



Address tomorrow's slavery today

Submission from Walk Free for the UN Special Rapporteur on Contemporary Forms of Slavery's public consultation

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What can we expect from tomorrow's slavery?

- An estimated 40.3 million people were victims of modern slavery in 2016.¹ Of this, an estimated 24.9 million people were in forced labour and 15.4 million people were living in a forced marriage. Over 71 percent of victims were women and girls. Although these are the most reliable estimates of modern slavery to date, we know they are conservative as gaps in data – for specific regions and forms of modern slavery, for example, organ trafficking, child soldiers, or child marriage that could also constitute forced marriage. Further, data gaps in the Arab States led to an underestimate for that region. One obvious outcome of these coverage gaps is that as our ability to quantify the extent of these forms of modern slavery and better capture sub-populations we currently miss (e.g. people in institutional settings) improves, we will see an increase in the estimates.
- Slavery never occurs in isolation. Vulnerability to modern slavery is affected by a complex interaction of factors related to the presence or absence of protection and respect for rights, physical safety and security, access to the necessities of life such as food, water and health care, and patterns of migration, displacement and conflict. These factors are captured in Walk Free's assessment of vulnerability to modern slavery at a national level, which is guided by the human security framework and crime prevention theories.² It identifies five key drivers of modern slavery (in order of impact): governance issues, lack of basic needs, inequality, disenfranchised groups, and effects of conflict.
- The 2018 Global Slavery Index (GSI) revealed that countries suffering from conflict and repressive regimes have the highest prevalence of modern slavery. North Korea has the highest prevalence of modern slavery in the world, with one in ten people (2.6 million) in modern slavery. This is followed by Eritrea, Burundi, the Central African Republic and Afghanistan. Violence perpetrated by state and non-state actors undermines institutions which would ordinarily provide protections, increasing the risk of modern slavery for already vulnerable groups. As reports of violence perpetrated by both state and non-state actors are increasing, it can be expected that vulnerable people will be more at risk to

¹ International Labour Organization and Walk Free Foundation 2017, *Global estimates of modern slavery: Forced labour and forced marriage*, (Global Estimates of Modern Slavery) Available from: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf

²Joudo Larsen, J. and Durgana, D. (2017). Measuring Vulnerability and Estimating Prevalence of Modern Slavery. *CHANCE*. 30 (Issue 3: Special Issue on Modern Slavery). pp. 21-29. Available from <https://doi.org/10.1080/09332480.2017.1383109> [Accessed on 04/04/2019].



modern slavery when the institutions that previously may have protected them are interrupted by conflict.

- Risk of exploitation in times and places of conflict and displacement is also influenced by the availability of resources and institutions to assist vulnerable populations. For example, the so-called “refugee crisis” of vulnerable men, women and children fleeing conflicts in the Middle East and Sub Saharan Africa, and more recently, Central and South Americans fleeing poverty and violence, have overwhelmed the capacity of the global humanitarian response. Further, research has found that many of these refugees have been vulnerable to exploitation while en route to safer destinations typically in Europe³, as a means of survival in refugee camps,⁴ and as a feature of their employment in their destination country.⁵ In the context of a global economy which is still dealing with the impact of the so-called “refugee crisis”, an already strained pool of resources will not be sufficient to protect growing disenfranchised and displaced groups.
- Migration policies also exacerbate the problem of modern slavery. In response to the so-called “refugee crisis”, many nations (particularly in Europe) have tightened migration avenues without attempts to address the root causes of migration. In turn, this drives people through informal channels which heightens the risk of exploitation such as by having travel documents withheld, being trafficked into other fields of employment (such as the sex industry) or into exploitative labour conditions, or in the context of labour migration, debt bondage.
- Climate change is a driver of migration and impacts practices in many sectors, including fishing and agriculture through reduction of fishing stock and arable land. Changing climates make at-risk migrant populations travel further and take greater risks to secure employment. Climate change can increase exploitative practices; for example overfishing has led to squeezed profit margins which in turn increases vulnerability of workers to meet the global demand for fish. Further, climate change limits the availability of basic needs such as food, water and shelter for vulnerable populations from the as-yet unbroken drought in Afghanistan⁶ to the devastation wrecked by Cyclones Idai and Kenneth in Mozambique.⁷ In

