

# Workshop Report

## Strengthening Parliamentary Action to Address Gender- Based Violence & Modern Slavery in Supply Chains



14 - 16 November 2023

February  
2024

Delivered in Partnership with



PARLIAMENT  
OF KENYA



UK Representation  
to the Commonwealth



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## ABOUT CPA UK

### **CPA UK supports and strengthens parliamentary democracy throughout the Commonwealth**

CPA UK focuses on priority themes which support and strengthen parliamentary democracy throughout the Commonwealth. These priority themes are: women in parliament; tackling modern slavery; security; public accounts committees; and international trade.

CPA UK brings together UK and Commonwealth parliamentarians and officials to share knowledge and experience through peer to peer learning. It aims to improve parliamentary oversight, scrutiny and representation and is located in, and funded by, the UK Parliament.



### **Building stronger parliaments and advancing democracy**

CPA UK's core work is to build relationships with parliaments across the Commonwealth. This is achieved through a programme of parliamentary strengthening and capacity building activities.

CPA UK undertakes work at the request of other parliaments around the Commonwealth, and our tailored programmes include both individual country activities, and large scale projects and activities that bring together Commonwealth parliamentarians and parliamentary officials.





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# 1.0 INTRODUCTION

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## 1.1 Overview

Between 14-16 November, CPA UK delivered a workshop in partnership with the Parliament of Kenya entitled 'Strengthening Parliamentary Action to Address Gender-Based Violence and Modern Slavery in Supply Chains'. The workshop was delivered in Nairobi as part of a wider FCDO-funded project, 'Strengthening Parliamentary Oversight and Effectiveness in Tackling Gender-based Violence and Modern Slavery'.

The workshop builds upon previous projects undertaken within two of CPA UK's core thematic programmes, 'Women in Parliament' and 'Modern Slavery'. These programmes have delivered, among other results, successive years of engagement between CPA UK and Commonwealth parliamentarians, providing an institutional understanding of specific subject matter needs across these two thematic areas. The workshop content was also informed by a three-month-long consultation with Commonwealth parliamentarians and regional stakeholders.

This dual-stream workshop focused on two key areas within these thematic programmes: gender-based violence and modern slavery in supply chains, each with unique programmes and delegates in attendance.

Broadly, the workshop explored core subject matter on day one, providing delegates with foundational knowledge that they used on the second day to identify gaps within existing legislation and propose actions to address them. During the final day, delegates united behind shared resolutions, committing to take further actions on these issues and calling upon international leaders to reaffirm their commitments to these causes. Both groups called for the issues to be raised on the agenda at the next Commonwealth Heads of Government Meeting (CHOGM) in Samoa in 2024.

CPA UK assessed the growth in understanding of specific subjects covered within the workshop programme. Delegates saw significant growth in their overall knowledge, increasing by an average of 26% for GBV and 43% for modern slavery in supply chains.

CPA UK is now preparing for the continuation of this project, subject to external funding. Meanwhile, it plans to continue working with delegates to support them in realising the proposals made during the workshop to address legislative gaps.



## Project Outcome

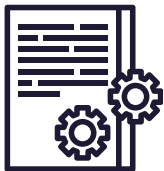
The project will enable Commonwealth parliaments to be more active and effective in addressing violence against women and girls (VAWG) and modern slavery, leading to the development of, and advocacy for, robust legislation, scrutiny and other measures to bring about a reduction in gender-based violence (GBV) and in modern slavery in supply chains.

### From the workshop, parliamentarians will gain:



#### Output One

Greater knowledge and understanding of gender-based violence, and modern slavery and human trafficking in supply chains.



#### Output Two

Greater understanding of good practice in developing legislation to address gender-based violence, and modern slavery and human trafficking in supply chains.



#### Output Three

A strong network of relationships that connect parliamentarians in the region with experts on these issues, thereby forging a hub of innovation to drive the common causes behind this workshop.

## 1.2 Workshop Context

### 1.2.1 The Need to Address GBV and Modern Slavery in Supply Chains

The Universal Declaration of Human Rights (1948) sets unexclusive protections for the liberty, security, and treatment of all human beings for the duration of their lives. These rights are accepted by all UN members, and indeed the Commonwealth of Nations, as fundamental.

Gender-based violence and modern slavery are two incontrovertible violations of those rights and therefore represent two of the world's most devastating and prevalent humanitarian issues. Latest figures estimate:

**50**  
**MILLION**

People are living  
in modern slavery<sup>1</sup>

**28**

**MILLION**

People are working  
under forced labour<sup>1</sup>



1 in 3 women has  
experienced physical and  
sexual violence in their  
lifetime<sup>2</sup>

Every parliament in the Commonwealth has made international commitments to combat these issues. Notably, the 2030 Agenda for Sustainable Development (2015), also known as the UN Sustainable Development Goals (SDGs) :

**5** GENDER  
EQUALITY



SDG 5: Achieve gender equality and empower all women and girls.

**8** DECENT WORK AND  
ECONOMIC GROWTH



SDG 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025, end child labour in all its forms.

**16** PEACE, JUSTICE  
AND STRONG  
INSTITUTIONS



SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels.

The scale of these forms of human rights abuse indicates an urgent need to update existing legislation as well as state capacity and process if Commonwealth nations are to meet these international commitments and targets.

1. [Walk Free, Global Slavery Index](#)

2. [World Health Organisation, Devastatingly pervasive: 1 in 3 women globally experience violence](#)

3. [United Nations, Sustainable Development Goals](#)

## 1.2.2 Consultations

Between April and August 2023, CPA UK consulted Commonwealth parliamentarians and regional stakeholders to understand the current challenges legislatures face concerning modern slavery in supply chains and gender-based violence.

