bangladesh**

(Ratified indicated by “R”, Not Ratified Indicated by —NR)

The following ILO conventions have been ratified by the Government of Bangladesh:

- Maternity Protection Convention, 1919- NR
- Night Work (Women) Convention, 1919 –R
- Minimum Age (Sea) Convention, 1920 – NR
- Minimum Age (Agriculture) Convention, 1921- NR
- Workmen's Compensation (Agriculture) Convention, 1921- NR
- Workmen's Compensation (Accidents) Convention, 1925 – NR
- Medical Examination of Young Persons (Sea) Convention, 1921 – R
- Workmen's Compensation (Occupational Diseases) Convention, 1925 – R
- Hours of Work (Commerce and Offices) Convention, 1930 – NR
- Protection against Accidents (Dockers) Convention (Revised), 1932- R
- Minimum Age (Non-Industrial Employment) Convention, 1932 – R
- Night Work (Women) Convention (Revised), 1934 – NR
- Holidays with Pay Convention, 1936 – NR
- Labour Inspection Convention, 1947 – R
- Freedom of Association and Protection of the Right to Organize Convention, 1948 – R
- Employment Service Convention, 1948 – NR
- Protection of Wages Convention, 1949 – NR
- Right to Organise and Collective Bargaining Convention, 1949- R
- Holidays with Pay (Agriculture) Convention, 1952 – NR
- Abolition of Forced Labour Convention, 1957- R
- Minimum Age (Fishermen) Convention, 1959- NR
- Employment Injury Benefits Convention, 1964
- Minimum Wage Fixing Convention, 1970 –NR
- Prevention of Accidents (Seafarers) Convention, 1970 – NR
- Minimum Age Convention, 1973 – NR

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## APPENDIX III: Summary of Presence of ILO Indicators of Forced Labor Among Respondents in Shrimp Fry Catching

As discussed in the Methodology section, Verité analyzed its findings with respect to other indicators of forced labor presented in the ILO's 2011 publication, *Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labour of Adults and Children*. A chart of these indicators follows.

		Present
Indicators of unfree recruitment of adults	<b>Strong Indicators of Involuntariness</b>	
	Tradition, birth (birth/descent into 'slave' or bonded status)	
	Coercive recruitment (abduction, confinement during the recruitment process)	
	Sale of the worker	
	Recruitment linked to debt (advance or loan)	
	Deception about the nature of the work	
	<b>Medium Indicators of Involuntariness</b>	
	Deceptive recruitment (regarding working conditions, content, or legality of employment contract, housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/earnings)	
	Deceptive recruitment through promises of marriage	
	<b>Strong Indicators of Menace of Penalty</b>	
	Denunciation to authorities	



	Confiscation of identity papers or travel documents	
	Sexual violence	
	Physical violence	
	Other forms of punishment	
	Removal of rights or privileges (including promotion)	
	Religious retribution	
	Withholding of assets (cash or other)	
	Threats against family members	
	<b>Medium Indicators of Menace of Penalty</b>	
	Exclusion from future employment	
	Exclusion from community and social life	
	Financial penalties	
	Informing family, community, or public about worker's current situation (blackmail)	

<b>Indicators of work and life under duress</b>	<b>Strong indicators of involuntariness</b>	
	Forced overtime (beyond legal limits)	Fry collectors may work long hours, but it is not forced, nor does it serve to tie them to their jobs.
	Forced to work on call (day and night)	
	Limited freedom of movement and communication	
	Degrading living conditions	
	<b>Medium indicators of involuntariness</b>	
	Forced engagement in	Due to Bangladeshi laws, most fry collecting is <i>de facto</i>

	illegal activities	illegal, however engagement is not forced.
	Forced to work for employer's private home or family	
	Induced addiction to illegal substances	
	Induced or inflated indebtedness (by falsification of accounts, inflated prices for goods/services purchased, reduced value of goods/services produced, excessive interest rates on loans, etc.)	Some fry fishers with debt to middlemen reported that the terms of their loans require them to sell captured fry to the middlemen at reduced value.
	Multiple dependency on employer (jobs for relatives, housing, etc.)	
	Pre-existence of dependency relationship with employer	
	Being under the influence of employer or people related to employer for non-work life	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to authorities	Fry catchers who are collecting fry illegally may be vulnerable to attempts at extortion or intimidation from local officials or paramilitary groups, but this is not a means to bind them to their work.
	Confiscation of identity papers or travel documents	
	Confiscation of mobile phones	
	Further deterioration in working conditions	
	Isolation	

Locked in workplace or living quarters	
Sexual violence	Some female fishers who are indebted to middlemen reported that they were threatened with sexual violence as a means of coercion to accept lower prices for collected fry.
Physical violence	
Other forms of punishment (deprivation of food, water, sleep, etc.)	
Violence against worker in front of other worker	
Removal of rights or privileges (including promotion)	
Religious retribution	
Constant surveillance	
Withholding of assets (cash or other)	
Withholding of wages	
Threats against family members	
<b>Medium indicators of penalty (or menace of penalty)</b>	
Dismissal	
Exclusion from future employment	
Exclusion from community and social life	
Extra work for breaching labor discipline	
Financial penalties	
Informing family, community or public about worker's current situation (blackmail)	

Indicators of impossibility of leaving employer for adults	<b>Strong indicators of involuntariness</b>	
	Reduced freedom to terminate labor contract after training or other benefit paid by employer	
	No freedom to resign in accordance with legal requirements	
	Forced to stay longer than agreed while waiting for wages due	
	Forced to work for indeterminate period to repay outstanding debt or wage advance	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to authorities	
	Confiscation of identify paper or travel documents	
	Imposition of worse working conditions	
	Locked in work or living quarters	
	Sexual violence	Please see sexual violence in 'Work and life under duress.'
	Physical violence	
	Other forms of punishment (deprivation of food, water, sleep, etc.)	
	Removal of rights or benefits (including promotion)	
	Religious retribution	
	Under constant surveillance	
	Violence imposed on other fishers in front of all fishers	
	Withholding of assets (cash or other)	

	Withholding of wages	
	Threats against family members (violence or loss of jobs)	
	<b>Medium indicators of penalty or menace or penalty</b>	
	Dismissal	
	Exclusion from future employment	
	Exclusion from community and social life	
	Extra work for breaching discipline	
	Financial penalties	
	Informing family, community or public about worker's current situation (blackmail)	

## APPENDIX IV: Summary of Presence of ILO Indicators of Forced Labor Among Respondents in Shrimp Farming

As discussed in the Methodology section, Verité analyzed its findings with respect to other indicators of forced labor presented in the ILO's 2011 publication, *Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labour of Adults and Children*. A chart of these indicators follows.

