UK Parliament

COMMONWEALTH PARLIAMENTARY ASSOCIATION UK

Legislating Against

Modern Slavery in Supply Chains



Foreign, Commonwealth & Development Office

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About the handbook

A note on definitions and views expressed

This document was produced by the UK Branch of the Commonwealth Parliamentary Association (CPA UK) to assist parliamentarians throughout the Commonwealth and beyond on how to legislate against modern slavery and exploitation in supply chains. We note that the views expressed in the book are those of the contributors and do not necessarily represent the official views of CPA UK or the UK Parliament. This material was funded by the UK Government; the views expressed do not necessarily reflect that of official UK Government policy.

CPA UK and expert contributors in this handbook use the language of 'modern slavery' as an umbrella term for a range of criminal offences relating to human trafficking, forced labour and the holding of a person in slavery or servitude for the purposes of exploitation. The UN defines these heinous crimes under the overarching language of human trafficking / forced labour / modern slavery. While preferred terminology may vary across the globe, this handbook seeks to arm legislators and parliamentary officials with the key information and legislative good practice to effectively combat these crimes, irrespective of language used.

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'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.

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.

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Foreword



Lord Collins of Highbury

Parliamentary Under Secretary of State, Foreign, Commonwealth & Development Office

Deputy Leader of the House of Lords

All countries, including those in the Commonwealth, have committed to eradicating forced labour, human trafficking and all forms of modern slavery by 2030. Yet, it is estimated 28 million people are still living in forced labour worldwide and worryingly, that number continues to rise.

As a fellow parliamentarian, I am sure you will share my conclusion that more needs to be done to tackle these heinous crimes. I commend the UK Branch of the Commonwealth Parliamentary Association (CPA UK) for its efforts to raise awareness through this book, which focuses on the importance of a strong legal framework to complement national and local interventions. This book will delve into several options which you could consider should you plan to enact legislative change.

Through its analogous legal and parliamentary systems, the Commonwealth has the opportunity to move collectively against this terrible crime. Similarities among our great family of 56 nations, in how we change our laws, how we campaign to win parliamentary or public support and how we implement the law, provide a great opportunity to learn from each other and collaborate.

It is in that spirit of shared endeavour that the UK's Foreign, Commonwealth and Development Office (FCDO) is proud to have funded the CPA UK to produce this valuable resource: 'Legislating Against Modern Slavery in Supply Chains'.

Within the pages of this book, you will find sound advice from leading experts and businesses on the current state of legislative frameworks. You will also find sage counsel from Commonwealth parliamentarians who have already passed – or attempted to pass – legislation combatting modern slavery in supply chains. Here, you – the parliamentarian – will be able to learn from the successes and challenges experienced by your Commonwealth colleagues. You will not have to start from scratch in your mission to end modern slavery, but will have the opportunity to build on the foundations laid by others before you.

Usually, when such a large piece of work is completed, we hope it will have a long lifespan, becoming an evergreen asset that provides value for years to come. That is not the case with this book. The sooner it is outdated the better, for its purpose is to equip you – the parliamentarian – with the knowledge and skills to legislate effectively and rapidly against modern slavery in supply chains.

The torch has been passed to you, parliamentarian. I hope you use it well.



Lord Collins of Highbury

A call to action for the Commonwealth



> *The Commonwealth is uniquely placed to model effective cooperation between very different kinds of jurisdictions, in designing and implementing legislation to better monitor and control supply chains*

Bishop Alastair Redfern

Retired Diocesan Bishop; Member, House of Lords, UK Parliament (2010 - 2019)

The Commonwealth has a unique opportunity to make a significant contribution to the advancement of good global governance – through the emerging possibilities of developing an effective response to the current challenge of modern slavery/human trafficking in supply chains.

The Commonwealth is uniquely placed to model effective cooperation between very different kinds of jurisdictions, in designing and implementing legislation to better monitor and control supply chains, and therefore prevent the criminal exploitation which is pursued through the provision of the goods and services that people are properly keen to acquire.

The whole world needs this practical leadership.

This booklet offers a toolkit through which different member states can share learning, legal responses, and models of partnership – between governments and with business interests. Each jurisdiction is invited to review current legislation and practice, and then look at ways of creating a more effective response. There is a significant opportunity for cooperation and mutual support – the very DNA of a Commonwealth which shares a legal heritage, and a sense of community through which there could be significant developments. This combined working would model government for global goodness, and provide a much-needed response to the abusive oppression of so many. The Commonwealth is uniquely equipped to do so.

Acknowledgements



Kate Osamor MP

Chair of the UK Branch of the Commonwealth Parliamentary Association (CPA UK)

In October 2024, I was honoured to be elected Chair of the UK Branch of the Commonwealth Parliamentary Association (CPA UK). In the short time since my appointment, I have been struck by the incredible opportunities the Branch provides for Commonwealth parliamentarians to build meaningful relationships, learn from one another, and work toward shared goals.

This handbook brings together over 50 contributors, including over 20 parliamentarians from more than 10 legislatures, and leading representatives from the legal sector, civil society, businesses, and academia. It stands as a testament to the exceptional collaboration made possible by CPA UK.

At the heart of this effort is a shared vision: the hope for an end to modern slavery, and for a future where products tainted by human exploitation are no longer accessible. All contributors have generously shared their expertise, perspectives and advice, equipping parliamentarians with the knowledge needed to effectively tackle modern slavery in supply chains.

On behalf of CPA UK, I extend my heartfelt thanks to everyone who dedicated their time to this important project. I am confident that this resource will prove invaluable to legislators across the globe.

I would also like to express my gratitude to the UK's Foreign, Commonwealth, and Development Office for providing the funding necessary to complete this significant initiative and to support parliamentarians in addressing modern slavery over the past two years.

Lastly, I would like to thank the team at CPA UK for their dedication and hard work in bringing this book to fruition. Everyone involved should take great pride in the impact of this important work.

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EXECUTIVE

Modern slavery in supply chains looks like work. It is a reality in our contemporary societies.

According to the ILO, 27.6 million people are victims of forced labour. This forced labour generates millions of dollars in illegal profits, incentivising those companies to continue exploiting children and adults.