For its modern slavery in supply chains consultation, CPA UK received 24 responses from parliamentarians from 11 unique legislatures and 9 from regional stakeholders. Regarding gender-based violence, CPA UK received 12 consultation responses from parliamentarians from 11 unique legislatures and 5 from regional stakeholders.

The modern slavery in supply chains consultation highlighted the need for:

- Knowledge-building on specific subject matters, including what is modern slavery in supply chains; how to identify and expose modern slavery in supply chains; and the individuals and commercial sectors most vulnerable to exploitation
- Identification of the legislative gaps that traffickers exploit.
- Examples of best practices for legislation and the judicial system.

The gender-based violence consultation highlighted the need for:

- Overcoming cultural and religious challenges.
- Better implementation of legislation.
- Awareness raising and capacity building.
- Better understanding of the role of gender-specific parliamentary bodies.

CPA UK has published a full report on the consultation for the Gender-Based Violence workstream. For more information, you can find the full report [here](#).

## 1.2.3 Workshop Programme

The workshop programme (which can be found [here](#)) was informed by the consultation and previous 'Modern Slavery' and 'Women in Parliament' programme work. It was also reviewed by several senior stakeholders before reaching its final form.

### **The modern slavery in supply chains programme:**

- developed knowledge of the various forms modern slavery exhibits and how they manifest within supply chains;
- explored different legislative approaches to developing anti-slavery legislation, focusing on how Commonwealth nations can leverage the common elements of their legal systems;
- discussed ways to strengthen legislation through mandatory human rights due-diligence (among other means); the benefits of including cross-sector and survivor voices in the legislative process; and
- considered ways parliamentarians can use their role to protect constituents as well as wider electorate from these crimes.

### **The gender-based violence programme:**

- explored the need for a consistent and universal understanding of violence against women and girls (VAWG);
- discussed factors, such as culture, religion and socio-economics, that proliferate GBV;
- considered strategies for risk identification and prevention;
- discussed the benefits of collaboration with multi-disciplined stakeholders and survivors; the role of women's caucuses and gender-specific parliamentary bodies; gender-sensitive practices; and the importance of engaging young people.

### **In shared sessions, delegates explored:**

- communication and campaign techniques and how these can be used to bolster awareness-raising campaigns on GBV and modern slavery;
- the role of parliamentary committees in scrutinising government legislation; and
- best practices when taking sensitive evidence from witnesses and experts.

Throughout the workshop, delegates consistently engaged with other parliamentarians, experts from leading NGOs, established regional stakeholders, and civil society organisations. They also had the opportunity to build networks through informal networking and lunch breaks.





## 2.0 Workshop: Learning and Best Practice

The following section of the report highlights key learning, best practices, and frequent discussions among delegates during the workshop.

### 2.1 Gender-Based Violence

#### 2.1.1 The Importance of Universal Understanding

- Delegates agreed upon the importance of a **universal definition for violence against women and girls (VAWG) and gender-based violence (GBV)**, recognising that this enables **shared understanding** among people from different nations and regions.
- Such a definition, while allowing for **language consistency** and labelling of crimes, has applications in various fields, including law, research, policy, and advocacy.
- Delegates discussed and acknowledged the Maputo Protocol as providing such a definition.

#### Key Term: The Maputo Protocol

The Maputo Protocol defines Violence Against Women as "all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peacetime and during situations of armed conflicts or of war"<sup>4</sup>.

#### 2.1.2 Cultural and Religious Factors

- Cultural and religious factors were widely acknowledged as some of, if not the most significant, challenges in addressing GBV. Delegates repeatedly turned back to this subject across various conversations.
- Delegates discussed the fact that despite most jurisdictions having outlawed culturally harmful practices, including but not limited to FGM, the continued adoption of such practices indicated the need to **acknowledge the influence of cultural and religious beliefs**.
- Delegates explored the long-term impact of cultural and religious factors: **beliefs passing intergenerationally** through **community-based social structures, normalising forms of VAWG** and creating the **perception that crimes are acceptable** and necessary. Additionally, this leads to the **determination of gender roles** within a community and reinforces expectations and treatments of different genders.



4. [Maputo Protocol, About the Protocol](#)

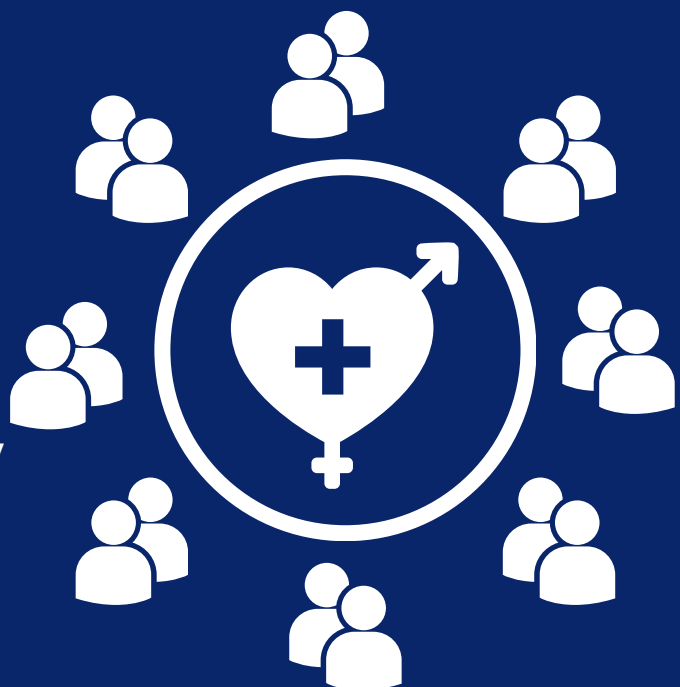
- Forms of VAWG, such as forced and child marriage, FGM, virginity testing and physical abuse, were considered means of **controlling women** and **maintaining patriarchy**, using religion and culture to reinforce their practice.
- Such factors also **deter** the **reporting** of crimes, with many survivors fearing **ostracization from their communities**.
- Delegates were quick to acknowledge the **key role parliamentarians** have to play in **ensuring awareness** of these laws, especially among communities within their constituencies. Specifically, advocates and parliamentarians must **engage with communities to demystify the cultural and religious misconceptions that promote VAWG**.
- This may require parliamentarians to engage with a portion of their electorate still adopting such practices, sometimes creating a **perceived electoral risk**. However, delegates were in broad agreement that **progress requires parliamentarians to proceed unperturbed**, trusting in their abilities of **leadership** and **persuasion** to deliver **meaningful dialogue**.