### Adults

		Present
Indicators of unfree recruitment of adults	<b>Strong Indicators of Involuntariness</b>	
	Tradition, birth (birth/descent into 'slave' or bonded status)	
	Coercive recruitment (abduction, confinement during the recruitment process)	
	Sale of the worker	
	Recruitment linked to debt (advance or loan)	
	Deception about the nature of the work	
	<b>Medium Indicators of Involuntariness</b>	
	Deceptive recruitment (regarding working conditions, content, or legality of employment contract, housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/earnings)	
	Deceptive recruitment through promises of marriage	
	<b>Strong Indicators of Menace of Penalty</b>	
	Denunciation to authorities	
	Confiscation of identity papers or travel documents	
	Sexual violence	
	Physical violence	
	Other forms of punishment	
	Removal of rights or privileges (including promotion)	
	Religious retribution	
	Withholding of assets (cash or other)	
	Threats against family members	
	<b>Medium Indicators of Menace of Penalty</b>	
	Exclusion from future employment	
	Exclusion from community and social life	
	Financial penalties	
	Informing family, community, or public about worker's current situation (blackmail)	

<b>Indicators of work and life under duress of adults</b>	<b>Strong indicators of involuntariness</b>	
	Forced overtime (beyond legal limits)	During harvest season, workers may be engaged for long hours, but this is an understood aspect of the job and is seasonal in nature.
	Forced to work on call (day and night)	Some guards or "permanent" workers are required to be on call day and night as a requirement of receiving housing from the farm owner.
	Limited freedom of movement and communication	
	Degrading living conditions	
	<b>Medium indicators of involuntariness</b>	
	Forced engagement in illegal activities	
	Forced to work for employer's private home or family	Anecdotal reports of workers required to perform household chores for farm owner.
	Induced addiction to illegal substances	
	Induced or inflated indebtedness (by falsification of accounts, inflated prices for goods/services purchased, reduced value of goods/services produced, excessive interest rates on loans, etc.)	
	Multiple dependency on employer (jobs for	"Permanent" workers receive housing from employer. Research did not identify cases where this dependency was being used to exploit the worker.

	relatives, housing, etc.)	
	Pre-existence of dependency relationship with employer	
	Being under the influence of employer or people related to employer for non-work life.	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to authorities	
	Confiscation of identity papers or travel documents	
	Confiscation of mobile phones	
	Further deterioration in working conditions	
	Isolation	
	Locked in workplace or living quarters	
	Sexual violence	Knowledge and/or of sexual abuse/harassment reported by female workers
	Physical violence	
	Other forms of punishment (deprivation of food, water, sleep, etc.)	
	Violence against worker in front of other worker	
	Removal or rights or privileges (including promotion)	
	Religious retribution	



	Constant surveillance	
	Withholding of assets (cash or other)	
	Withholding of wages	
	Threats against family members	
	<b>Medium indicators of penalty (or menace of penalty)</b>	
	Dismissal	Perceived threats of dismissal for voicing complaints
	Exclusion from future employment	
	Exclusion from community and social life	
	Extra work for breaching labor discipline	
	Financial penalties	
	Informing family, community or public about worker's current situation (blackmail)	

<b>Indicators of impossibility of leaving employer for adults</b>	<b>Strong indicators of involuntariness</b>	
	Reduced freedom to terminate labor contract after training or other benefit paid by employer	
	No freedom to resign in accordance with legal requirements	
	Forced to stay longer than agreed while waiting for wages due	
	Forced to work for indeterminate period to repay outstanding debt or wage advance	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to authorities	
	Confiscation of identify paper or travel documents	
	Imposition of worse working conditions	
	Locked in work or living quarters	
	Sexual violence	See Sexual violence in 'Work and life under duress.'
	Physical violence	
	Other forms of punishment (deprivation of food, water, sleep, etc.)	
	Removal of rights or benefits (including promotion)	
	Religious retribution	
	Under constant surveillance	
	Violence imposed on other workers in front of all workers	
	Withholding of assets (cash or other)	

	Withholding of wages	
	Threats against family members (violence or loss of jobs)	
	<b>Medium indicators of penalty or menace or penalty</b>	
	Dismissal	See Dismissal in 'Work and life under duress.'
	Exclusion from future employment	
	Exclusion from community and social life	
	Extra work for breaching discipline	
	Financial penalties	
	Informing family, community or public about worker's current situation (blackmail)	

## APPENDIX V: Summary of Presence of ILO Indicators of Forced Labor Among Respondents in Shrimp Processing Plants

As discussed in the Methodology section, Verité analyzed its findings with respect to other indicators of forced labor presented in the ILO's 2011 publication, *Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labour of Adults and Children*. A chart of these indicators follows.

		Present
Indicators of unfree recruitment of adults	<b>Strong Indicators of Involuntariness</b>	
	Tradition, birth (birth/descent into 'slave' or bonded status)	
	Coercive recruitment (abduction, confinement during the recruitment process)	
	Sale of the worker	
	Recruitment linked to debt (advance or loan)	
	Deception about the nature of the work	
	<b>Medium Indicators of Involuntariness</b>	
	Deceptive recruitment (regarding working conditions, content, or legality of employment contract, housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/earnings)	
	Deceptive recruitment through promises of marriage	
	<b>Strong Indicators of Menace of Penalty</b>	
	Denunciation to authorities	
	Confiscation of identity papers or travel documents	
	Sexual violence	
	Physical violence	
	Other forms of punishment	
	Removal of rights or privileges (including promotion)	
	Religious retribution	
	Withholding of assets (cash or other)	
	Threats against family members	
	<b>Medium Indicators of Menace of Penalty</b>	
	Exclusion from future employment	
	Exclusion from community and social life	
	Financial penalties	
	Informing family, community, or public about worker's current situation (blackmail)	