As you will discover in greater detail throughout this book, over the past decade, legislative changes have sought to either: increase supply chain transparency, requiring companies to list all suppliers and report on instances of labour exploitation occurring in their supply chains); or set due diligence standards, requiring companies to investigate their supply chains.

Those requirements were set quite low, at first. Meanwhile, enforcement powers were limited: often only the largest companies were required to pay a fine if in breach of the law, and charges could be inconsequential to the company, depending on its turnover.
However, legislation is evolving and getting stronger. Commonwealth countries are learning from one another and exchanging good practices to further advance their own legislative framework. What works in one country, however, will not necessarily work in another. Legislation must be tailored to unique socio-economic factors.

Political context is equally important. Legislation that cannot win enough support to pass, will ultimately fail to make progress. When considering your own legislation, it is crucial to evaluate what will work best according to your own context.

Parliaments, governments, businesses and individuals – we all have a collective responsibility to combat exploitation in our supply chains and ensure businesses operate responsibly and sustainably, without violating human rights. As members of the Commonwealth, we are uniquely placed to model effective cooperation and come together to build a society where individuals' choices, companies' policies and practices and countries' legislation move in the same direction.

As a parliamentarian, you can inspire, lead and drive legislative change. By building your knowledge on this issue, you can position your country as a leader in ethical business practices, setting a positive example for others to follow. As consumers are increasingly aware of and concerned about the ethical implications of their purchases, you have the power to develop and strengthen laws that help build individuals' trust and loyalty, whilst directly benefitting the economy. And through your constituency work, you have the power to protect vulnerable populations from abuse and exploitation.

Building on the success of the first two CPA UK handbooks on legislating against modern slavery, human trafficking and forced labour[1], this third volume gathers knowledge and experience from more than 50 parliamentarians

SUMMARY

and experts across the Commonwealth and beyond. Chapter 1 defines what modern slavery in supply chains is; explains how it manifests through businesses' and workers' perspectives; and describes what legislative approaches have been considered so far by some legislatures. Chapter 2 invites you, in your role as a legislator and committee member, to: understand the different legislative approaches available; gather internal support and engage with external stakeholders; and use parliamentary tools available to scrutinise the implementation of your legislation. Chapter 3 shares different approaches to enforcement and focuses on your important role as a constituency representative, building knowledge through community work, engaging with and advocating on your constituents' behalf.

We hope this resource will further strengthen your knowledge on this important issue that is undermining our societies.
You have the power to drive change and empower others to follow your lead. To leave a legacy that will transcend generations.

1. https://www.uk-cpa.org/what-we-do/modern-slavery/e-handbook-legislating-against-modern-slavery-human-trafficking-forced-labour & https://www.uk-cpa.org/news-and-views/launch-of-e-handbook-supports-international-parliamentarians-to-raise-awareness-of-modern-slavery-human-trafficking-and-forced-labour

Photograph: ©Lisa Kristine photography / The Human Thread Foundation



1 CHAPTER

To fully address modern slavery in supply chains through your role as a parliamentarian, it is important to understand what modern slavery is, and how it manifests itself in our contemporary societies. In this chapter, we define what modern slavery in supply chains is and explore the perspectives of businesses and workers. You will also read a collection of testimonies from parliamentarians across the globe, who led transformative legislative changes in their legislatures. They share their own reflections and lessons learnt with us.



MODERN SLAVERY IN SUPPLY CHAINS – THE LANDSCAPE

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SUB-CHAPTER 1

WHAT IS MODERN SLAVERY IN SUPPLY CHAINS?



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Definitions of modern slavery, human trafficking and forced labour

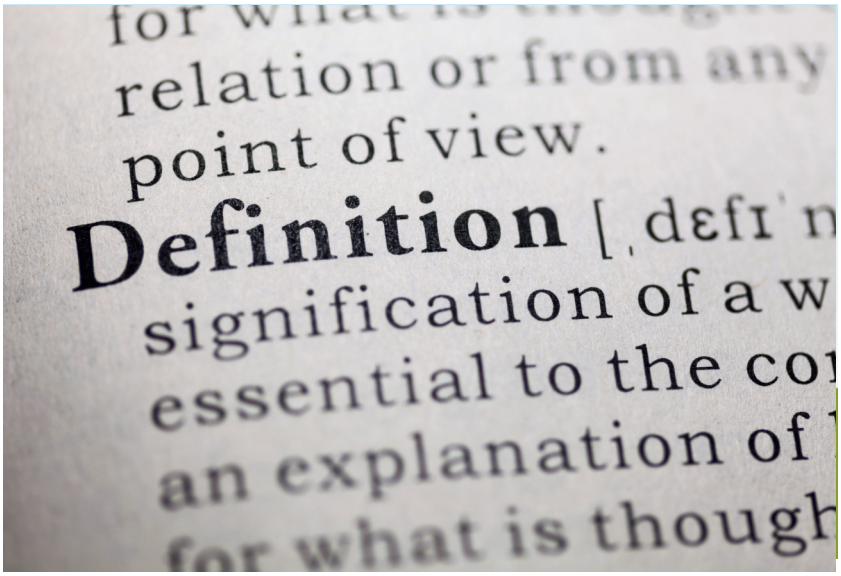
Protocols and international conventions

Modern slavery takes many forms; clearly defining these crimes is crucial to legislating against them. Such definitions did not arise overnight. A number of international conventions and protocols have shaped a shared understanding of these crimes across the globe.



