

JUNE 2022

Modern Slavery and Human Trafficking Newsletter

In this issue:

CPA UK'S ROUNDTABLE

Learn more about the Roundtable Discussion on sports trafficking, featuring participants from the private sector, advocacy, politics, and academia.

TONY'S CHOCOLONELY

We interview this notable chocolate brand to learn how they fight supply chain exploitation.

DR SERHAT YILMAZ

We interview Loughborough University's legal scholar to learn why states should see sports trafficking through the legal lens of a duty to protect.

A FIFA AGENT EXPLAINS

Ellen Chiwenga addresses the issue of fake agents and what government and industry can do to stop them.

"Africa is lacking much-needed funding and investment in infrastructures, pitches, and modern academies, and this undermines the level of football on the Continent and forces players to find hope in Europe"

Ellen Chiwenga, FIFA Football Match Agent

JUNE 2022

Modern Slavery and Human Trafficking Newsletter

CONTENTS

- 1 CPA UK'S ROUNDTABLE DISCUSSION ON SPORTS TRAFFICKING:
A COLLABORATION OF KNOWLEDGE AND IDEAS**

- 2 ACADEMIC IN THE FIELD:
DR SERHAT YILMAZ ON REGULATORY ISSUES IN SPORTS TRAFFICKING**

- 6 ELLEN CHIWENGA:
A FIFA FOOTBALL AGENT'S INSIDER PERSPECTIVE**

- 9 TONY'S CHOCOLONELY:
FIGHTING THE BITTER REALITY OF SUPPLY CHAIN EXPLOITATION**

- 11 RESOURCES:
USE OUR COMMUNICATION PRODUCTS IN YOUR ROLE TO ADDRESS
SPORTS TRAFFICKING**

CPA UK's Roundtable Discussion on Sports Trafficking



Adeline Dumoulin (CPA UK) speaking to the group of Roundtable participants from the private sector, advocacy, politics, and academia.

At the Roundtable: A collaboration of industry and intellect

On Tuesday 14th June 2022, CPA UK welcomed thirty-one attendees to exchange knowledge on human trafficking and sport.

The Roundtable Discussion proved to be a fruitful event, opening up space for more collaboration, and - crucially - investigation into how organisations can better understand and tackle this issue. Held in the lead-up to Birmingham's Commonwealth Games, the research and insight shared by speakers brought to light the severity of sports trafficking.

All the speakers, whether they were academics, practicing football agents, or senior representatives of organisations addressing these issues, shared recommendations that enrich the capacity of all stakeholders, in acquiring a more contextualised understanding of how they can best address sports trafficking.

These recommendations are distilled in CPA UK's Roundtable Discussion report, which you can read and download [here](#).

Academic in the field: Dr Serhat Yilmaz



Photo credit: [Loughborough University](#)

Dr Yilmaz talks about why states should see the issue of sports trafficking through the legal lens of a duty to protect

Biography

Dr Serhat Yilmaz is a legal scholar and expert in sport regulation. His work focuses on regulatory frameworks concerning agents and young players in football. Dr Yilmaz investigates the efficacy of regulations in tackling the issue of trafficking. He also explores the compatibility of football's regulatory frameworks with legal instruments of human rights, particularly with the UN Convention on Rights of a Child (UNCRC). Considering trafficking as a rights issue, his research examines a rights-based approach to rule making in football to address the issue.

What can you tell us about looking at sports trafficking as a human rights issue?

You can look at sports trafficking as a human rights issue by looking at the adverse impacts on the protection of children, which is a legal obligation enshrined under the UN Convention on the Rights of the Child (UNCRC). Specifically, the UNCRC recognises the right of the child of be protected from exploitation, such as:

“
Dr Yilmaz investigates the efficacy of regulations in tackling the issue of trafficking...and explores the compatibility of regulatory frameworks with legal instruments of human rights

”

economic exploitation, which can be found in Article 32; all forms of physical and mental violence; injury; abuse, including sexual abuse (Article 19); neglect or negligent treatment; and maltreatment.

Trafficking in sports, particularly in football, directly risks these rights by leaving vulnerable young sportspeople in the hands of individuals who seek to exploit them in the ways listed above. Posing as football agents or scouts, these fraudulent individuals use the prospect of overseas trials to extract money from the parents of eager sportspeople.