### Best Practice Example: The Network Against Gender-Based Violence, Young Couples Forum

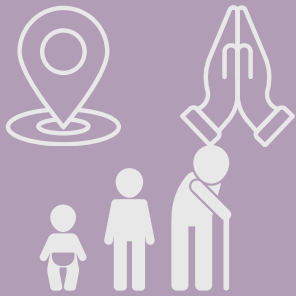
This is a residential forum, usually consisting of **15 young couples**, who are brought together to **discuss sexual and reproductive health and gender-based violence**. This includes **identifying the risks** of GBV, understanding its **effects**, and exploring **strategies to protect** themselves and their **children** from it.

Creating a **safe space** for young people to **explore different worldviews** and **discuss healthy dynamics** in a relatable forum engages critical thinking on how **harmful practices are created and sustained**. Participating couples are also encouraged to continue having these conversations with their peers, **raising awareness in their community**.

**Engaging** those who are **most affected** by and **influenced to perpetrate** gender-based violence is vital in navigating harmful cultural and religious practices.



## Strategies and Considerations: Engaging Communities to Overcome Cultural and Religious Factors



Design **engagement opportunities** around **specific communities** and **local factors**, such as **population density, community dynamics, age, religion, culture, language** and **connectivity**.



**Mutual trust** is essential to creating a **productive dialogue**.



**Local languages** should be used to **bolster clarity** while **avoiding offensive terminology** with a **sensitive approach**.



**Religious** and **traditional leaders** often serve as **gatekeepers** into the **wider community** and are, therefore, crucial to engage with. Such individuals often have the greatest **exposure** to **survivors** and a **platform** to end the promotion of culturally harmful practices.

Supporters in this group can:

- **Encourage** and **advocate** for the end of culturally harmful practices.
- Provide **support** to **survivors**.



Specific attention should be placed on **engaging youth** and facilitating **intergenerational dialogue** (see 2.1.5.), which is crucial to ensuring that young people's views are considered in upcoming laws.

### 2.1.3 GBV Legislation Requires Multi-Gender Support

- **Women's parliamentary caucuses**, as well as **women parliamentarians** in general, are often **key actors** in **advancing legislation** that protects women and girls against GBV.
- Delegates also acknowledged the **misconception** that **GBV-related policy is the sole responsibility of female politicians** and that male colleagues are discouraged from engaging due to **perceived gender-exclusive stakes** in the legislation.
- **Male champions** were widely acknowledged as beneficial to **social** and **legislative progress** regarding GBV. Moreover, with limited women's



representation within most Commonwealth parliaments, gathering support from male colleagues is **essential to passing legislation**.

- While the focus of discourse is largely centred on forms of GBV inflicted upon women and girls, GBV directed toward men was also discussed. Delegates explored the need to confront culturally **harmful initiation practices** taking place as **boys enter adolescence**.

#### 2.1.4 Budget and Resources

- Delivering **change requires resources**, be it workplace **capacity, time** or **money**. Through procedure and scrutiny, parliamentarians should ensure that **governments allocate enough resources to GBV** and women's issues during **budget allocation**, particularly within crucial sectors such as **education, advocacy**, and **cross-cutting policies**.



#### 2.1.5 Intergenerational Engagement

- **Young people** are essential **influencers** of **social culture** and, therefore, **activators of change**. They are often best placed to influence society through technology and education.
- Delegates identified this group's key role in achieving **social** and **legislative progress** and discussed the importance of engaging them on policy matters.
- It is important to include a wide **cross-section of young people** in this process, ensuring space for **gender-specific** and **mixed-gender dialogue**.



## Strategies and Considerations: Accessible Youth Engagement



Form Youth Advocacy Groups and **encourage young people** to participate in advocacy networks.



**Financial** and **logistical factors** can be a barrier to reaching a **representative cross-section** of young people. Therefore, parliamentarians must ensure youth engagement is **accessible** to those close to parliament as well as in **rural** and **hard-to-reach communities**.



**Budgetary provisions** should be considered so **less advantaged** young people can **participate** (see 2.1.4).

### 2.1.6 Implementation of Legislation

- Much legislation is already in place to protect women and girls against forms of GBV, but it needs to be strengthened.
- The prevalence of VAWG and **lack of convictions** for related crimes indicate that **legislation often fails to provide an effective deterrent** for perpetrators or **restorative justice** and **support for survivors**.
- Delegates challenged how **effectively legislation was being implemented across the Commonwealth**. Discussing such challenges, delegates shared common aims to:
  1. Encourage more women to **report violence**.
  2. Ensure that legislation comprehensively **covers all forms** of domestic violence.
  3. Build **capacity** in **law enforcement**.
- The judiciary plays a vital role in the implementation of the law. Delegates explored ways to enhance the judiciary's response to Gender-Based Violence through **specialised courts, training initiatives** and **reform** where necessary.
- A **lack of DNA labs** was acknowledged as widely hindering the justice process.