Dr Katarina Schwarz

Rights Lab Associate Director and Associate Professor of Antislavery Law and Policy, University of Nottingham



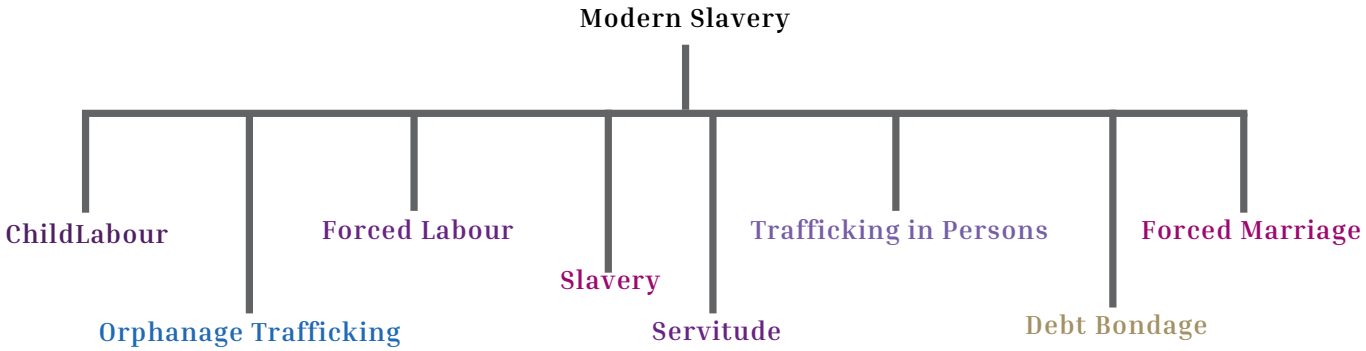
Photograph: ©Devonyu via canva.com

Definition: modern slavery

'Modern slavery' is an umbrella term used to describe a set of practices involving severe human exploitation. It does not have an established international legal definition. This means that the set of practices that make up modern slavery may vary depending on the context. For instance:

- The International Labour Organisation (ILO) and International Organisation for Migration (IOM) in the Global Estimates of Modern Slavery[1] include both forced labour and forced marriage.
- The UK Modern Slavery Act 2015 includes slavery, servitude, forced or compulsory labour, and human trafficking.
- The Australian Modern Slavery Act 2018 includes slavery, servitude, forced labour, deceptive recruitment for labour or services, forced marriage, trafficking in persons, debt bondage, and the worst forms of child labour.

Treating modern slavery as an umbrella term allows the continued use of fundamental definitions already established in international law. Relevant practices prohibited in international law include slavery, slave trade, institutions and practices similar to slavery, servitude, forced or compulsory labour, worst forms of child labour, and trafficking in persons. The umbrella approach does not fundamentally redefine these practices. Instead, it provides a framework in which they can be addressed together.



'Modern slavery ' is an umbrella term capturing several crimes

Note: While modern slavery is generally understood as an umbrella term, it is sometimes understood as a single category of experience[2]*. However, this approach is less firmly rooted in existing international law.*

Definition: human trafficking

'Human trafficking' (or 'trafficking in persons') as defined in the Palermo Protocol has three core elements[3].

1. **The act:** the recruitment, transportation, transfer, harbouring or receipt of persons.
2. **The means:** threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.
3. **The purpose of exploitation:** including, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Each of the three elements are required to establish a case of trafficking in adults. Trafficking in children only requires the act and exploitative purpose. Coercive means are not required. Under the Palermo Protocol, a child is any individual under the age of 18 years.

The **purpose element** of the trafficking crime (exploitation) does not require that exploitation actually takes place. It only requires the perpetrator have this purpose in mind when committing one of the acts and (for adults) employing one of the listed means.

Note: although human trafficking does not technically require exploitation, the term is sometimes understood to also act as an umbrella term for the different forms of exploitation listed in the purpose element. For instance, the US State Department considers trafficking in persons, human trafficking, and modern slavery to be synonymous umbrella terms capturing both sex trafficking and compelled labour[4]*.*

> *"Treating modern slavery as an umbrella term allows the continued use of fundamental definitions already established in international law*

Definition: forced labour

'Forced labour' is defined by the ILO as 'all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily'[5]. The definition of forced or compulsory labour therefore has three central elements[6]:

1. **Work or service:** broadly understood to include all types of work, services, employment or occupation, regardless of the industry or sector and irrespective of whether it is recognised as economic or legal activity.
2. **Menace of penalty:** broadly understood to cover penal sanctions and a wide range of coercive means used to compel someone to perform work or service against their will, and including both direct and indirect coercion.
3. **Involuntariness**: referring to the free and informed consent of the person to enter into the work or service and ongoing freedom to leave at any time (to revoke consent).

> *In all cases, the presence of the indicators should be used to assess whether the three central elements of the forced labour definition are present in the situation at hand*

However, the ILO also identifies five forms of coerced labour not included in the definition of forced labour. In brief: compulsory military service; normal civic obligations; work exacted as a consequence of a conviction in a court of law; work exacted in cases of emergency, and minor communal services. These exclusions are also found in the prohibition of forced labour in the International Covenant on Civil and Political Rights, although on slightly different terms.

The ILO has published a list of **indicators of forced labour**, covering the 'main possible elements of a forced labour situation'[7]. The presence of a single indicator may imply the existence of forced labour in some cases, while in others, several indicators together may be required. The indicators are:

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

In all cases, the presence of the indicators should be used to assess whether the three central elements of the forced labour definition are present in the situation at hand. The ILO has further published lists of circumstances relevant to assessing menace of penalty and involuntariness[8].

Definition: other relevant human exploitation practices

Modern slavery and human trafficking include a range of specific exploitative practices within their definitions. Relevant practices and their definitions (in brief) include:

- **Slavery:** the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised[9].
- **Institutions and practices similar to slavery:** debt bondage, serfdom, transfer of women in the context of marriage (purchasing brides, transferring wives, inheritance of widows), and delivery of children by their parents or guardians for the purpose of exploitation[10].
- **Servitude:** a 'particularly serious denial of freedom' entailing an obligation under coercion to provide one's services and linked with the concept of slavery[11], understood as 'aggravated'

forced or compulsory labour[12].

- **Worst forms of child labour:** slavery, practices similar to slavery, sale and trafficking of children, debt bondage, serfdom, forced or compulsory labour, forced or compulsory recruitment of children for use in armed conflict, child prostitution, child pornography, use, procuring or offering children for illicit activities, and work harmful to the health, safety or morals of children[13].
- **Forced marriage:** where one or both parties to a marriage do not, or cannot, consent to the marriage and pressure or abuse is used to force them into it or to remain in it, or when something is done to make someone marry before they turn 18 (even without pressure or abuse)[14].