Indicators of work and life under duress of adults	<b>Strong indicators of involuntariness</b>	
	Forced overtime (beyond legal limits)	During peak harvest seasons, there are reports of workers required to work 24-hour shifts .
	Forced to work on call (day and night)	
	Limited freedom of movement and communication	
	Degrading living conditions	
	<b>Medium indicators of involuntariness</b>	
	Forced engagement in illegal activities	
	Forced to work for employer's private home or family	
	Induced addiction to illegal substances	
	Induced or inflated indebtedness (by falsification of accounts, inflated prices for goods/services purchased, reduced value of goods/services produced, excessive interest rates on loans, etc.)	
	Multiple dependency on employer (jobs for relatives, housing, etc.)	
	Pre-existence of dependency relationship with employer	
	Being under the influence of employer or people related to employer for non-work life	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to	

authorities	
Confiscation of identity papers or travel documents	
Confiscation of mobile phones	
Further deterioration in working conditions	
Isolation	
Locked in workplace or living quarters	
Sexual violence	Knowledge of sexual abuse/harassment reported
Physical violence	Reported by 2 percent of workers
Other forms of punishment (deprivation of food, water, sleep, etc.)	
Violence against worker in front of other worker	
Removal or rights or privileges (including promotion)	
Religious retribution	
Constant surveillance	
Withholding of assets (cash or other)	
Withholding of wages	Some contract workers reported that they were cheated of their wages through improper procedures in weighing their piece work.
Threats against family members	
<b>Medium indicators of penalty (or menace of penalty)</b>	
Dismissal	Threats of dismissal for voicing complaints
Exclusion from future employment	
Exclusion from community and social life	
Extra work for breaching labor discipline	
Financial penalties	
Informing family,	

community or public about worker's current situation (blackmail)	
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<b>Indicators of impossibility of leaving employer for adults</b>	<b>Strong indicators of involuntariness</b>	
	Reduced freedom to terminate labor contract after training or other benefit paid by employer	
	No freedom to resign in accordance with legal requirements	
	Forced to stay longer than agreed while waiting for wages due	
	Forced to work for indeterminate period to repay outstanding debt or wage advance	
	<b>Strong indicators of penalty (or menace of penalty)</b>	
	Denunciation to authorities	
	confiscation of identify paper or travel documents	
	imposition of worse working conditions	
	Locked in work or living quarters	
	Sexual violence	See Sexual violence in 'Work and life under duress.'
	Physical violence	See Physical violence in 'Work and life under duress.'
	Other forms of punishment (deprivation of food, water, sleep, etc.)	
	Removal of rights or benefits (including promotion)	
	Religious retribution	
	Under constant surveillance	
	Violence imposed on	

	other workers in front of all workers	
	Withholding of assets (cash or other)	
	Withholding of wages	
	Threats against family members (violence or loss of jobs)	
	<b>Medium indicators of penalty or menace or penalty</b>	
	Dismissal	See dismissal in 'Work and life under duress.'
	Exclusion from future employment	
	Exclusion from community and social life	
	Extra work for breaching discipline	
	Financial penalties	
	Informing family, community or public about worker's current situation (blackmail)	



## **APPENDIX VI: Selected Annotated Bibliography of Bangladeshi Reports on the Shrimp Industry**

### **Review of Some Related Documents**

1) Name of the author: Urban and Rural Planning Discipline, Khulna University Khulna, Bangladesh

Title: Socio-economic Baseline Study on the Impact Zone of the Sundarbans

Name of the publisher: Urban and Rural Planning Discipline, Khulna University

Place of publication: Khulna

Year of publication: 2001

Major Issues discussed: The study discussed socio-economic conditions of the people living in the impact zone of the Sundarbans, highlighting dependency on the resources of the forest, demographic features, level of education, occupation pattern, income and expenditure pattern, possession of assets, housing structure, services and facilities, mobility pattern, coping with crisis, involvement of the NGOs.

Major recommendations: (i) regular updating of information

2) Name of the author: Ashraful-ul-Alam Tutu

Title: Situation Analysis on Child Rights Violation in Shrimp Sector in the Southwestern Coastal Region of Bangladesh

Name of the publisher: Coastal Development Partnership

Place of publication: Khulna

Year of publication: 2006

Major Issues discussed: The study focused on socio-economic causes of children being engaged in the shrimp sector; the level of and characteristics of risks of child labour in the shrimp sector; the types of child rights which are being violated and how these harm the children; options of the children regarding the responsibilities of their parents/legal guardians, employers, and the concerned GOs and NGOs in respect to the children's social and economic development.

Major recommendations: The major recommendation were (i) provision of opportunities to the children engaged in the shrimp sector; (ii) implementation of minimum wage law to the children of the shrimp sector, (iii) awareness building and advocacy among the general public, local public representatives, civil societies, journalists, and other stakeholders

3) Name of the author: Actionaid, Bangladesh

Title: Report on Government Policies and Procedures regarding the Use of Coastal Wetlands for Shrimp Cultivation in the South-western Part of Bangladesh

Name of the publisher: Access to and Control over Natural Resources & Service,  
Actionaid Bangladesh  
Place of publication: Dhaka  
Year of publication: 2007

Major Issues discussed: The study discussed adverse impacts of shrimp cultivation on agricultural productivity, health, sanitation, education, and livelihood of rural farming communities, and existing government policies and procedures regarding use of coastal wetlands.

Major recommendations: The major recommendations were: (i) introduction of registration of the shrimp farm; (ii) preparation of land use plan of the coastal areas showing the land suitable for shrimp cultivation; (iii) introduction of land development tax used for shrimp cultivation, (iv) launching of special programs for provisions of water supply, sanitation, education, employment generation activities, (v) campaign against harmful impacts of shrimp farming especially on ecology, civil rights of the landless, and the marginal framers.