## Best Practice Example: Court User Committees

In Kenya, the Judiciary has established **specialised Court User Committees** (CUCs) across different areas, such as the Sexual and Gender-Based Violence CUC and the Children's CUC, to deal with matters relating to the **administration of justice** and to deliver **policy** or **legislative** recommendations.

CUC **membership varies** though typically include representatives from the **Police, Judiciary, Law Society of Kenya, Provincial Administration** (such as **District Officials** and **Chiefs**) and **Probation**<sup>5</sup>.



Their primary mandate is to ensure an **accountable, coordinated, efficient, effective and consultative approach in the delivery of justice**. Additionally, to improve **access to justice** and enhance **public participation** in its delivery.

They achieve this chiefly through **fact-finding missions** to penal, custody and detention facilities; promoting alternative dispute resolutions; establishing peer review mechanisms; promoting crime prevention initiatives; and organising **CUC outreach and sensitisation events**.

Examples include **public awareness-raising campaigns, training workshops and sensitisation programmes** on GBV, targeting judicial officers, the court staff, the legal practitioners, the law enforcement agencies, the media, civil society organisations and the general public.

The close **collaboration** between **justice actors** as well as their **stakeholder engagement** activities have **strengthened** the **referral mechanisms** and **linkages between** the **CUCs** and other **service providers**, such as health facilities, shelters, psychosocial support centres, legal aid facilities and trade unions. This helped to **facilitate access to justice** and **integrate services** for survivors of GBV.



5. National Council on the Administration of Justice, Court Users Committees

### 2.1.7 Gender-Sensitive Legislation

- **Laws relying on gender bias** have **exclusionary effects** and **reproduce** rather than eliminate **stereotypes**.
- One example discussed by delegates was **maternity leave**, arguing that it excludes men from the upbringing of children and reproduces **stereotypes around gender roles**. It also leaves little margin for families to make choices that best suit their lifestyles.
- **Taking sex and gender into account in legislative decision-making** is the only way to produce gender-sensitive legislation that positively promotes gender equality.

#### Key Term: Gender-Sensitive Legislation

The integration of a gender perspective into all components of the legislative process - design, implementation, monitoring and evaluation - in order to achieve the ultimate objective of equality between women and men<sup>6</sup>

- Gender-sensitive legislation is not about men and women alone. **Gender sensitivity refers to all genders** and the diverse factors that shape gender identities.



### 2.1.8 Emergence of Technology-Assisted Forms

- Delegates discussed how **digitalisation** has created a **new ecosystem** for GBV to thrive and acknowledged the need to create legislation covering technology-assisted violence.

## 2.2 Modern Slavery in Supply Chains

### 2.2.1 The Importance of Universal Understanding

- Delegates discussed the many forms that modern slavery exhibits and agreed upon the need for **shared definitions** and acknowledgement of **international frameworks**, including the UN Convention on Human Rights and statutes given by the International Labour Organisation.
- In particular, delegates noted that this enables parliamentarians to better **hold governments to account** (see 2.3.2.) and facilitates **multilateral discussion**.



### 2.2.2 Law and Legislation

- Delegates agreed upon the **urgency to strengthen legislation** due to the following:
  1. The growing rate of modern slavery around the world.
  2. Accelerated growth of global supply chains in a globalised economy.
  3. Lack of global standards for accountability.
- The **growing number of victims** was argued as proof that the **implementation** and **enforcement** of existing legislation is inadequate.
- Delegates explored ways to strengthen and amend legislation by setting **higher standards for accountability and human rights due diligence**.
- They acknowledged that no 'perfect' piece of legislation could be applied universally and





that there is a need to **tailor implementation** and '**localise**' laws to specific nations and jurisdictions.

- Localisation strategies are most effective when different state entities are contributing, especially the **judiciary, parliament, and law enforcement**, due to their unique exposure to jurisdictional challenges.
- Delegates also understood the **inconsistency of laws across borders** to be a significant challenge in combatting modern slavery in supply chains. In some cases, contradicting laws are hindering the conviction of perpetrators.
- They also discussed ways they could collaborate to **harmonise laws** and combat **inter-border loopholes**.

## Best Practice: Legislation that Sets Higher Standards for Accountability and Human Rights Due Diligence

Examples include laws that:



Require companies to **look for, find and resolve** instances of forced labour and place **responsibility** on all entities in the supply chain.



Set **accountability** for instances of human rights abuses.



Help victims **access justice** and **remediation**.



Require companies to **conduct human rights and environmental due diligence**.



Set **import controls** designed to stop the trade of goods **produced through forced labour**.

## Strategies and Considerations: Harmonisation and Common Law

- Delegates explored possibilities to work **collaboratively** with other **Commonwealth legislatures** to **harmonise** their **laws, approaches and legislative frameworks**.
- **Amending Common Laws**, including Company Law Statutes, was explored as a **first solution** to set **higher standards in human rights due diligence** while requiring minimal change.

### 2.2.3 Encouraging Human Rights Due Diligence

- Delegates explored proposals in which specific **data, attached to individual companies, would record instances of human rights abuses**, including where a company's supply chain has been found guilty of using forced labour.
- Such data, available to investors and the public worldwide, would reinforce the importance of codes of conduct and **encourage accountability and human rights due diligence**.
- Likewise, delegates explored how **regular reporting** and **social audits** with specific outcomes can also be effective in encouraging human rights due diligence. However, it was acknowledged that these often fall short of providing remediation when victims are identified.

### 2.2.4 Debt Bondage

- Debt Bondage was noted as one of the most frequently manifesting forms of modern slavery in supply chains.

#### Key Term: Debt Bondage

Debt Bondage is also known as 'bonded labour' or 'debt slavery'. It occurs when a person is required to perform work or services to pay off a debt. Most of the money they earn goes to pay off their loan. The value of their work becomes greater than the original size of the loan<sup>7</sup>.