> *"The presence of a single indicator may imply the existence of forced labour in some cases, while in others, several indicators together may be required*

International conventions and protocols

A wide range of international conventions and protocols are relevant for addressing modern slavery, human trafficking, and forced labour, as well as the related exploitative practices. The most relevant instruments and the specific practices they address include the following[15] (see next page):

1. ILO, Walk Free and IOM, "Global Estimates of Modern Slavery: Forced Labour and Forced Marriage" (2022).
2. See Katarina Schwarz, "Fragmentation and Convergence in International Antislavery Law" in Dialogue in Public International Law, eds. Daniela Méndez Royo and Enrique Díaz Bravo (Tirant Lo Blanch 2021): pp 125-174.
3. Protocol to Prevent, Suppress and Punish Trafficking in Children, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (2000), article 3.
4. See e.g., Office to Monitor and Combat Trafficking in Persons, "What is Modern Slavery?" (US Department of State); Office to Monitor and Combat Trafficking in Persons, "2022 Trafficking in Persons Report" (US Department of State 2022).
5. ILO C029, Forced Labour Convention (1930), article 2(1).
6. See further ILO, "Tool No 2: Forced Labour and Related Concepts" (ILO Toolkit on Developing National Action Plans on Forced Labour), p 1.
7. ILO, "ILO Indicators of Forced Labour" (2012), p 2.
8. ILO, above n 5.
9. 1926 Slavery Convention, article 1. See also "The Bellagio-Harvard Guidelines on the Legal Parameters of Slavery" (Research Network on the Legal Parameters of Slavery 2012).
10. 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, article 1.
11. M. and Others v. Italy and Bulgaria, European Court of Human Rights (17 December 2012), para. 149. See also Case of the Hacienda Brasil Verde Workers v Brazil, Inter-American Court of Human Rights (20 October 2016), para. 280.
12. C. N. and V. v France, European Court of Human Rights (11 January 2013), para. 91. Note: servitude is not specifically defined in an international treaty, although it has been considered in the case law of regional human rights courts.
13. 1999 Worst Forms of Child Labour Convention (ILO C182), article 3.
14. FCDO, "Guidance: Forced Marriage" (GOV.UK 2023). Forced marriage is not defined in international law, although some international instruments refer to forced marriage (e.g., the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence), preserve the right to consent to marriage, or require minimum ages for marriage.
15. For texts and status of ratifications on each of these treaties, see the United Nations Treaty Collection and ILO NORMLEX.

1904

1910 International Convention for the Suppression of the White Slave Traffic: trafficking in women and girls (sexual exploitation).

1921

Slavery Convention: slavery; slave trade.

1930

International Convention for the Suppression of the Traffic in Women of Full Age: trafficking in women (sexual exploitation).

1950

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery: slavery; slave trade; institutions and practices similar to slavery.

1957

International Covenant on Civil and Political Rights: slavery; servitude; forced labour.

1979

Convention on the Rights of the Child: sale of children; traffic in children; child exploitation.

1998

Worst Forms of Child Labour Convention: worst forms of child labour.

2000

Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: use of children in armed conflict.

2000

Protocol to the 1930 Forced Labour Convention: forced or compulsory labour.

International Agreement for the Suppression of the White Slave Traffic: trafficking in women and girls (sexual exploitation).

1910

International Convention for the Suppression of the Traffic in Women and Children: trafficking in women and children (sexual exploitation).

1926

Forced Labour Convention: forced or compulsory labour.

1933

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others: trafficking in persons (sexual exploitation).

1956

Abolition of Forced Labour Convention: forced or compulsory labour for specified purposes.

1966

Convention on the Elimination of All Forms of Discrimination against Women: traffic in women.

1989

Rome Statute of the International Criminal Court: enslavement, sexual slavery, enforced prostitution, and forced pregnancy as crimes against humanity; conscripting or enlisting children under 15, sexual slavery, enforced prostitution, and forced pregnancy as war crimes.

1999

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography: sale of children; child prostitution; child pornography.

2000

Protocol to Prevent, Suppress and Punish Trafficking in Children, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime: trafficking in persons (sexual exploitation, labour exploitation, and removal of organs).

2014

Modern slavery looks like work

Modern slavery is everywhere. Challenging pre-conceptions of slavery is integral to recognising its modern forms.



People trapped in forced labour often do not have protective equipment, photograph: ©Adam88x via canva.com

IHRB Institute for Human Rights and Business

Neill Wilkins

Head of Migrant Worker Programme, Institute for Human Rights and Business

The word 'slavery' sounds like it belongs to a previous era. The sad reality is that slavery in its modern form is still just as prevalent as it ever was. The latest survey undertaken by The International Labour Organisation (ILO) and Walk Free estimates that there are 27.6 million people currently in situations of modern slavery, with a further 22 million in forced marriage.

If we are to effectively address this global scourge, we need to first make sure that we have a clear idea of what modern slavery is (and what it isn't) and how it manifests itself in the modern era. The word slavery perhaps elicits images of capture, slave ships, incarceration, chains, whips, hard labour, and many other things that we believe have been consigned to history. The reality is that modern slavery doesn't look like that. Modern slavery generally looks like work. It looks like the work that anyone else undertakes: in factories, on farms and plantations, on construction sites, in hospitality and fast-food outlets, and at any other place where business is undertaken. The chains that bind workers these days are nearly always financial.

Modern slavery is found in all countries and all sectors. Sometimes exploitation is kept hidden away at the margins of economies, but sometimes it can be found hidden in plain sight, including in the global supply chains of international brands. Most modern slavery involves someone taking advantage of another's vulnerability. People living in poverty with few life or

> *Sometimes exploitation is kept hidden away at the margins of economies, but sometimes it can be found hidden in plain sight, including in the global supply chains of international brands*

economic options are particularly vulnerable to exploitation. Migrant workers (1 in 20 workers is a migrant worker) often face additional challenges and may be particularly vulnerable during both recruitment and employment abroad.

Behaviour constituting modern slavery

Identifying potential victims of modern slavery can be a challenge because the crime can manifest itself in many different ways. There is a spectrum of abuse, and it is not always clear at what point, for example, poor working practices and lack of health and safety awareness seep into instances of human trafficking, slavery or forced labour in a work environment. Businesses have a responsibility to ensure that workers are not being exploited, that they are safe and that relevant employment (including wages and work hours), health and safety and human rights laws and international standards are adhered to, including freedom of movement and communications.