Even when these trials are materialised, and appear to be a success, the contractual terms offered to the sportsperson are generally exploitative and unfavourable to them. If overseas trials fail, the players tend to overstay in their host country, potentially exposed to further exploitation and malpractice without family support and basic human needs met.

Why is it important that states recognise sports trafficking as a human rights issue?

The UNCRC is actively addressing states as primary duty-bearers to protect children from having their human rights put at risk, and violated.

Specifically, the UNCRC places an obligation on state parties to ensure that appropriate protections are in place against all forms of exploitation (Articles 34 and 36). The state's duty to protect is amplified by the fact that the governing bodies of football are largely powerless in responding to trafficking as a

“

"The UNCRC recognises the right of the child to be protected from...economic exploitation; mental violence; sexual abuse; or negligent treatment. Trafficking in sports...directly risks these rights by leaving vulnerable sportspeople in the hands of individuals who seek to exploit them in this way."

”

criminal matter. Therefore, states are very much required to take the appropriate steps in order to: prevent; investigate; punish; and redress the risk to human rights and human rights abuses through effective policies, legislation, regulations, and adjudication.

“

"The state's duty to protect is amplified by the fact that the governing bodies of football are largely powerless in responding to trafficking as a criminal matter. Therefore, states are very much required to take the appropriate steps to: prevent; investigate; punish; and redress the risk to human rights."

”

What has your research uncovered about football trafficking?

One contributory factor that must be addressed is the lack of regulatory understanding by young sportspeople and parents, around agents and transfers in football.

In practice, this lack of regulatory understanding manifests itself in several ways. For instance, fraudulent individuals portraying themselves as agents directly benefit from players' and parents' lack of regulatory understanding.

This is because both players and parents do not know how to verify the individual's status as a legitimate agent. As a result, they fall for the false promises of unscrupulous individuals.

“

"This lack of regulatory understanding manifests itself in several ways...For instance...both players and parents do not know how to verify an individual's status as a legitimate agent."

”

Football regulations also place restrictions and certain prohibitions on the international transfer of minors. Yet, players and parents may not know of these regulations when working with individuals who introduce themselves as an agent or club representative.

Consequently, the players are controlled through unfavorable contracts that are countersigned by parents, leaving their home countries through processes that do not comply with regulations.

Therefore, I see this lack of understanding as an important issue that needs to be rectified if we want to tackle trafficking. Education is one of the primary solutions that I propose to address the lack of understanding of young players and their parents.

Educating players and their parents about: the relevant regulatory framework, the agent market, and how an international transfer is actually made, can enable them to identify risks to their human rights and make informed decisions around preventing and addressing them.

In this regard, education can act as an ex-ante solution with the potential to tackle trafficking before it actually occurs.

“

"Educating players and their parents about: the relevant regulatory framework; the agent market; and how an international transfer is actually made can enable them to identify risks to their human rights, and make informed decisions around preventing and addressing them."

”

What can states do today to help?

States can support the education of sportspeople and their parents or carers in two ways.

Firstly, states can fund the development of education initiatives for these actors. Although we see clubs and national associations undertaking player education, particularly in developed footballing nations, parent education is rather challenging.

Parents are not formal participants of football, and therefore outside the jurisdiction and responsibility of governing bodies. Nevertheless, our research shows that parents' involvement in the decision-making process around their children in football has significantly increased over the years.

“

"Parents are not formal participants of football, and therefore outside the jurisdiction and responsibility of governing bodies.

”

It is important to consider that parents are also another important duty-bearer of their children. They have the responsibility to protect and uphold the rights of their children. Therefore, parent education is as important as player education.

Parent education is something that states can address by taking the first step in

reaching and educating parents, rather than waiting for sports regulations to address this first.

Secondly, states can help by constructing legislative tools that place player and parent education as a prerequisite for any public funding entitlement and distribution to football governing bodies and other stakeholders.

“

"States can help by constructing legislative tools that place player and parent education as a prerequisite for any public funding entitlement and distribution to football governing bodies and other stakeholders.

”

Ellen Chiwenga's Insider Perspective



Photo credit: [FootballPakistan.com](https://www.footballpakistan.com)

Ellen Chiwenga, a successful FIFA Match football agent, provides vital insight into the shadowy world of fake agents

When did you first hear about sport trafficking?

I have been working at the highest level of football for twenty years. However, it is only four years ago when I first met Lerina Bright, the brilliant founder of Mission 89, that I first became truly aware of the issue of human trafficking in sport and football. Never before during my work with players, clubs, and football authorities did I have a conversation about this terrible crime.