4) Name of the author: Gouranga Nandi, Shamser Ali and Towhid Ibne Farid  
Title: Shrimp and Public Economy: Who Gains who Loses (*chingri o jano arthonoti kar lob kar khati*)  
Name of the publisher: Actionaid, Bangladesh  
Place of publication: Khulna  
Year of publication: 2007

Major Issues discussed: The study discussed causes of shrimp cultivation, social impacts of shrimp cultivation; movement against shrimp cultivation; deterioration in the livelihood of the women; impact on the environment; profits and losses incurred due to shrimp cultivation; international market and shrimp; and the government policies.

Major recommendations: The major recommendations were: (i) formulation of a national policy on shrimp cultivation; (ii) preparation of land use plan identifying the land suitable for shrimp cultivation; (iii) carrying out environmental impact assessment (EIA) and social impact assessment (SIA) before starting shrimp cultivation (iv) leasing out wetlands, khas land suitable for shrimp cultivation to the landless people and stop leasing those types of land to the private persons; (v) introducing minimum wage for the laborers engaged in the shrimp sector; (vi) conducting more in-depth research addressing issues on marginal farmers, environmental impact and rights of the lost due to shrimp cultivation.

5) Name of the author: Nandy, Gourango, Shamsher Ali, Towhid Ibne Farid  
Title: Chingri O Jano-Arthoniti: Kar Lav Kar Khoti (Shrimp and People Economy: Who Gains, Who Loses).  
Publication name: ActionAid Bangladesh publication  
Place of publication: Dhaka  
Year of publication: 2007

Main issues discussed: This literature provides an elaborate analysis of the historical development and various impacts of shrimp farming in Khulna, Satkhira and Bagerhat. The inevitable consequences of increased inequality and wealth gap in the region from shrimp production are portrayed through evaluation of the demographic characteristics and livelihood patterns, timeline-based comparative analysis of status quo, and impact matrix stratified under 4 categories (i.e. landless farmer, marginal farmer, shared cropper, and rich/large farmers). Socio-economic impacts on the local communities is seen highly regressive, pervading, and erosive to local economies from loss of natural resources and land ownership, unemployment, crime (e.g. murder, rape, torture, looting etc.), and forced poverty. There are at least 300,000 marginalized and landless farmers living in the shrimp culture areas of Khulna, Satkhira, and Bagerhat. Particularly, shrimp fry collectors and farm laborers are extremely vulnerable to a high degree of exploitation by *dadondars*, rich absentee farmers (or local politicians as large farmers) and exporters (who own shrimp farms). Most of these workers are women who face severe wage discrimination, sexual harassment or other types of abuses, and diseases. The researchers accused the national and local government, some civil society groups, and legal authorities of allowing degraded conditions and dire stress of poverty from capitalization of shrimp.

Major recommendations: An integrated approach has been advocated combining multiple stakeholders that collectively address social and environmental problems of shrimp production through increasing people-centric local economy development and rehabilitation measures of increased salinity areas.

6) Name of the author: Md. Nuruzzaman, National Consultant, BQSP- Fisheries, UNIDO, and Sk. Md. Abdul Baki, Vice-President, BFFEA  
Title: Shrimp Processing Industries under Bangladesh Frozen Food Exporters Association (BFFEA) are progressing on Social Compliance  
Publisher's name: Anon.  
Place of publication: Dhaka  
Year of publication: 2009

Main issues discussed: As an aftermath of the labor debate raised in 2007 by the AFL-CIO and US Trade representatives, the Bangladesh Frozen Food Exporters Association (BFFEA) and the regulating ministries - Ministry of Fisheries and Livestock, Ministry of Labour and Employment, and Ministry of Commerce and Industries, addressed some of the allegations through immediate measures to combat the labor problems in the shrimp sector. The processing factories in Khulna, Sathkhira, and Bagerhat districts were called for social compliance under the existing labor laws.

As a result, preliminary institutional development for advancing in social and labor standard compliance has been initiated. The Fisheries Inspection and Quality Control section of the Department of Fisheries (DOF FIQC) and BFFEA in both Khulna and Chittagong planned for an evaluation sheet tied with factory and export licensing.

Although faced allegations are mainly related to salary and wages, health care, baby-sitting arrangements, canteen facilities, and child labor in the processing plants, primary measures of formalizing the labor force through issuing ID cards and appointment letters have been implemented. A 'Labour Rights and Social Compliance Forum' has been formed in Khulna recently with the objective of working towards improving the conditions of the shrimp industry in the Khulna region.

Major Recommendations: No recommendations outlined in this response report.

7) Name of the author: Shahnewaz Nazimuddin Ahmed; ed. Asaduzzaman  
Title: Livelihood and Minimum Wages of the Workers in the Shrimp Processing Plants  
Publisher's name: SAFE – Manusher Jonno Foundation  
Place of publication: Khulna  
Year of publication: 2007

Major Issues Discussed: Role of shrimp industry in the economy of Bangladesh; Shrimp cultivation and its different stages; Workers rights from different ideological perspectives; Summary of Bangladesh Labour Laws, Wages, and Minimum Wages under the existing Laws; Initiatives in determining minimum wages in Bangladesh; Gender-based wage discrimination and child work; Living and working conditions of shrimp workers; and Minimum wage in the shrimp sector.

Major Recommendations: Formulate state of the art shrimp policy that would ensure, minimum wage determined by representation of all stakeholders, namely, exporters, government agencies, workers, and civil society leaders. Additional policies include workplace improvement through employment contracts, service books, register etc.; Finding alternative ways of replacing contract work or ensuring a mechanism that contract workers are not denied minimum wage and legally mandated benefits; Ensure alternative employment opportunities for shrimp processing workers in lean season; Ensure pregnancy and maternity benefits; Allow freedom of association; Build capacity of the concerned departments of the Ministry of Labour and Employment to monitor shrimp industry and protect workers' rights; Introduce social compliance in all phases of shrimp cultivation and processing.

Disseminate information on shrimp workers living and working conditions for advocacy and sustainable development of the sector.