Miners in the cobalt industry are particularly vulnerable, photograph: ©Africanway via canva.com

> *There is a spectrum of abuse, and it is not always clear at what point, for example, poor working practices and lack of health and safety awareness seep into instances of human trafficking, slavery or forced labour in a work environment*

There will be cases of exploitation that do not meet the threshold for modern slavery – for example, someone may choose to work for less than the national minimum wage, or in undesirable or unsafe conditions, perhaps for long working hours, without being forced or deceived. Such practices may not amount to modern slavery if the employee can leave freely and and easily without threat to themselves or their family.

> *Businesses have a responsibility to ensure that workers are not being exploited... and human rights laws and international standards are adhered to, including freedom of movement and communications*

Organisations do still nevertheless have a legal duty to drive out poor labour practices in their business, and a moral duty to influence and incentivise continuous improvements in supply chains.

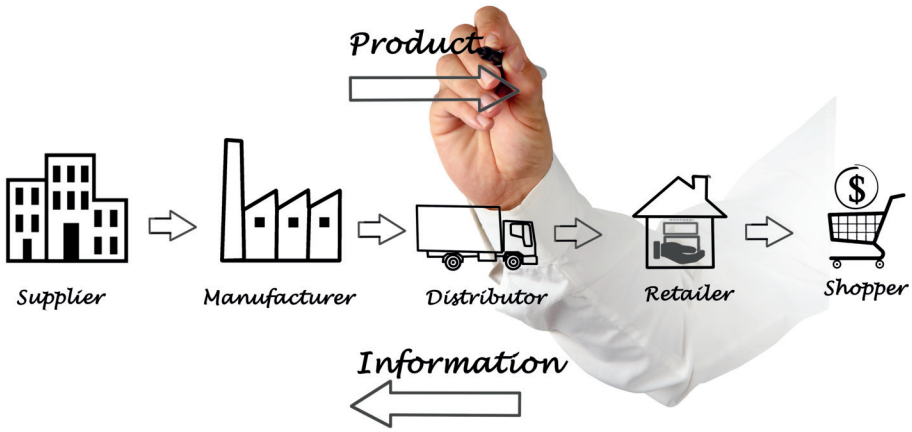
Understanding supply chains

In order to effectively address the role of supply chains in concealing modern slavery, a strong understanding of their structures and attributes is required.



Professor Alexander Trautrims

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Photograph: ©vaeenma via canva.com

Gold et al. (2015) **define (modern) slavery in supply chains** as the exploitation of a person who is deprived of individual liberty anywhere along the supply chain, from raw material extraction to the final customer, for the purpose of service provision or production.

Although supply chains existed throughout human history, the concept of supply chain management, the active management and coordination of actors along a supply chain, is a relatively young academic discipline and profession.

It comes traditionally from the idea of managing (global) production networks. A widely adopted way of looking at supply chains is the **combination of flows of materials, information and money across organisation boundaries**, starting with unprocessed raw materials and ending with the final customer using the finished goods. The **supply chain links many organisations together** (adapted from the Council of Supply Chain Management Professionals CSCMP). More recently however, supply chain thinking has expanded to consider a wider network perspective (Braziotis et al. 2013), **the inclusion of services provision, and began to include considerations of labour and recruitment of workers** (Fletcher and Trautrims, 2024).

A crucial aspect of supply chains is their **multi-tier nature**, which means other actors cannot necessarily be seen or contacted directly by each actor in the chain. This is often raised in discussions around supply chain **visibility, transparency, or traceability.**

> *Other actors cannot necessarily be seen or contacted directly by each actor in the chain*

Value chain is a wider and more whole system concept concerned with value creation and distribution, governance, actors (including state and labour), and power (Brown et al. 2024), whereas supply chain thinking is more focussed on

the design, orchestration and technical execution of the supply chain from the perspective of an individual focal organisation.

> *Organisations are often asked to cascade anti-slavery requirements 'down' the supply chain, which utilises a power-based, hierarchical perspective of a supply chain assuming that the buyer is on the top of the supply chain and always in a more powerful position than the supplier*

> *"The exploitation of a person who is deprived of individual liberty anywhere along the supply chain, from raw material extraction to the final customer, for the purpose of service provision or production.*
>
> – **Definition of modern slavery in chains Gold et al. (2015)**

Depending on their place in the supply chain, an organisation can be placed further **upstream** (raw material stage) or **downstream** (end customer/consumer). Organisations are often asked to **cascade** anti-slavery requirements 'down' the supply chain, which utilises a power-based, hierarchical perspective of a supply chain assuming that the buyer is on the top of the supply chain and always in a more powerful position than the supplier. In practice, this is often not true.

To address the challenge of modern slavery often requires companies to develop new capabilities in their organisations and supply chains, with much of the relevant knowledge held by external, non-business actors such as NGOs (Emberson et al. 2022). Building these capabilities effectively and **implementing anti-slavery mechanisms** throughout an organisation and its supply chain(s) varies largely and can be considered a challenging task that requires a **strategic**, longer-term approach.

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Human rights risks in supply chains

Understanding the relationships between materials, suppliers and workers is complex but it is essential to determine the risk of human exploitation in supply chains. This piece sheds light on the approaches and tools businesses can use to achieve this.



Nathanael Foo

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Photograph: ©Sean_Kuma via canva.com

Understanding the inputs and activities that make up a supply chain (or broader value chain) is critical to understanding modern slavery risks. Without understanding the materials, suppliers and workers involved in the production of goods and services, it is impossible to identify where modern slavery or other labour exploitation risks might be occurring. The United Nations Guiding Principles (UNGPs) for Business and Human Rights is the authoritative standard for addressing business-related human rights risks. The UNGPs specifically provides that corporate responsibility for human rights impacts extend from a business' own activities and those of their business relationships. Business relationships include direct relationships, as well as those in a business' full "value chain", including suppliers that are several tiers removed, or any other business, government or entity linked to its operations, products or services[1].