I was absolutely horrified by the scale of the problem as it has been suggested that about 15,000 young players are trafficked every year into Europe to play football, and from West Africa alone!

There are also approximately more than

500 African players contracted by clubs in football leagues across Europe, and for each successful career I can't stop thinking

“

"There are approximately more than 500 African players contracted by clubs in football leagues across Europe, and for each successful career I can't stop thinking of the thousands of broken lives that lie behind the dream to become a professional player."

”

of the thousands of broken lives that lie behind the dream to become a professional player.

As an African woman, this affected me deeply and I, therefore, decided to do whatever I can to help Mission 89, a formidable organisation that fights tirelessly to stop the trafficking of young athletes in the name of football and sport.

One of the largest contributing factors to sports trafficking is fake agents. How do you think we can reduce the activity of fake agents and what are the signs of being approached by a fake agent?

The largest contributing factor to trafficking in football and sport is a lack of knowledge. This information gap is being used by criminals to abuse their victims.

It is too easy for them to play the role of so-called 'agents', and pretend they represent a famous club, and have found a trial for a young player.

There is a famous tournament in the South of France called the Maurice Revello tournament (formerly Toulon tournament) where young talents from all over the world meet in summer with their national teams and showcase their talent to clubs, scouts, and agents.

If the same renown and formality were replicated in such a tournament in Africa, with the support of governments, the private sector, and an organisation like Mission 89, it would help players and their families identify where to be to find the

“

"The largest contributing factor to trafficking in football and sport is a lack of knowledge. This information gap is being used by criminals to abuse their victims. It is too easy for them to play the role of so-called 'agents', and pretend they represent a famous club, and have found a trial for a young player."

”

information they need to avoid becoming victims of trafficking. It could also be organised for different age groups in different African countries.

A fake agent will always ask for money. In reality, if a professional club is genuinely interested in a player, they will take charge of all the expenses including flights, accommodation, food, and so on. It is a double tragedy as most families end up in a spiral of debt to raise the money necessary to give life to their children's dreams. Never pay money to any self-proclaimed agent.

“

"It is a double tragedy as most families end up in a spiral of debt to raise the money necessary to give life to their children's dreams."

”

What do you think football agents can do, on both national and grassroots level, to help tackle the issue of sport trafficking ahead of mega sport events?

The best thing any agent can do is to share, at every opportunity, knowledge about the risks of human trafficking and how to prevent it in their discussions with families, scouts, players, coaches, and all stakeholders of the football family. But everyone has a major role to play in this fight.

Trafficking is happening because no one is listening and the situation is only getting worse by the day. Is the government aware that clubs are buying players who are being enslaved from Africa to European countries? Does the government know that English clubs can't bring talented African players directly from Africa after Brexit? English clubs end up buying those players for tens of millions from other European clubs instead of using that money to invest into their own academies that would help cut down on gangs, prostitution, and illegal activities from young kids living in difficult areas.

The government should change its immigration rules. It gets even worse when you want to verify with the clubs whether they have invited a player for trial, as they don't always respond to emails, and as fake agents know that they take advantage.

Football should be an equal opportunity, everywhere, for every child to develop and nurture lifelong values like courage, respect, teamwork, or leadership and for a few to become professional and make a

living through football in their own country.

But this is not the case. Africa is lacking much-needed funding and investment in infrastructures, pitches, and modern academies, and this undermines the level of football on the Continent and forces players to find hope in Europe. Poverty makes players want to leave their countries to find better clubs and earn the money they need to support their families at home.

Africa does not need charity, it needs trade. Governments, federations, associations, and sport authorities should take the opportunity of major sport events as an ideal platform to educate the public, the fans, and athletes about the dangers of this crime.

“
"Africa does not need charity, it needs trade. Governments, federations, associations, and sport authorities should take the opportunity..."
”

Online campaigns, TV ads, or other forms of media are powerful tools to raise awareness about it, and sport governing bodies should take that initiative on the occasion of the Birmingham Commonwealth Games and the FIFA World Cup in Qatar. But helping African countries to flourish, trade, and develop their economies, and therefore tackle poverty - the problem at the source of human trafficking - remains the only best way to stop this crime.