³ International Organisation for Migration. (2016). *Analysis: flow monitoring surveys the human trafficking and other exploitative practices prevalence indication survey*. International Organisation for Migration. Available from [http://migration.iom.int/docs/Analysis - Flow Monitoring and Human Trafficking Surveys in the Mediterranean and Beyond - 6%20 October 2016.pdf](http://migration.iom.int/docs/Analysis_-_Flow_Monitoring_and_Human_Trafficking_Surveys_in_the_Mediterranean_and_Beyond_-_6%20October_2016.pdf) [Accessed on 04/04/2019].

⁴ Amnesty International. (2018). *“I want to decide about my future” – Uprooted women in Greece speak out*. Amnesty International. Available from: <https://www.amnesty.org/download/Documents/EUR2590712018ENGLISH.PDF> [Accessed 04/04/2019].

⁵ Business & Human Rights Resource Centre. (2018). *Syrian refugees: Abuse & exploitation in Turkish garment factories*. Available from: <https://www.business-humanrights.org/en/modern-slavery/syrian-refugees-abuse-exploitation-in-turkish-garment-factories>. [Accessed 05/04/2019].

⁶ DTM Afghanistan. (2019). *Afghanistan – Drought Response Situation Report*. International Organisation for Migration. Afghanistan. Available from: <https://migration.iom.int/reports/afghanistan-%E2%80%94-drought-response-situation-report-01-march-2019>. [Accessed 07/04/2019].

⁷ Yaxley, C., Holmes à Court, P., and Turner, V. (2019). *Cyclone Idai survivors struggle to rebuild devastated communities*. UNHCR. Available from: <https://www.unhcr.org/en-au/news/latest/2019/4/5ca47e434/cyclone-idai-survivors-struggle-rebuild-devastated-communities.html>. [Accessed 07/04/2019].



effect, unchecked climate change will mean that the risk of exploitation will become more likely than ever before.

- When considering that risk factors such as climate change and political instability are increasing globally, together with the present-day problem of endemic data gaps, tomorrow's slavery will likely be on an even larger scale than previously known.

Today's anti-slavery

- Many governments are already taking steps to respond to modern slavery and are collaborating at the regional and international level. This is revealed in data produced by the government response (GR) component of the Global Slavery Index. In 2018, we estimated that 122 countries have criminalized trafficking in line with the UN Trafficking Protocol and that 154 countries provide some form of services to victims of trafficking (out of a total of 161 countries). Gaps continue to exist around implementation, either as a result of lack of funds or limited political will. When looking at responses against GDP (PPP), there are countries that despite extensive resources, have taken limited action, such as countries in the Gulf and wealthy states in East and South East Asia. Conversely, there are countries which are taking strong action despite limited resources in Sub Saharan Africa and Eastern Europe. One of the more striking findings in the 2018 GSI is the growing government engagement with business and the increasing political interest in the investigation of government procurement, with 36 countries taking steps to investigate forced labour in private or public supply chains. This is a significant increase from the four governments identified in 2016 and reflects action in the European Union to tackle the role of procurement as a driver of forced labour and exploitative labour practices.
- The role of business in responding to modern slavery is an area which has gained momentum in recent years. GR data highlight increasing engagement with business, with the United Kingdom, France and Australia having implemented a Modern Slavery Act requiring minimum reporting on supply chain transparency, with Germany and Canada intending to formalize supply chain transparency regulations following the G20 Summit in 2017.⁸ Together with research conducted by Walk Free Foundation in 2015 on consumer attitudes to products made with slavery, consumers in Brazil⁹, India¹⁰, the United States¹¹,

⁸ Evans, C. and Freitag, S.(2019). *Momentum grows for all G20 countries to act on modern slavery*. Walk Free Foundation. Available from: <https://www.minderoo.com.au/walk-free/news/momentum-grows-for-all-g20-countries-to-act-on-modern-slavery>. [Accessed 07/04/2019].