The corporate responsibility to respect human rights across the full value chain, as established in the UNGPs, is reflected differently in national legislation. For example, both the Australian and United Kingdom Modern Slavery Acts limit the scope of obligations to the business' operations and supply chain. Other national legislation refers to value chains, such as the Norwegian Transparency Act 2021 that determines corporate responsibility covers a business's full value chain, including indirect vendors and subcontractors. Similarly, the

> *"Without understanding the materials, suppliers and workers involved in the production of goods and services, it is impossible to identify where modern slavery or other labour exploitation risks might be occurring*

> *The corporate responsibility to respect human rights across the full value chain as established in the UNGPs is reflected differently in national legislation*

recently enacted European Union's Corporate Sustainability Due Diligence Directive (CSDDD) defines value chain as "chain of activities", which includes upstream value chain (tier suppliers), and downstream activities such as logistics, distribution and storage that are carried out by a business partner[2].

Whether referred to as 'value chain' or 'supply chain', what is clear is that businesses operate within long, complex, fragmented and largely unmapped chains of suppliers and business partners. Human rights impacts, such as modern slavery, can occur at any stage of these chains. Some industries are more exposed in their downstream value chain. In the finance sector, for example, investment banks and pension funds are more exposed to human rights risks in their asset holdings than in their upstream value chain[3]. From downstream value chain actors, to upstream tier one suppliers, and all the way to sub-suppliers providing raw material inputs many levels deeper, no value chain is free from modern slavery risks.

It is essential that businesses map their value chains and conduct due diligence on all risks to protect the human rights of those working across the value chain. This practice aligns with international

> *Whether referred to as 'value chain' or 'supply chain', what is clear is that businesses operate within long, complex, fragmented and largely unmapped chains of suppliers and business partners*

Business Value Chain

Inbound Logistics	Operations	Outbound Logistics	Marketing and Sales	After-sales Service
• Consider geographic, industry and product risks when sourcing goods and raw materials. • Map supply chain tiers to understand where risks lie by level or input. • Examine the transportation and importation of business inputs.	Examine features of workforce – contract types, work locations, onsite accommodation, working conditions (wages, hours, housing, breaks, leave), worker vulnerability (nationality, immigration status), and union representation.	Look at the packaging, transportation and distribution of extracted, harvested, manufactured or processed products.	Determine if products are marketed ethically and sold for fair purchase prices that allow workers in each business activity in the value chain to be paid a living wage.[2]	Check if customer service employees are treated and compensated fairly and do not involve any forms of modern slavery.

Image provided by Walk Free from its Guidance on Modern Slavery Risks for Thai Businesses, see also reference 6

human rights standards (e.g. UNGPs, Organisation for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises) as well as modern slavery and human rights due diligence legislation. Businesses also expose themselves to increasing legal and reputational risk for failing to adequately manage modern slavery risks in their value chains[4].

> *It is essential that businesses map their value chains and conduct due diligence on all risks to protect the human rights of those working across the value chain*

Determining whether a business has caused, contributed to, or is directly linked to modern slavery risk starts with authentically engaging with all necessary business functions, suppliers and business partners to map

> *Businesses also expose themselves to increasing legal and reputational risk for failing to adequately manage modern slavery risks in their value chains*

and substantiate their value chain[5]. Businesses often start with tier one suppliers as they have the most visibility and strongest relationships with these groups. This forms a part of the due diligence process, which involves identifying, preventing, mitigating and addressing adverse human rights harms.

Walk Free's Modern Slavery Business & Investor Toolkit collates useful resources that help entities map and identify modern slavery risks throughout their value chains. In particular, the Guidance on Modern Slavery Risks for Thai Businesses, developed in collaboration with the Stock Exchange of Thailand, Walk Free and Finance Against Slavery and Trafficking, sets out five elements of a business value chain and provides key considerations when mapping value chains and assessing risk and impact[6].

1. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf
2. https://eur-lex.europa.eu/eli/dir/2024/1760/oj
3. https://www.humanrights.dk/files/media/document/Downstream_Policy-Output-Paper_EN_May2024.pdf
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Contemporary forms of exploitation - a worker's perspective

This contribution explores conditions experienced by exploited workers, tactics used by recruiters and the long-lasting consequences for survivors of modern slavery.



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Agricultural workers are particularly vulnerable to exploitation, photograph: ©Quang Nguyen Vinh via canva.com

Workers' rights include important human rights like fair work, freedom to join unions, equal opportunities, and protection from exploitation. They also involve health and safety in the workplace, as well as privacy. These rights show how business practices connect with human rights in the relationship between workers, employers, and the government. The success of decent work for workers, heavily depends on how supply chains are managed. Where workers are deprived of their rights at work, productivity becomes a struggle.

Contemporary forms of exploitation manifest in practices like:

- **Low wages and wage theft:** where workers work long hours while employers pay them poorly.
- **Unsafe and unhealthy working conditions:** where workers are exposed to serious hazards that might result in accidents, injuries, illness, or death at work.
- **Excessive working hours:** where workers work beyond the legal amount of time with no rests, breaks or overtime compensation.
- **Forced labour:** where workers are forced to work or offer services against their will, usually under the threat of punishment, fraud, or coercion, which fuels deceptive practices like debt bondage, human

> *"Recruiters use deceptive job offers, charge excessive fees, lack transparency, exploit vulnerable populations, or employ coercion to control workers, making it difficult for them to escape*

trafficking, domestic servitude and subcontracting of labour.

- **Child labour**: work that deprives children of their childhood, their potential and their dignity, and that is harmful to the physical and mental development of children.
- **Outsourcing and casualisation of employment:** where companies hire services or tasks externally that were traditionally performed in-house, often presenting cheap labour and non-standard forms of employment.
- **Lack of job security and social protection:** which leads to irregular job placements and bargaining power, job losses, fewer opportunities for career growth, unstable income, and lack of long-term financial plans, as well as a lack of essential benefits like healthcare and retirement plans.
- **Discrimination and harassment**: where workers are treated unfairly, or use of abusive behaviours towards workers based on personal characteristics leads to a hostile and unequal work environment.
- **Unethical recruitment:** where recruiters use deceptive job offers, charge excessive fees, lack transparency, exploit vulnerable populations, or employ coercion to control workers, making it difficult for them to escape abusive situations.

