



### Prohibition of slavery, servitude and forced labour (Article 4)

**“Slavery”** means **“the status or condition of a person over whom any or all of the powers attaching to the rights of ownership are exercised”**.

In a case where a young girl brought in from her native country was required to work long hours without payment for a family and to live in their house with no possibility of changing her circumstances, the Court found that she was not a slave (because the family did not “own” her) but she was in **servitude** because her place of residence and her work were forced on her against her will.

**“Forced or compulsory labour”** is where a person is required to work or give service under the threat of a penalty. Paragraph 3 of Article 4 lists three situations which are not to be considered forced or compulsory labour:

- ▶ (a) work done by prisoners in lawful detention;
- ▶ (b) military service (or its recognised equivalent);
- ▶ (c) work that is part of normal civic obligations (e.g. jury duty).

A **positive obligation to investigate** may also arise here, especially in cases of human trafficking and domestic servitude.



The complete toolkit: <http://echr-toolkit.coe.int>