⁹ Walk Free Foundation. (2015). *Slavery Alert: Consumer Poll Brazil*. Walk Free Foundation. Available from: <https://cdn.minderoo.com.au/content/uploads/2019/05/09153956/Slavery-Alert-Consumer-Poll-Brazil.pdf>. [Accessed 13/05/2019].

¹⁰ Walk Free Foundation. (2015). *Slavery Alert: Consumer Poll India*. Walk Free Foundation. Available from: <https://cdn.minderoo.com.au/content/uploads/2019/05/09162531/Slavery-Alert-Consumer-Poll-India.pdf>. [Accessed 13/05/2019].

¹¹ Walk Free Foundation. (2015). *Slavery Alert: Consumer Poll United States*. Walk Free Foundation. Available from: <https://cdn.minderoo.com.au/content/uploads/2019/05/09164229/Slavery-Alert-Consumer-Poll-United-States.pdf>. [Accessed 13/05/2019].



and the United Kingdom¹² indicated they were willing to switch brands or pay more for slavery-free products. The appetite among consumers for slavery-free products continues to grow. If these actions are taken holistically across the global marketplace, and consumers are incentivized to trade brands in spite of brand loyalty, and pay more, slavery in the future may have a more difficult journey to enter, and thrive undetected in, global supply chains.

- Whether a program of certification would ‘work’ in reducing demand for slave-free products would require evaluation. In fact, much more needs to be done to understand ‘what works’. To this end, the Walk Free Foundation has reviewed impact and programmatic evaluations of anti-slavery and counter trafficking programs designed to prevent or address the harm connected with modern slavery. Called the Promising Practices Database¹³, this work is a critical step on the road toward identifying “what works”. The Database was developed so that project developers, researchers, and academics could quickly identify relevant evaluation work that had already been completed, but also seek to better understand what works – and what does not— through a simple search by country, target population, type or sector of slavery, type of intervention or impact of the intervention. There are 179 evaluations in the database, and this number will continue to grow over time, with plans to update over the next six months.
- An analysis of the content of the Promising Practices Database reveals several lessons regarding the current state of actions against modern slavery. Firstly, the quality of underlying program design must be improved. A theory of change and a clearly articulated relationship between the objectives being sought and the activities being implemented are fundamental to evaluate the effectiveness and impact of a project. In the evaluations reviewed, project objectives were often unclear or unrealistic for the timeframes of the project or intervention, meaning no conclusion on impact could be reached. Secondly, there is a need to integrate thinking about project evaluation into project development and take a cyclical approach to project design. If project design does not build on prior learnings, and if relevant data is not collected during project implementation, it will later become very difficult to accurately assess effectiveness or impact. Thirdly, the type and quality of the evaluation must be differentiated. Was the evaluation independently conducted or not? What were the data sources and methodology used to reach the conclusions stated in the evaluation? Too often, evaluations are opaque, coming to a stated conclusion that the project was effective without clear evidence. There is a need for clearer articulation of methods of analysis so that more transparent conclusions can be drawn, and results duplicated. Finally, few evaluations attempt to measure the impact of the program on modern slavery itself, be it by decreasing the number of people enslaved, or changing the behaviours that allow slavery to occur. The majority of evaluations evaluated the progress of the program (the achievement of activities or outputs) or the outcomes of the program (achievement of objectives or overall outcomes). While this reveals the difficulties in designing an anti-slavery programs that show direct impact, it also points to a gap in the field, and the need

¹² Walk Free Foundation. (2015). *Slavery Alert: Consumer Poll United Kingdom*. Walk Free Foundation. Available from: <https://cdn.minderoo.com.au/content/uploads/2019/05/09163808/Slavery-Alert-Consumer-Poll-United-Kingdom.pdf>. [Accessed 13/05/2019].

¹³ Bryant, K., and Joudo, B. (2018). *Promising Practices: What Works? A Review of Interventions to Combat Modern Day Slavery*. Walk Free Foundation. Available from: <https://cdn.minderoo.com.au/content/uploads/2019/02/05180522/Promising-Practices-180213-p.pdf>. [Accessed 13/05/2019].



for more rigorous evaluations in order to test the effect of anti-slavery and counter trafficking programming.