> *Example*
>
> Domestic workers in Kenya experience exploitation in the form of low wages, human trafficking for labour, excessive working hours, and sometimes even physical and verbal abuse. Live-in domestic workers are often isolated and have little access to legal recourse or support networks. They may be on call continually, with no formalised breaks or time off, and many are paid below the minimum wage. Additionally, many are not registered with Social Security Schemes and lack social protections and benefits.

> *"Workers are exploited through labour laws or workplace policies that are weak, poorly enforced or not inclusive to particular sectors*

These experiences are often hidden within complex global supply chains. Often the exploitation of workers is driven by the pursuit of low production costs and high profits. Workers are exploited through labour laws or workplace policies that are weak, poorly enforced or not inclusive to particular sectors. In worst case scenarios, contemporary forms of exploitation are unethical and go unnoticed especially where trade unions are not involved.

Domestic workers use different mechanisms to address rights violations. Different personalities react differently to rights abuses. Some workers choose to endure the violations. Others run away, negotiate with their employers, or report to the police, trade unions and rights-based organisations. Some become tactical or reduce productivity by working slowly. Unfortunately, this may warrant unfair dismissal due to informality around hiring and firing not

> *"Some workers choose to endure the violations. Others run away, negotiate with their employers, or report to the police, trade unions and rights-based organisations*



Photograph: ©Hugo Gmez via canva.com

guaranteeing job security for the sector.

Modern slavery disrupts the lives of workers, leaving lasting scars on their physical, emotional, and economic well-being. It impedes the achievement of decent work by fostering exploitative labour conditions, denying workers their rights and protections, and limiting job opportunities for survivors due to stigma and lack of skills. Overall, modern slavery creates significant barriers to achieving fair and equitable employment conditions.

> *"Modern slavery disrupts the lives of workers, leaving lasting scars on their physical, emotional, and economic well-being*

Addressing these issues requires a comprehensive approach that includes law enforcement, legal reforms, support services, regulation of recruitment agencies, and public awareness campaigns to protect the rights and dignity of all workers.

Exploitation in sport supply chains

Aspiring athletes are particularly vulnerable to exploitation. This piece examines how modern slavery occurs within the sports industry with demonstrative case studies.



Lerina Bright
Chief Executive, Mission 89

> *"The act of recruiting, transporting, transferring, harbouring, or receiving an individual—typically an athlete or aspiring athlete—within or across borders, through coercive, deceptive, or other abusive means for the purpose of exploitation in, through or around sports. Exploitation may manifest as forced labour, sexual exploitation, slavery, servitude within sport-related activities or events. In the case of children, no means need to be present".*
>
> - **Working definition of sport's trafficking**

Supply chains in sports, like in other industries, involve multiple stages, actors and stakeholders. Each stage presents opportunities for exploitation, making it crucial to examine the entire chain for potential trafficking risks.

Legitimate sports supply chains can be infiltrated at multiple points by traffickers who exploit existing structures and processes. For example, legitimate talent scouts and recruitment networks can be mimicked by traffickers who establish fake academies or training centres. Similarly, genuine administrative processes like visa applications and player transfers can be manipulated through false documentation or misrepresentation of opportunities. The production of sports equipment and merchandise, which typically involves complex global supply chains, can be compromised through subcontracting to unethical manufacturers who employ forced labour. Even legitimate sporting events can be exploited through the infiltration of unauthorised recruitment activities or the exploitation of support services.

A working definition of sport trafficking is as follows: "the act of recruiting, transporting, transferring, harbouring, or receiving an individual—typically an athlete or aspiring athlete—within or across borders, through coercive, deceptive, or other abusive means for the purpose of exploitation in, through or around sports. Exploitation may manifest as forced labour, sexual exploitation, slavery, servitude within sport-related activities or events. In the case of children, no means need to be present".

The typology provides a novel understanding of the various

> *"Legitimate sports supply chains can be infiltrated at multiple points by traffickers who exploit existing structures and processes*

types of supply chains in sport trafficking that have been demonstrated to exist, grounded in the legal definition of the Palermo Protocol. Thus, the determination of whether trafficking of a specific type has occurred will hinge on whether the situation involves the requisite act, means, and exploitative purpose (or in the case of child trafficking, act and purpose).

1. Trafficking in Sport

The supply chains may include the recruitment or transfer of athletes in sport for forced labour (compelling athletes to work under threat or coercion and involuntarily), sexual exploitation (committed in the context of sporting activity and might be in commercial nature (economic) and non-commercial (personal)), and situations where athletes are treated as property, bought and sold, or have severe restrictions on their freedom.

a) Exploitative sport entities directly recruiting athletes;
In this type of supply chain, sports organisations are responsible for directly recruiting athletes into their organisation, without employing the services of an intermediary or agent. The sports organisation does so with the intention that the athlete will be exploited within their organisation, often in the form of forced labour or services.

b) Intermediaries exploiting athletes during recruitment;
In this type of supply chain, intermediaries or agents facilitate the recruitment of athletes for a sports organisation. While the sports organisation does not perpetrate the exploitation of the athlete, the intermediary or agent is responsible for exploiting the athlete. This may occur during the migration journey, or once the athlete has joined the sports organisation.

c) Families facilitating exploitation of athlete family members;
In this type of supply chain, the families of athletes or aspiring athletes (usually minors) qualify as perpetrators of trafficking. This may be achieved in multiple different ways, but broadly requires that the family have knowledge that the athlete will be exploited as part of the process they are engaging in seeking to enter the sports industry, or that they themselves become involved in the exploitation.