### 2.2.5 Considering a Wide Range of Voices: Cross-Sector Collaboration and Evidence Hearings

- Delegates explored the need to **engage** a wide number of **stakeholders** when developing legislation and underscored the need for **multilateral support** in implementing effective practices.
- Effectively addressing modern slavery in supply chains requires **collaboration across diverse sectors of society**, including government, parliament, survivor networks, civil society organisations, non-governmental organisations, academia, and businesses.
- The need to **engage survivors** and hear **lived experience testimony** was deemed crucial to developing a complete understanding of legislative needs.
- Delegates discussed the need to ensure the **voices of children** are heard and considered when making laws – and ways of doing this.
- They acknowledged that parliamentary inquiries on **state-imposed forced labour** could be problematic since the neutrality of government members may be compromised. In such instances, it is especially important that committees represent both government and opposition and that **parliament assert its right to scrutiny**.





## 2.3 Learning Across Both Programmes

### 2.3.1 Communication and Campaign Techniques

- Delegates considered ways to raise awareness as part of wider social campaigns, by:
  1. Targeting specific audiences with individual communication strategies as part of a wider one.
  2. Engaging with and using relevant and local media to draw attention to specific issues among targeted communities and demographics.

#### Strategies and Considerations: Get Clear About Your Campaign

Make sure your campaign can answer the following questions.



**What is your campaign call to action?**



**Who are your advocates?**



**How will you engage them?**



**What are your quick wins?**



**What are the key messages?**



**What are the motivations and barriers?**



**Timeline and actions**

Set clear outputs for different bodies and targets in your campaign. Broadly, these include:



**Mobilising**

Get people to do something



**Advocacy**

Get people to support you



**Organising**

Change people's minds

### 2.3.2 Parliamentary Scrutiny and Committees

- Delegates acknowledged that committees are a vital means of parliament **holding the government to account**.
- They should **challenge the government to uphold the human rights treaties** the state is a signatory to, ensuring that the executive is **accountable** and faithful to these terms.
- They should also ensure that the government is acting **transparently**, particularly in reports and the **publication of data**.
- Hearing testimony from survivors provides an opportunity for committees and parliamentarians to **learn from lived experiences**.
- Often, this leads to unique insights and precise **identification of legislative weaknesses**.
- Committee members, particularly Chairs, should take careful steps to **conduct the inquiry in a sensitive matter** and make **special provisions** when dealing with triggering subject matter and survivors.

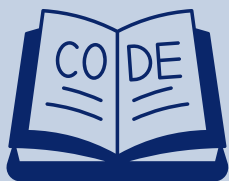
#### Best Practice: Conducting a Sensitive Inquiry



Train the **Committee** and **Secretariat** on **evidence-taking**.



Conduct **pre-meeting discussions** to decide the committee's **approach** and **allocate** specific **questions** to each Committee Member.



Ensure that there is a **person-centred Ethical Code of Conduct** - a set of principles that are intentionally set and agreed upon before the inquiry begins, to uphold ethical standards and ensure the dignity and integrity of the witnesses. Considerations could include:

- **Clear guidelines** for witnesses on **appropriate interruptions** during the hearing, especially when it comes to sensitive inquiries.
- Understanding and managing the **emotional tone**, especially when engaging survivors, to create a **safe environment**.
- Recognising that **survivors should not be treated like typical witnesses**. If answers are not direct or appear evasive, this is unlikely to be due to an unwillingness to engage with the committee but other factors. In such situations, committees should carefully manage their next steps, seeking to **encourage clear answers** while avoiding particular subjects if a witness appears unable to speak about them.
- Encouragement of **open-ended questions** that allow the witness to comprehensively give their account, in their own time.

## Best Practice: Conducting a Sensitive Inquiry

# PROTECT:

- **Prioritise survivors' integrity** and **prepare them** for what to expect at the Inquiry.
- Choose **trustworthy organisations** to facilitate survivor attendance.
- Undertake **background checks** and **research** to understand the fundamental issues and points of discourse.
- Provide **space** within venues to offer survivors **privacy** if needed. Examples include providing a separate room to welcome witnesses, private spaces for witnesses to use if wanted, and de-brief meetings before and after testimony.

# CONSIDER:

- **Agree** on how **record will be kept** and with witnesses before the session begins.
- Understand if there are any **lines of questioning** or **themes to avoid** and taking a more conversational, inviting **tone**.
- **Focus** the conversation on the **impact of trauma**, rather than the details of the traumatic event itself.
- **Allow** additional time as victims may need more time to process and answer questions.





## Language Matters: 'Survivors', 'Victims' and 'People With Lived Experience'

It is important to note that **how a person feels about the crime that has been committed against them is unlikely to be defined by any singular term.** The terms '**survivor**' and '**victim**' are often used interchangeably but instead should be **used differently.**

The word '**victim**' is important because it often has associated **rights observed by criminal justice and legal systems** and is predominantly used in this context. Investigators and prosecutors often use this term to signify that a crime has been committed against another person.

However, '**survivor**' is considered a **more empowering term** which refers to an active state; someone who identifies as a survivor may not see themselves as a victim because they have gained strength through their process of healing. **Some may also prefer being referred to as a 'person with lived experience'.**

Some may identify with all or none of these terms depending on the context, and some may identify with different terms at different periods.

It is best practice to **ask if a person has a preference** over either term before referencing them in an inquiry or otherwise. If this is not possible, it is best to use the term '**survivor**' outside of legal and justice settings.



## 3.0 Legislative Mapping: Identifying Gaps & Taking Action

Delegates engaged in a legislative mapping exercise on the second day to enable participants to identify gaps within their existing legislation. They then proposed actions to address those gaps, including ways to strengthen or amend legislative frameworks. Actions took the form of 'smart' and 'dream' plans, with the former representing short-term actions that could be taken upon return to their legislature and a long-term goal to work towards.