8) Name of the author: Sadeka Halim. Edited by Kazi Tobarak Hossain, Muhammad Hassan Imam and Shah Ehsan Habib.  
Title: Marginalization or Empowerment? Women's Involvement in Shrimp Cultivation and Shrimp Processing Plants in Bangladesh  
Publisher's name: University of Rajshahi Women, Gender and Discrimination journal.  
Place of publication: Rajshahi  
Year of publication: 2004

Major Issues Discussed: This paper provides insight as to whether involvement of women in the shrimp sector is empowering or leading to vulnerability. The following issues are addressed in this research work:

- Engagement of women in various socio-economic or income generating activities with opportunities diminished after introduction of shrimp farming in Khulna, Satkhira, Bagerhat and Cox's Bazar.
- Gradual merging of formal and informal sector economy in shrimp production leading to difficulties in addressing the problem of women's employment. Discrimination in payment scheme from gender bias, subcontracted labor, engagement of female laborers of all ages, particularly vulnerable or marginalized women, loss of livelihood, natural resource supplies through landscape change etc.
- Fry collection: Exploitation of women fry collectors and subsistence living conditions with odd working hours. Pond preparation: gender-based wage discrimination for the same labour with at times increasing work burden for women in terms of longer working hours. Labour supply exceeding the demand for shrimp farm labor which is an unethical advantage for the farm owners to further exploit labor through differentiated wages.
- Debt bondage or *dadon* system highly operational in the lower tiers of the shrimp production supply chain. Thus, the most vulnerable group is female (accompanied often by children) fry collectors. The situation of male fry collectors is slightly better, as they can freely travel to trading points for better market price of the shrimp fries. This also indicates marketing, supervision, and management of fish production under the male domain (also FAO 1990).
- Verbal, physical and sexual abuse/harassment of women, young girls, and children during shrimp fry collection. Absence of social laws in terms of occupational risks and hazards further aggravate the problem.
- There is no provision of sick leave, legal support against abuse, job insecurity, no choice of other livelihood options, exposure to various illness and diseases.
- Absence of government or non-government entities to mobilize women and children.
- Exploitation and forced labor in shrimp processing plants in terms of benefits, contracted labor, contract labor without formal contract, etc.
- Seasonal and menial employment are major challenges for overcoming the problems.

Major Recommendations: Initiate dialogue with the exporters' association, with the workers, and other stakeholders on social compliance;

- Support of ILO and EU to bring changes in the policies through a humanitarian approach;
- Review government laws/codes in line with ILO conventions and other declarations to improve living standards of women engaged in the shrimp sector.

## Appendix VII: Survey Tools

\*Note that these were guide questions. Exact phrasing of questions may have varied. Researchers also followed up on any new areas that arose from conversations.

### Shrimp Fry Collection

1. Demographics
  - a. Age
  - b. Sex
  - c. Family/marital status
  - d. Village of origin
    - i. Local or migrated to current village?
  - e. Education
2. Entry into sector
  - a. How many years have you been involved?
  - b. Why do you participate in this type of work?
3. Hours
  - a. How many hours a day do you work?
  - b. Do you work 7 days a week?
    - i. If yes, why?
  - c. Is there seasonal variation?
4. Wages
  - a. How much income do you make?
  - b. Who do you sell your fry to?
  - c. Are you obligated to sell to any particular person?
    - i. If yes, why?
    - ii. How does he determine your rate?
  - d. Is there any difference in the price of fry sold by males and females?
    - i. Why?
  - e. Are your earnings ever withheld?
  - f. Are they ever different then you expect them to be?
  - g. Are you paid in cash? Something else?
5. Do you have debt?
  - a. Who holds it?
  - b. How much?
  - c. Did you inherit it? Would your children have to pay it if you couldn't?
  - d. What happens if you don't pay it back?
  - e. How many times this year did you take loans?
  - f. For what purpose?
  - g. Do you other options for taking loans?
6. Health/Safety
  - a. Do you like your work?
    - i. Why/why not?

- b. What do you do if you need to use the toilet, breast feed, change your clothes, etc?
  - c. Have you suffered any illnesses?
    - i. If yes, what?
  - d. Have you suffered any injuries?
    - i. If yes, what?
  - e. What are your biggest problems/concerns?
- 7. Violence/Assault
  - a. Do you ever encounter organized crime? What happens?
  - b. Do you experience threats of violence or real violence?
    - i. From who? Details?
  - c. Have you experienced sexual abuse/assault?
    - i. What happened?
    - ii. Active/current or in the past?
    - iii. Is there an expectation of sexual favors?
    - iv. Do you ever have to trade sex for protection from violence?
- 8. Child labor
  - a. Do your children work in shrimp fry collecting?
    - i. If yes, how old?
    - ii. How many hours does s/he work per day?
    - iii. Average income per day?
    - iv. Does s/he go to school?
      - 1. If no, why not?
    - v. Has s/he experienced any problems while collecting fry?
      - 1. What?
- 9. Grievance
  - a. Do you have any way to express challenges/difficulties/complaints to your employer?

## **Shrimp Farms**

- 1. Demographics
  - a. Age
  - b. Sex
  - c. Family/marital status
  - d. Village of origin
    - i. Local or migrated to current village?
  - e. Education
- 2. Entry into sector
  - a. How many years have you been involved?
  - b. Why do you participate in this type of work?
  - c. Were you recruited?
    - i. By who?
    - ii. Any employment agreement?
      - 1. Written/verbal
- 3. Details of work

- a. Involved in
    - i. Fence making/mending
    - ii. Earth cutting
    - iii. Farm cleaning
    - iv. Guard
    - v. Fertilizer application
    - vi. Other
- 4. Hours
  - a. How many hours a day do you work?
  - b. Do you work 7 days a week?
    - i. If yes, why?
  - c. Is there seasonal variation?
- 5. Wages
  - a. How much income do you make?
  - b. Do you there is a difference between the wages of men and women?
  - c. Are your earnings ever withheld?
  - d. Are they ever different then you expect them to be?
  - e. Are you paid in cash? Something else?
- 6. Do you have debt?
  - a. Who holds it?
  - b. How much?
  - c. Did you inherit it? Would your children have to pay it if you couldn't?
  - d. What happens if you don't pay it back?
  - e. How many times this year did you take loans?
  - f. For what purpose?
  - g. Do you other options for taking loans?
- 7. Health/Safety
  - a. Do you like your work?
    - i. Why/why not?
  - b. What do you do if you need to use the toilet, breast feed, change your clothes, etc?
  - c. Have you suffered any illnesses?
    - i. If yes, what?
  - d. Have you suffered any injuries?
    - i. If yes, what?
  - e. What are your biggest problems/concerns?
- 8. Violence/Assault
  - a. Do you experience threats of violence or real violence?
    - i. From who? Details?
  - b. Have you experienced sexual abuse/assault?
    - i. What happened?
    - ii. Active/current or in the past?
    - iii. Is there an expectation of sexual favors?
    - iv. Do you ever have to trade sex for protection from violence?
- 9. Child labor
  - a. Do your children work in shrimp fry collecting?