- Beyond the state of evaluation of anti-modern slavery programming and the need for improvements, the Database points to some interesting learnings. For example, the importance of a trauma-focused lens, that takes into account cultural specificities of those affected by modern slavery, to any victim assistance response is borne out from reviews of victim assistance programming in the US and further afield. There are also lessons from related fields that could be applied to modern slavery. For example, learnings from initiatives to tackle child labour, such as the use of conditional and non-conditional cash transfers, could easily be applied to the worst forms of child labour that cross over into modern slavery. Likewise, interventions to combat early marriage have application to forced marriage, and point to the importance of education for women and girls and embedding human rights-based education in any community empowerment initiatives. As females represent 71% of the Global Estimates of Modern Slavery, a gender lens, and providing equal opportunities to women and girls, will be fundamental to any response.
- While there is a recognized gap in data to understand modern slavery, there is growing appreciation of the importance of evidence-based policy to combat it. Post the announcement of the 2030 Sustainable Development Agenda, there has been an increase in calls for robust data and evidence to track progress and to hold governments to account for their actions to achieve the Sustainable Development Goals (SDGs), including SDG 8.7. Initiatives, such as Alliance 8.7 and the policy platform Delta 8.7, highlights the increasing understanding of the importance of data in the fight against modern slavery and the need for data to be shared in an actionable format. Sharing information, and providing safe spaces for those implementing programs to share findings from interventions, is critical to this. Linked to this is the need for longer term investors and donors, who are not scared off by failures, but recognize the importance of findings both positive and negative.

Tomorrow's anti-slavery

- The role of tech and AI to respond to modern slavery has gained a lot of attention in recent months. There are great examples of where tech and AI can be used as a tool to combat modern slavery – for example, the use of AI to improve and speed up research techniques, which are currently resource intensive, or to track legislation impact, as seen by the recent findings of the impact of FOSTA-SESTA legislation in the US.¹⁴ However, that tech and AI be seen as one of many tools, rather than a panacea, is fundamental to harnessing its potential to combat social issues, such as modern slavery. FOSTA- SESTA for example, while removing 80% of an illegal market within a few days, has been heavily criticized for forcing sex trafficking underground and increasing the vulnerability of potential victims.¹⁵ Any use of tech and AI must therefore be grounded in human rights and a do no harm approach.

¹⁴ Green, R. *US anti-trafficking law continues to court controversy*. International Bar Association, January 25th, 2019. Available from: <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=34BB1EBC-782E-4BDC-A5E4-13B738D98831>

¹⁵ Romano, A. (2018). *A new law intended to curb sex trafficking threatens the future of the internet as we know it*. Vox. Available from: <https://www.vox.com/culture/2018/4/13/17172762/fosta-sesta-backpage-230-internet-freedom>. [Accessed 04/04/2019].



- Modern slavery is continually evolving. Over the 20 years since the UN Trafficking Protocol, responses have focused on criminal justice response, with resources focused on responding to an evolving crime. However, any response to modern slavery will need to look beyond a criminal justice response to tackle underlying drivers. One driver which will challenge existing responses to modern slavery will be the evolving nature of work. Many predict that not only do many of the jobs of the future not yet exist, but that also many individuals in the future will not have to work at all as we switch to automation. What this looks like, and whether basic universal income is the solution, will have broader policy implications, but will also affect modern slavery and its future forms. Will automation remove the exploitation of workers? Or will it increase vulnerability of those already vulnerable? These are questions that the anti-slavery movement must remain focused upon and build into future program work.
- Despite the progress made in recent years, measurement remains a challenge. In the 2018 GSI, the process of estimating the prevalence of modern slavery in 167 countries began with identifying individual and country-level variables that have a significant relationship with forced labour and forced marriage at the individual level. On the individual level, demographic factors such as age, gender and employment status, as well as socio-economic and psychographic risk factors, such as feelings about household income, life evaluation scores and negative experienced affect, help predict risk, as well as country-level vulnerability factors. This research is not without its limitations, for example, the direction of causality cannot be determined on the present data alone, nor can we test whether the risk factors identified behave in the same way in developed countries due to data gaps. Refining our knowledge of risk factors in both low- and high-risk countries will improve our understanding of the size and scope of modern slavery, and the most effective and efficient means to tackle it.¹⁶ This work represents an important starting point for an empirically supported understanding of factors that predict modern slavery. As this work improves over time, we can use the information to strengthen policies and interventions. The speed with which we can make these improvements will depend in part on more and better data becoming available to support more sophisticated analyses, and in part, on our ability to overcome current barriers to sharing data, to share learnings, and to develop common methodologies.
- The development and application of innovative measurement methodologies is also important. For example, the use of techniques, such as Multiple Systems Estimation (MSE), which have proven successful in other fields brings important lessons. MSE builds upon classic mark-recapture methods for several lists of victim data to estimate the total population of trafficking victims based on how often certain victims appear on one or more lists within a certain time period. MSE is an important tool to help capture part of the reality of modern slavery, particularly of human trafficking, in developed countries based on administrative data collated by official sources. This is an emerging area of research in the field of modern slavery that requires significant investment to develop the method and to overcome obstacles that have been encountered to date. Many estimates of modern slavery are static and represent a point in time estimate of modern slavery rather than an estimate that can be dynamic and updated from year to year- MSE can help address that. The