### 3.1 Gender-Based Violence

The most frequently identified gaps included the implementation of legislation, lack of engagement with stakeholders and survivors of GBV, and the impact of the entrenched patriarchy in politics.

#### 3.1.1 Implementation of Legislation

Delegates highlighted a wide range of issues concerning the implementation of GBV legislation. They pointed to cultural and religious challenges as the main barrier to the implementation and adoption of legislation. A lack of knowledge and capacity among parliamentary staff and members, particularly regarding navigating these challenges, inhibited legislation implementation and effective scrutiny. Delegates also cited the lack of committed GBV focus within parliamentary committees as another scrutiny challenge and a key barrier to improving poorly implemented legislation.

Reflecting the urgency at which delegates hope to tackle this issue, proposed actions focused mainly on immediate 'smart' plans.



## **‘Smart’ plans**

Delegates pledged to:

- Introduce a Private Member's Bill by 31 March 2024, which will focus on preventing forced marriage and FGM.
- Campaign for amendments to a sexual offences act, particularly in response to national challenges which could see the decriminalisation of FGM.
- Call for more funds to be allocated to maternal and child care at their next budget debate in November 2023.
- Recommend that all MPs and committee clerks undertake training in gender-sensitive scrutiny.
- Collaborate with the female parliamentary networks and other stakeholders to deliver a capacity-building workshop in the next 3 – 6 months, likely focusing on gender-sensitive scrutiny.
- Provide training to fellow parliamentarians to increase knowledge and improve awareness.



### **3.1.2 Entrenched Patriarchy in Politics**

Delegates highlighted an entrenched patriarchy and a wider gender imbalance in politics as key barriers to legislative progress on GBV-related matters. They contribute to a lack of resources for women, both as parliamentarians, members of civil society organisations, and as survivors of GBV.

## **‘Smart’ plans**

- To introduce gender quotas within parliament, such as the enactment of the 2 / 3 Gender Principle – a constitutional Kenyan policy which limits the number of members of a specific gender in an elected or appointed chamber to be no greater than two-thirds of the total members.

## **‘Dream’ plans**

- Advocating for female empowerment and access in their legislatures over the long term.
- Gathering greater support from male members to existing female members.
- Affirmative action policies to increase the number of women in parliaments throughout the Commonwealth.
- Legislative reforms to enhance female political participation by 2026.

### 3.1.3 Engaging Survivors

Delegates highlighted a lack of outreach to and engagement with survivors and civil society organisations as a key barrier to effective legislation. They argued that parliaments must attract and empower such groups to engage and work to remove the deterrents survivors often face if testifying, ranging from social stigma to a lack of faith in the judiciary,

#### 'Smart' plans

Delegates pledged to:

- Raise awareness of GBV-related matters among constituents, ranging from radio programmes to workshops for parents, children, and partners.
- Establish a foundation to support affected women and girls.
- Campaign, with the Commonwealth Women Parliamentarians network to and the support of workshop attendees, for a Commonwealth statement against VAWG at CHOGM 2024.
- Hold a constituency event on GBV with various stakeholders and young people within the next six months.
- Invite NGOs and CSOs to engage with constituents on issues relating to GBV and child marriages.
- Establish 'safe' spaces in the constituency where young people can find refuge and a forum to express themselves.

#### 'Dream' plans

- Delegates reaffirmed their dedication to prolonged future advocacy, with many pledging to increase stakeholder engagement on gender-related matters and provide more focused support for survivors of GBV.





## 3.2 Modern Slavery in Supply Chains

The key gaps identified by delegates broadly fell into three distinct categories: legislative awareness and approaches, implementing and enforcing laws, and community and public engagement.

### 3.2.1 Legislative Awareness and Approaches

Many delegates said that a general lack of awareness of modern-slavery-related legislation existed among members of their legislatures. Consequently, there is also a lack of awareness of legislative gaps. Delegates attributed this to a lack of political will to address the issue, as well as conflicting priorities.

They also mentioned that approaches to developing legislation on modern slavery in supply chains were often unequal. Discriminatory and cultural/traditional differences between countries were highlighted as key factors behind this. Such differences were also noted as a barrier to harmonising legislation.

#### 'Smart' plans

- Work collaboratively with other Commonwealth countries to harmonise laws and approaches and update international legislative frameworks.
- Campaign to have modern slavery included on the agenda for the upcoming Commonwealth Heads of Governments Meeting and the UN General Assembly to garner political will, raise awareness and reassert the issue's importance.



#### 'Dream' plans

- Harmonise Commonwealth laws – including sections relating to modern slavery in a Company Law and/or Directors Act – through a formal Commonwealth network working on the issue.
- Raise awareness of modern slavery through international bodies.

### 3.2.2 Implementation and Enforcement

Delegates identified the implementation and enforcement of legislation as key challenges.

They reflected that significant resources were needed to facilitate the effective scrutiny and enforcement of legislation and to ensure it meets its intended outcome.

Delegates also highlighted an absence of ownership and accountability by companies and, indeed, ministers responsible for overseeing the implementation and enforcement of modern slavery laws.

### **‘Smart’ plans**

- Amendments to strengthen specific legislation: e.g. Companies Act or Directors Act so that companies would be compelled to undertake human rights due diligence.
- Commit greater resources to investigate the conditions of migrant workers, due to the particular vulnerability of migrant communities to trafficking.

### **‘Dream’ plans**

- Review work permit policy to protect vulnerable workers.
- Consolidate the body of existing laws into a single bill.



### **3.2.3. Community and Public Engagement**

Engaging and including communities in developing and implementing legislation was referred to as a substantial gap in existing legislative frameworks.