- i. If yes, how old?
  - ii. How many hours does s/he work per day?
  - iii. Average income per day?
  - iv. Does s/he go to school?
    - 1. If no, why not?
  - v. Has s/he experienced any problems while working?
    - 1. What?
- 10. Grievance
  - a. Do you have any way to express challenges/difficulties/complaints to your employer?
- 11. Is there any conflict between the farm owner and the land owner? Does that affect you?

## Processing Plants

- 1. Demographics
  - a. Age
  - b. Sex
  - c. Family/marital status
  - d. Village of origin
    - i. Local or migrated to current village?
  - e. Education
- 2. Entry into sector
  - f. How many years have you been involved?
  - g. Why do you participate in this type of work?
  - h. How did you get this job? Were you recruited?
    - i. By who?
    - ii. Any employment agreement?
      - 1. Written/verbal
    - iii. If contractor, is contractor also your supervisor?
- 2. Details of work
  - a. Involved in
    - i. Loading/unloading
    - ii. Ice
    - iii. Deheading
    - iv. Cleaning
    - v. Other
- 3. Hours
  - a. How many hours a day do you work?
  - b. Do you work 7 days a week?
    - i. If yes, why?
  - c. Is there seasonal variation?
- 4. Wages
  - a. How much income do you make?
  - b. Do you there is a difference between the wages of men and women?
  - c. Are your earnings ever withheld?

- d. Are they ever different then you expect them to be?
  - e. Are you paid in cash? Something else?
- 5. Do you have debt?
  - a. Who holds it?
  - b. How much?
  - c. Did you inherit it? Would your children have to pay it if you couldn't?
  - d. What happens if you don't pay it back?
  - e. How many times this year did you take loans?
  - f. For what purpose?
  - g. Do you other options for taking loans?
- 6. Health/Safety
  - a. Do you like your work?
    - i. Why/why not?
  - b. What do you do if you need to use the toilet, breast feed, change your clothes, etc?
  - c. Have you suffered any illnesses?
    - i. If yes, what?
  - d. Have you suffered any injuries?
    - i. If yes, what?
  - e. What are your biggest problems/concerns?
- 7. Violence/Assault
  - a. Do you experience threats of violence or real violence?
    - i. From who? Details?
  - b. Have you experienced sexual abuse/assault?
    - i. What happened?
    - ii. Active/current or in the past?
    - iii. Is there an expectation of sexual favors?
    - iv. Do you ever have to trade sex for protection from violence?
- 8. Child labor
  - a. Do your children work in shrimp fry collecting?
    - i. If yes, how old?
    - ii. How many hours does s/he work per day?
    - iii. Average income per day?
    - iv. Does s/he go to school?
      - 1. If no, why not?
    - v. Has s/he experienced any problems while working?
      - 1. What?

## ENDNOTES

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<sup>2</sup> A rapid appraisal is an intensive qualitative research technique, commonly used to access rural, disadvantaged, or developing communities or populations facing acute crisis (such as armed conflict or environmental disaster), that gathers existing information (primarily through a literature review) and the knowledge of the community under study (primarily through key interviews, focus groups, and/or participatory research) in order to gain a basic understanding of major issues in a short period of time.

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<sup>12</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

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<sup>74</sup> A rapid appraisal is an intensive qualitative research technique, commonly used to access rural, disadvantaged, or developing communities or populations facing acute crisis (such as armed conflict or environmental disaster), that gathers existing information (primarily through a literature review) and the

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knowledge of the community under study (primarily through key interviews, focus groups, and/or participatory research) in order to gain a basic understanding of major issues in a short period of time.

<sup>75</sup> International Labor Organization. A Global Alliance against Forced Labor: Report of the Director-General. Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. 2005.  
<http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/rep-i-b.pdf>

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<sup>78</sup> A rapid appraisal is an intensive qualitative research technique, commonly used to access rural, disadvantaged, or developing communities or populations facing acute crisis (such as armed conflict or environmental disaster), that gathers existing information (primarily through a literature review) and the knowledge of the community under study (primarily through key interviews, focus groups, and/or participatory research) in order to gain a basic understanding of major issues in a short period of time.

<sup>79</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>80</sup> ILO. *A Global Alliance against Forced Labor*. 2005  
<http://www.ilo.org/public/english/standards/relm/ilc/ilc93/pdf/rep-i-b.pdf>

<sup>81</sup> After the data was categorized according to the 2005 ILO indicators, Verité conducted a secondary classification exercise based on new guidelines for surveying forced labor, which were issued in Dec. 2011 (*Hard to see, harder to count: Survey guidelines to Estimate Forced Labour of Adults and Children*) in order to consider the data within an updated standard framework. However, because the study was not designed or implemented with this newer framework in mind, the study may not have captured all the data that would be relevant to this analysis. The results of this secondary analysis are presented in Appendices III, IV, and V.

<sup>82</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>83</sup> Nesar, Ahmed. Troell, Max. Fishing for Prawn Larvae in Bangladesh: An Important Coastal Livelihood Causing Negative Effects on the Environment. *AMBIO: A Journal Of Human Development*. 39 (1):20-29. 2010.

<sup>84</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

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- <sup>91</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.
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- <sup>94</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.
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- <sup>96</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.
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<sup>102</sup> Rouf, M. and K. Jensen . *Possible Strategy for the Sundarbans, Bangladesh*. Coastal Fisheries Management and Community Livelihood. ITCZM Monograph No. 4. School of Environment Resources and Development, Asian School of Technology, Bangladesh. As cited it: Mondal, Nisith Kumar; Hasan, Nahid; Siddique Norman; Mondal, Krishna Rani; Alam, Akm Shamsul. Socioeconomic Status of Fry Fishers After Imposing Ban on Fry Collection at Munshigong Adjacent Area of Sunderbans in Bangladesh. Bangladesh Research Publications J. 2(4). July – August, 2009.