Tony's Chokolonely on supply chain exploitation



Meet the notable chocolate brand whose business model seeks to eradicate slavery from chocolate supply chains

When did Tony's Chokolonely first look into the issue of forced labour, child labour, and other forms of exploitation in its supply chain?

The issues of forced labour, child labour and exploitation have been front and central since Tony's Chokolonely was founded in 2005. This is the very reason we exist; to make worldwide chocolate 100% slavery free.

As a business, what steps have you taken to address forced labour in Tony's Chokolonely chocolate supply chains?

The root cause of forced (and child) labour is poverty. Through our 5 Sourcing Principles, we address that root cause. With our fully traceable supply chain, we have full visibility of where all the beans in our bars come from and what conditions they are farmed under. We haven't found a single case of forced labour in our supply

“
"Through our 5 Sourcing Principles, we address that root cause [of forced and child labour]"
”

chain. In addition, in 2018 we did a thorough risk analysis on forced labour in our supply chain. That also didn't yield any cases, but we did get insight into risk factors in our supply chain.

This includes seasonal labour with informal (or) no labour contracts that could be at risk. Therefore, we work with our partner cooperatives to set up and train labour groups (from the communities) to better organise this kind of work. Lastly, we are working with the International Cocoa Initiative on including forced labour monitoring into the Child Labour Monitoring Remediation System.

What do you think needs to be done in order to encourage other businesses to have more transparent supply chains and what are you doing as a business to inspire others to do so?

We believe there are two key factors to encouraging other businesses to have more transparent supply chains. Firstly, lobby for due diligence legislation.

Change is a long time coming. It's been over 2 decades since the world's biggest chocolate companies promised to end child labour in the cocoa supply chain. In 2001 they signed the Harkin-Engel protocol and pledged to end the worst forms of child labour within 5 years. In 2010, after failing to meet their deadlines 3 times, the pledge was extended to reduce child labour by 70% by 2020.

In October 2020 the National Opinion Research Centre report from the University of Chicago was published showing that there are still 1.56 million children working illegally in Ghana and Cote d'Ivoire, so nothing has changed.

Governments must regulate corporate behaviour to end injustice in value chains that span countries and continents, Tony's leads by example with our 5 Sourcing Principles. In the chocolate industry that means taking 100% responsibility for tackling the biggest issues in cocoa: child labour, a lack of a living income and deforestation.

Big chocolate companies shouldn't pretend they don't know what's happening in their own backyard. Nor should the law permit them to. To change the cocoa sector,

Human Rights & Environmental Due Diligence legislation must be introduced.

We fully backed the report sponsored by Member of the European Parliament Lara Wolters calling for human rights due diligence and corporate accountability to be made EU law. And, in March 2021, the EU parliament came one step closer to legislating industry reform by voting YES to holding companies accountable for human rights and environmental abuses in their supply chains.

“
"Big chocolate companies shouldn't pretend they don't know what's happening in their own backyard. Nor should the law permit them to."
”

Secondly, inviting them to join Tony's Open Chain. We inspire and encourage everyone to use our 5 Sourcing Principles, we call this Tony's Open Chain. These need to be implemented together, no cherry-picking. The 5 Sourcing Principles interact with each other to strengthen the positive impact, but also to counteract possible, negative side-effects.

An integrated approach is needed, geared to structurally change the system.

We openly invite other companies to source their cocoa through these 5 integrated steps. We already have Aldi, Jokolade, Albert Heijn and Vly on board. The more companies that follow our 5 sourcing principles the more cocoa is sourced responsibly.

Resources

To address the issue of human trafficking through sport, CPA UK and Mission 89 have teamed up to produce tailored resources for parliamentarians, the public, and border officials. These resources are completely free to download and easily printable. They can be used at any time, at your own discretion. You will find advice on distributing these materials in the pages below.


We ask that you keep intact the CPA UK, Commonwealth-in-Chair, and Mission 89 logos on the leaflets and posters.

Resources to share with the public

 [Animation video](#)

 [Leaflet for the general public](#)

 [Poster for the general public](#)


 [E-Banner](#)

 [Workshop Resource Pack](#)




For Parliamentarians


 [Leaflet for parliamentarians](#)

 [Poster for parliamentarians](#)




For Border Officials

 [Leaflet for border officials](#)

 [Poster for border officials](#)





Commonwealth Parliamentary Association, UK Branch
Westminster Hall
SW1A 0AA

E: cpauk@parliament.uk