Many delegates referred to the exclusion of communities in developing new legislation, particularly survivor voices. Others suggested that key gaps were emerging as a result of a critically neglected intersection between migration, housing and poverty, which needs to be engaged and considered when drafting modern slavery legislation.

### **‘Smart’ plans**

- Raise awareness of modern slavery in supply chains at the constituency, national, and international levels through media and community engagement.

### **‘Dream’ plans**

- Establish a network of grassroots and survivor support organisations by the end of 2024 to facilitate greater support for and access to survivor voices.



## 4.0 Monitoring & Evaluation

Delegates were issued self-assessment questionnaires before and after the workshop. The purpose of this was to measure the change in knowledge and understanding of the subjects covered during the workshop and deliver a quantifiable assessment of CPA UK's outputs.

Delegates saw significant gains in their overall knowledge and understanding. As expected, modern slavery delegates saw a higher increase, reflecting the fact that their base level of knowledge was limited, whereas the gender-based violence delegates included members of women's caucuses and gender committees, with greater experience of the issue.

### 4.1 Top Findings

> 26%

The average increase in understanding among GBV delegates

> 43%

The average increase in understanding among Modern Slavery in Supply Chains delegates

> 89%

The number of Modern Slavery in Supply Chains delegates who said that the workshop met or exceeded their expectations

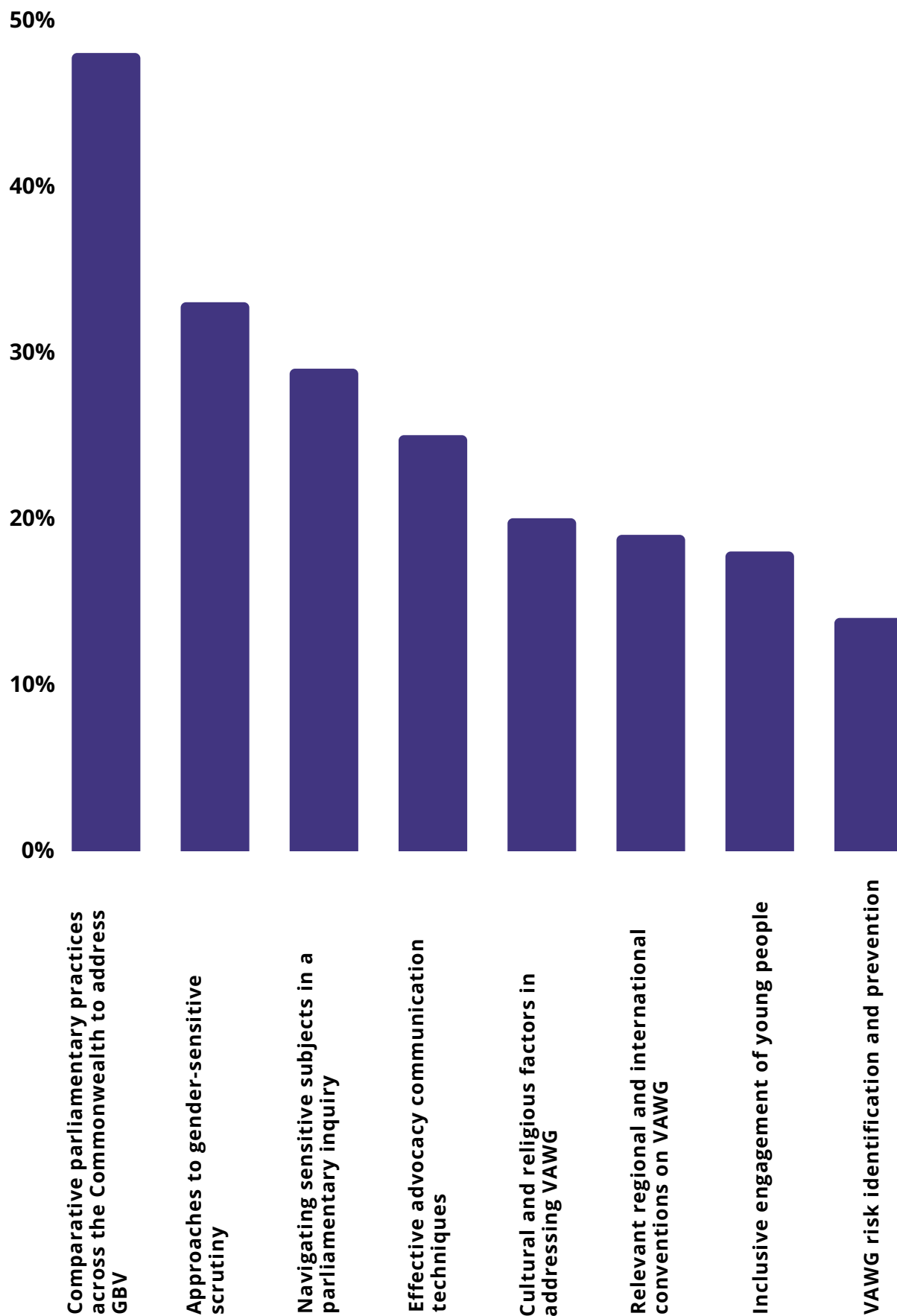
> 100%

The number of GBV delegates who said that the workshop met or exceeded their expectations

Delegates graded their level of understanding as 'None', 'Basic', 'Moderate', 'Good' or 'In-depth' (scored 1-5 respectively). An average level was calculated both before and after the workshop, with the difference between these two numbers signifying the change.