<sup>103</sup> Although USAID estimates that 40 percent of the fry collection workforce is female, researchers purposively sampled for more women as previous research, including USAID and the Environmental Justice Foundation, has identified women as being particularly vulnerable to exploitation.

<sup>104</sup> Responses to certain indicators such as wages age and hours worked were collected in ranges. This allowed respondents to share detailed information about themselves and their working conditions while limiting the discomfort that highly personal questions can cause. Throughout this report, midpoints of ranges are used in calculating averages. When wages were reported as 500 Taka or less, 500 Taka was used. When wages were reported as 6000+ Taka, 6000 Taka was used.

<sup>105</sup> Interviewers asked fishers to report their educational attainment in an open-ended way to maintain the comfort of respondents. Therefore, some respondents chose to self-identify as 'illiterate,' rather than noting the precise level of their academic achievement.

<sup>106</sup> Thana is an administrative subdistrict of an 'upazilla' (district)

<sup>107</sup> After the data was categorized according to the 2005 ILO indicators, Verité conducted a secondary classification exercise based on new guidelines for surveying forced labor, which were issued in Dec. 2011 (*Hard to see, harder to count: Survey guidelines to Estimate Forced Labour of Adults and Children*) in order to consider the data within an updated standard framework. The results of this secondary analysis are presented in Appendices III, IV, and V.

<sup>108</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>109</sup> US Agency for International Development. Bangladesh. *A Pro-Poor Analysis of the Shrimp Sector in Bangladesh*. 2006.

<sup>110</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>111</sup> The paramilitary group cited was the "Bangladesh Rifles" or BDR.

<sup>112</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>113</sup> Delap, E. & Lugg, R.. *Not Small Fry: Children's Work in Bangladesh's Shrimp Industry*. Prepared for Save the Children Fund (UK) Bangladesh Programme as cited in Environmental Justice Foundation "Smash and Grab."

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<sup>114</sup> Average monthly wages were calculated by extrapolating monthly wages based on daily average earnings during peak season. As most workers worked every day in peak season, average daily wages were multiplied by 30 days to determine average monthly wages. Therefore, these earnings are not necessarily statistically representative, but can be used for comparison purposes between groups of workers.

<sup>115</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

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<sup>116</sup> Nesar, Ahmed. Troell, Max. Fishing for Prawn Larvae in Bangladesh: An Important Coastal Livelihood Causing Negative Effects on the Environment. *AMBIO: A Journal Of Human Development*. 39 (1):20-29. 2010

<sup>117</sup> Frankenberger, Timothy. A Livelihood Analysis of Shrimp Fry Fishers in Bangladesh: Future Prospects in Relation to a Wild Fry Collection Ban. 2002.

<sup>118</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>119</sup> <http://www.fao.org/docrep/X5625E/x5625e0a.htm>

<sup>120</sup> Some shrimp land retains its use as agricultural land during the off-season, however, significant areas previously used for agriculture are no longer arable.

<sup>121</sup> Environmental Justice Foundation. *Desert in the Delta: A report on the environmental, human rights, and social impacts of shrimp production in Bangladesh*. 2004. [http://www.ejfoundation.org/pdf/desert\\_in\\_the\\_delta.pdf](http://www.ejfoundation.org/pdf/desert_in_the_delta.pdf)

<sup>122</sup> M. Akhter Hamid, Mohammad Alauddin, (1998) "Coming out of their homesteads?: Employment for rural women in shrimp aquaculture in coastal Bangladesh", *International Journal of Social Economics*, Vol. 25 Iss: 2/3/4, pp.314 - 337

<sup>123</sup> <http://www.worldwildlife.org/what/globalmarkets/aquaculture/WWFBinaryitem18888.pdf>

<sup>124</sup> Environmental Justice Foundation. *Desert in the Delta: A report on the environmental, human rights, and social impacts of shrimp production in Bangladesh*. 2004. [http://www.ejfoundation.org/pdf/desert\\_in\\_the\\_delta.pdf](http://www.ejfoundation.org/pdf/desert_in_the_delta.pdf)

<sup>125</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>126</sup> World Wildlife. <http://www.worldwildlife.org/what/globalmarkets/aquaculture/WWFBinaryitem18888.pdf>

<sup>127</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

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<sup>128</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>129</sup> Researchers thought that it was appropriate for respondents to self-identify in these ways; by asking for respondents educational attainment, and allowing respondents to offer their own description of their educational status, researchers could avoid asking respondents directly if they were illiterate, which could be viewed as an intrusive line of questioning.

<sup>130</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>131</sup> As discussed in Methodology, Verité analyzed its findings with respect to the indicators of forced labor presented in the ILO's 2011 publication, *Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labour of Adults and Children*.

<sup>132</sup> Due to the highly personal nature of this topic, few workers was willing to describe her own experiences in the first person in the context of a survey. Instead workers described their knowledge of experiences of women they knew in the shrimp farm sector. It was the researcher's opinion that many of these women likely hand first hand experience, but the stigma associated with sexual abuse in Bangladesh is high, leaving little room for direct personal discussion. Workers did feel more comfortable discussing these issues in less structured conversations.

<sup>133</sup> Researchers phrased income questions so that workers could report a wage range rather than a specific wage. This was done for two reasons: first, it allowed workers who were not sure of their exact earnings per month to report their best estimate for their average monthly earnings; second, it allowed workers who were hesitant to disclose the exact nature of their earnings to discuss their income more broadly. Averages were determined using the midpoint of the wage ranges.

<sup>134</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008). <http://www.sagepub.com/dicken6/Sagepercent20articles/CHAPpercent2014/CHpercent2014percent20percent20ISLAM.pdf>.

<sup>135</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008). <http://www.sagepub.com/dicken6/Sagepercent20articles/CHAPpercent2014/CHpercent2014percent20percent20ISLAM.pdf>.