¹⁶ Diego-Rosell, P. and Joudo Larsen, J. (2018). *Modelling the Risk of Modern Slavery*. Social Science Research Network. Available at: <https://ssrn.com/abstract=3215368>. [Accessed 14/04/2019].



technique also provides necessary insight to how capable national systems are able to identify victims of modern slavery for particular demographics and types of exploitation. In time, this technique could be more fully integrated into Walk Free's current approach to estimating prevalence, and in doing so, would become an important component of estimation in developed countries.

- The Walk Free Foundation believes that a strong multifaceted approach is needed to end modern slavery. This includes building a robust knowledge base to inform action, driving legislative change in key countries and harnessing the power of businesses and faiths. Partnerships with business, academia, international organizations, NGO, governments, and faith communities are a critical aspect of Walk Free's approach.
- Partnerships between civil society, government and business can create impact, when working collaboratively towards clear strategic goals. However, to date there has been limited investment in expanding these partnerships to grassroots anti-slavery leaders and survivors. To strengthen the global anti-slavery movement, there is a need to incorporate marginalized voices and challenge unequal power structures. We believe that a powerful frontline movement is key to advancing the fight against slavery. This means securing survivor input in anti-slavery programs and investing in survivor leadership – for example through supporting initiatives like the Survivor Alliance. This can have the dual effect of creating better programming, but also of providing opportunities for empowerment for survivors of modern slavery.
- While the breadth of work needed to address the SDG objectives is enormous, we believe that there is great potential and momentum for real progress in anti-slavery achievement given the strong international focus on modern slavery and an increased engagement with the issue across government, business, faiths and civil society.
- Walk Free are committed to the proposition that significant progress towards ending modern slavery will only occur if we bring to bear the commitment and resources of all those sectors in a focused and outcome driven framework. In December 2015, Dr James Cockayne put forth a compelling argument for the development of a global partnership to end modern slavery.¹⁷ Alliance 8.7, to which Walk Free is a committed and active partner, has gone some way towards addressing this, however, there remains a need for stronger coordination among, and with, civil society groups. More recently, Free the Slaves through The Bangkok Statement¹⁸ have driven the adoption of a set of principles and goals that are to underpin civil society's engagement with Alliance 8.7. Walk Free were delighted to endorse that Statement and believe it is an agenda that can be further developed to provide a road map for actions and concrete initiatives that all parties can contribute their expertise and resources.

¹⁷ Cockayne, J. (2015). *Unshackling development. Why we need a global partnership to end modern slavery*. Available from: <https://d1r4g0yvcc7lx.cloudfront.net/wp-content/uploads/Unshackling-Development-FINAL-FOR-EMAIL.pdf> [Accessed 04/04/2019].

¹⁸ Free the Slaves (2018). *Advancing Sustainable Development Goal 8.7: Civil society statement of principles and goals*. Available from: <https://freedomfromslaveryforum.org/cso-platform-of-action/>. [Accessed 04/04/2019].