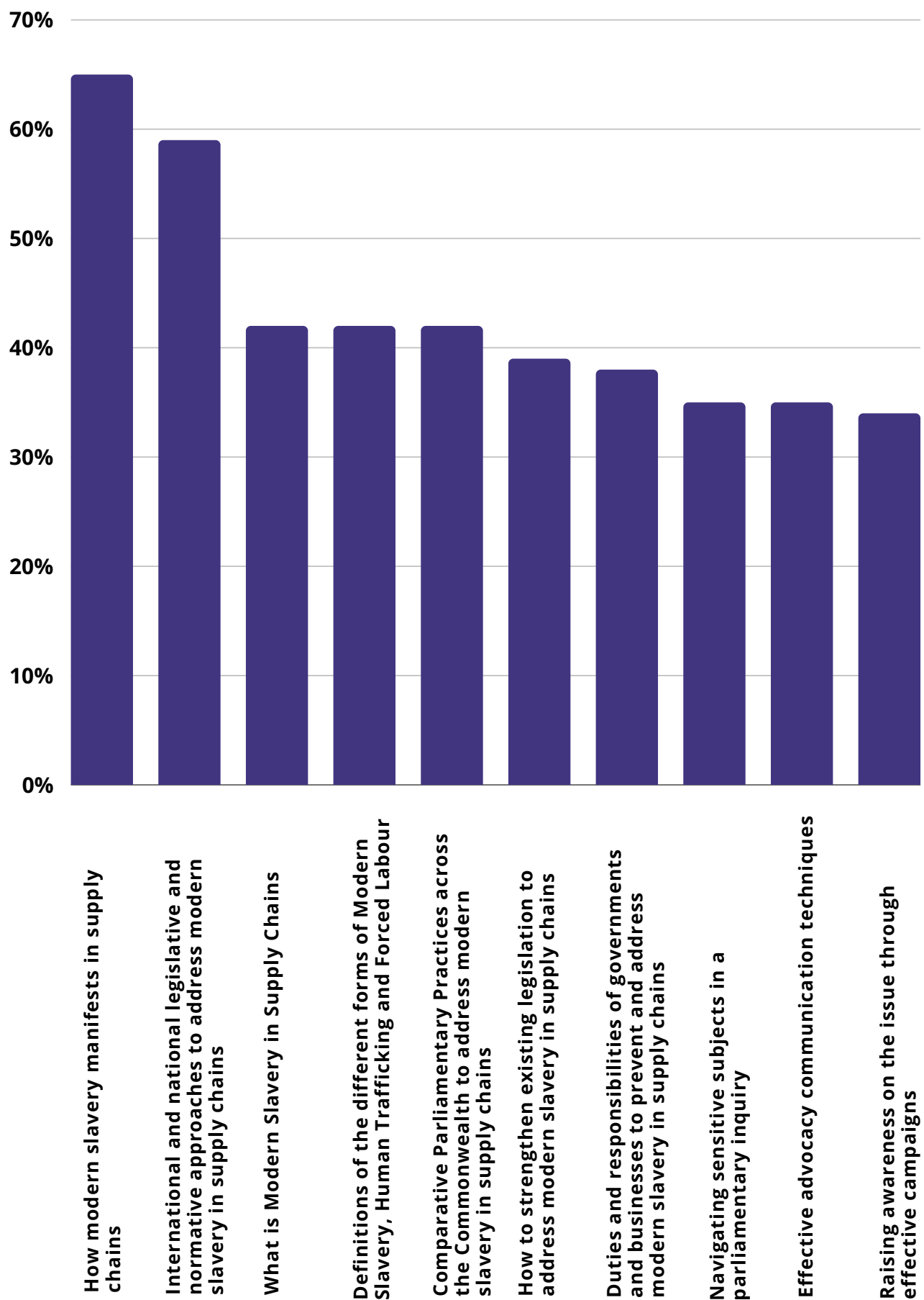
## 4.2 Gender-Based Violence

Increase in the average level of understanding across each subject:



### 4.3 Modern Slavery in Supply Chains

Increase in the average level of understanding across each subject:



## 5.0 Resolutions

As the workshop concluded, delegates drafted and signed resolutions, collectively asking for new provisions and structures to be set up and committing to take further actions to address gender-based violence and modern slavery in supply chains.

### 5.1 Gender-Based Violence Resolution

Delegates:

- Called for evidence-based policies and implementation plans for eliminating Violence Against Women and Girls to be part of the deliberation of the next Commonwealth Heads of Government Meeting (CHOGM) in 2024 in Samoa.
- Requested that those recommendations demonstrate the harm done to women and girls through abusive actions such as FGM, child marriage, domestic violence amongst intrusive partners, teenage pregnancy, forced marriage and all forms of rape.
- Called on Commonwealth leaders to join parliamentarians in taking a public stand to reject VAWG in all its forms and advocate for change in their country.

### 5.2 Modern Slavery in Supply Chains Resolution

Delegates:

- Pledged to provide a global network to share best practices and information about how local modern slavery and similar laws are implemented and enforced.
- Called on heads of government to take action to eradicate modern slavery and human trafficking, in line with UN Strategic Development Goal 8.7, and pledged to raise this matter in their parliaments in advance of CHOGM in 2024.
- Called on Commonwealth parliaments to introduce security and health packages for their parliamentarians, given the risks associated with working on this issue.





## 6.0 Next Steps

CPA UK plans to regularly engage with delegates to follow up on the pledges made and support them in actioning their 'smart' and 'dream' plans. CPA UK will also support partners to realise and action the shared resolutions.

Subject to further funding availability, CPA UK plans to continue this project in 24/25 by bringing this engaged group of parliamentarians together again – this time in Westminster - to share and explore ways to strengthen their respective legislative frameworks, as well as supporting a number of partner parliaments on a bilateral basis.

CPA UK will continue to work more broadly on these issues and engage Commonwealth parliamentarians through its Women in Parliament and Modern Slavery programmes.



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