<sup>136</sup> Farmers who do not own land can also become indebted when they lease land for farming from landowners. Landowners charge them inflated prices for leasing the land. If a farmer is behind on his payments, he may be required to pay the landowner back with interest. While these small, landless farmers do not often hire labor, the effects of this debt may be that the farmers family members, including children are required to work on the farm to pay off debts. Landless farmers can also be required to perform household chores for the land owner to pay off debt. (CNN report, [http://articles.cnn.com/2010-08-03/world/kara.human.traffic.india\\_1\\_shrimp-farming-child-labor-aziz?\\_s=PM:WORLD](http://articles.cnn.com/2010-08-03/world/kara.human.traffic.india_1_shrimp-farming-child-labor-aziz?_s=PM:WORLD))

<sup>137</sup> Bangladesh Shrim and Fish Foundation as cited in Solidarity Center

<sup>138</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

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<sup>139</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008). <http://www.sagepub.com/dicken6/Sagepercent20articles/CHAPpercent2014/CHpercent2014percent20percent20ISLAM.pdf>.

<sup>140</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008). <http://www.sagepub.com/dicken6/Sagepercent20articles/CHAPpercent2014/CHpercent2014percent20percent20ISLAM.pdf>.

<sup>141</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>142</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008. [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

<sup>143</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008. [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

<sup>144</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008. [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>145</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008. [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

<sup>146</sup> Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>147</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008. [http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

Sarah Gammage et al., *A Pro Poor Analysis of the Shrimp Sector in Bangladesh*, U.S. Agency for International Development, March 2006. [http://pdf.usaid.gov/pdf\\_docs/PNADL600.pdf](http://pdf.usaid.gov/pdf_docs/PNADL600.pdf). See also: Sarah Gammage et al., *A Gendered Analysis of the Shrimp Sector in Bangladesh*, <http://documents.ponics.org/sections/aquaculture/shrimps/Shrimp-tilapia.pdf>.

<sup>148</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008). <http://www.sagepub.com/dicken6/Sagepercent20articles/CHAPpercent2014/CHpercent2014percent20percent20ISLAM.pdf>.

<sup>149</sup> While children above the age of 14 are legally allowed to work in Bangladesh, they are limited by law from working long hours and in hazardous activities.

<sup>150</sup> Emily Delap and Rosemary Lugg. Not Small Fry: Children's Work in Bangladesh's Shrimp Industry." Save the Children UK. Uttaran, 1999; Solidarity Center.

<sup>151</sup> Researchers thought that it was appropriate for respondents to self-identify in these ways; by asking for respondents educational attainment, and allowing respondents to offer their own description of their

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educational status, researchers could avoid asking respondents directly if they were illiterate, which could be viewed as an intrusive line of questioning.

<sup>152</sup> After the data was categorized according to the 2005 ILO indicators, Verité conducted a secondary classification exercise based on new guidelines for surveying forced labor, which were issued in Dec. 2011 (*Hard to see, harder to count: Survey guidelines to Estimate Forced Labour of Adults and Children*) in order to consider the data within an updated standard framework. The results of this secondary analysis are presented in Appendices III, IV, and V.

<sup>153</sup> Questions were phrased so that workers could disclose knowledge of sexual harassment without explicitly reporting that they had been the victims of said abuse. Questions were phrased in this way as researchers have learned from previous experience that victims of sexual harassment often view the harassment as a source of personal shame and are often unwilling to discuss their personal experience.

<sup>154</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008.  
[http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

<sup>155</sup> Workers reported wages as a range. Surveys were designed this way to encourage workers to share their general income level without speaking too explicitly about their earnings. Averages throughout this report were calculated using the mid-point of each range.

<sup>156</sup> Solidarity Center. *The True Cost of Shrimp*. Solidarity Center, January 2008.  
[http://www.solidaritycenter.org/files/pubs\\_True\\_Cost\\_of\\_Shrimp.pdf](http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf).

<sup>157</sup> Wages were reported to interviewers in ranges, which allowed workers to not reveal their current wages specifically, as this is considered a sensitive line of questioning. For the sake of making comparisons between different types of workers, median wages were calculated using the midpoint of each range. Midpoint averages are used throughout this report.

<sup>158</sup> *Thanas* are subdistricts of districts (known as *upazilla*).

<sup>159</sup> In Focus Group Discussions, workers reported that at some plants, if a worker earning a piece-rate wage is 'too efficient,' or earning what management considers to be excessive wages by working extremely quickly, that worker will sometimes be transitioned to permanent status, which thereby lowers their earnings. In such cases, the worker reportedly was given no choice but to become permanent.

<sup>160</sup> Islam, Md. Saidul. "From Sea to Shrimp Processing Factories in Bangladesh: Gender and Employment at the Bottom of a Global Commodity Chain." *Journal of South Asian Development* 3, no. 211 (2008).  
<http://www.sagepub.com/dicken6/Sage%20articles/CHAP%2014/CH%2014%20-%20ISLAM.pdf>.

<sup>161</sup> The Sundarbans is the largest single block of tidal halophytic mangrove forest in the world.

<sup>162</sup> Bangladesh Today. "Take steps to stop child labor at Dublar Char." 29 July, 2009.  
<http://www.bangladesh2day.com/newsfinance/2009/July/29/Take-steps-to-stop-child-labour-at-Dublar-char.php>

The Financial Express. "Children work as slaves in Dublar Char Fish Processing." 28 March, 2009.  
[http://www.thefinancialexpress-bd.com/more.php?news\\_id=62407](http://www.thefinancialexpress-bd.com/more.php?news_id=62407)

<sup>163</sup> Chapter 3, paragraph 44 of the *Bangladesh Srom Ain* also includes an exception in certain cases of employment of children, which states that notwithstanding anything contained in this chapter, a child who has completed 12 years of age, may be employed in such light work as not to endanger his health and development or interfere with his education; provided that the hours of work of such child, where he is school going, shall be so arranged that they do not interfere with his school attendance; and all provisions applicable to an adolescent workers under this chapter shall mutatis-mutandis apply to such child workers. However, there is no further clarification on the meaning of 'light work.'

<sup>164</sup> Interviewee names to remain undisclosed for confidentiality purposes