2. Trafficking Through Sport

This type of supply chain includes the recruitment, transportation, transfer, harbouring, or receipt of athletes, aspiring athletes, or retired athletes for the purpose of exploitation by non-sports organisations, using false promises about engagement in the sports industry as a lure or taking advantage of vulnerabilities generated by an individual's engagement with the sports industry (i.e., the exploitative purpose does not involve the victim's participation in sports).

a) Fraudulent agents using sports as a lure for external exploitation;
In this type of supply chain, fraudulent individuals misrepresent themselves as sports agents or intermediaries with a relationship with a sports organisation that will enable an athlete or aspiring athlete to enter or progress in the sports industry. The fraudulent intermediary or agent then uses the promises related to engagement in the

> *"Fraudulent individuals misrepresent themselves as sports agents or intermediaries with a relationship with a sports organisation that will enable an athlete or aspiring athlete to enter or progress in the sports industry*

sports industry to lure an athlete or aspiring athlete into a situation of exploitation outside the sports industry.

c) Non-sporting actors exploiting vulnerable athletes;
This occurs with foreign nationals that have been enticed to a country in pursuit of a sports career that has been unsuccessful, but whose immigration status, mental or physical health, socio-economic background, and current economic conditions make it difficult for them to secure alternative work in the foreign country or to return home.

3. Trafficking Around Sport

This type of supply chain involves the recruitment, transportation, transfer, harbouring, or receipt of persons for the purpose of exploitation connected to sports organisations, activities, competitions, and events but not conducted within sporting activities (i.e., the exploitative purpose involves the victim being exploited at sporting events or in sports supply chains, but not directly participating in sports).

a) Sex trafficking connected to sporting events;
In this type of supply chain around sport, trafficking in persons for the purpose of sexual exploitation takes place in conjunction with sporting events or activities. Those involved in the event (whether sports organisations, athletes, or bystanders) are potential demand-side offenders

b) Labour trafficking in event services and sports merchandise production;
In this supply chain, trafficking occurs in industries connected to the sports organisation through their supply chains but is perpetrated outside of the sports organisation itself. This may occur where trafficking is evident in the construction, maintenance, or operation of sporting venues, as well as in the production of materials purchased (and potentially sold) by the sports organisation such as kit, equipment, and merchandise.

The sports industry's supply chain is characterised by complex interconnections between multiple actors, each with distinct roles but significant interdependencies. These include:

- Primary actors: clubs, academies, and sports organisations that directly engage with athletes
- Intermediaries: agents, scouts, and talent identification networks that facilitate movement between organisations
- Support services: training facilities, medical staff, and equipment providers
- Administrative bodies: sport federations, immigration authorities, and regulatory bodies
- Commercial partners: sponsors, broadcasters, and merchandise manufacturers

> *The sports industry's supply chain is characterised by complex interconnections between multiple actors*

These interconnections create both vulnerabilities and opportunities: whilst they are essential for the functioning of legitimate sports, they can also be exploited by traffickers who take advantage of gaps in oversight and communication between different actors. The complexity of these relationships often makes it difficult to maintain transparency and accountability throughout the entire supply chain.

The following case study illustrate these typologies, demonstrating the complex nature of sport trafficking within global supply chains and the challenges faced in combating this issue.

Case study: An Ethiopian long-distance runner

***Type:** Trafficking by exploitative sport entity. Direct recruitment by sports organisations intending to exploit athletes within their own operations.*

In 2009, at just 18 years old, Lily was discovered by a Turkish coach in Addis Ababa, Ethiopia. He convinced her to change her allegiance to Azerbaijan with promises of a lucrative contract, housing and opportunities for international competition. However, upon arriving in Azerbaijan, Lily's experience was drastically different from what had been promised. She faced conditions she described as akin to slavery, with restricted movement, a confiscated passport and only a fraction of the promised payment.

Lily's situation worsened as she was pressured by her coaches into using performance-enhancing drugs, including tribulus testosterone. This coercion entailed not only illegal practices but also subjected her to considerable health risks. Although she achieved success as a European junior silver medallist, the promised financial rewards never materialised, leaving her feeling entrapped and exploited.



Lily was trafficked from Ethiopia to Azerbaijan, photograph: ©AlpamayoPhoto via canva.com

Sources:

- Abdullayeva, L. (2017, August 3). 'We are treated like sporting slaves': Ethiopian lifts lid on trade in athletes. The Guardian. https://www.theguardian.com/sport/2017/aug/03/sporting-slaves-ethiopian-trade-athletes-lily-abdullayeva-azerbaijan

SUB-CHAPTER 2

THE EVOLUTION OF HUMAN RIGHTS DUE DILIGENCE LAWS



Photoraph: ©Andranik Hakobyan via canva.com

A short history of global and national legislation

Although legislation to address modern slavery is fairly longstanding, only in the past decade or so have countries began to focus on supply chains. What is the purpose of this legislation, and where is more action required?



Peter Talibart

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Photograph: ©Devonyu via canva.com

Slavery is a crime that is as old as civilization itself. For thousands of years, it has supported empires and greed and evolved into different forms. It has been called by new names, like forced labour, coerced labour, slave labour, human trafficking and modern slavery. These terms all have different legal nuances but the essential nature of the crime has remained the same: the denial of hope, pride and dignity of a human being working in unacceptable conditions for the direct economic benefit of another or others. The economic benefit of others is very important to remember as that is at the heart of what is now called "modern slavery".

This section does not make legal arguments, but it does talk about some (but not all) of the laws that are applicable to modern slavery. However, as noble as they are in intent, these laws have so far failed to contain the global crime of modern slavery. This may be because the crime is so profitable, or because the traditional model of international or national laws is not optimal, or a combination of both. Over the past 15 years or so, lawyers and legislators have proposed new types of laws, called "transparency laws". These are intended to starve the crime of its access to the legitimate economy of goods and services. In other words, these laws are designed to deny the criminals who

> *"As noble as they are in intent, these laws have so far failed to contain the global crime of modern slavery*

operate modern slavery businesses the economic benefits that they seek by selling their goods or services to legitimate companies or consumers at vast profit. These newer style laws oblige businesses to consider their total global human rights footprint, both inside their own companies and in their supply chain (the companies that they buy goods and services from to produce their product). The idea is that by making it

> *Lawyers and legislators have proposed new types of laws, called "transparency laws"... These are intended to starve the crime of its access to the legitimate economy*

difficult for criminals to sell the output of modern slavery to others, we reduce the economic benefit of it to those who operate these enterprises.

A focus on modern slavery in supply chains of big companies will address a large segment of the illegal global modern slavery crime, but not all of it. Sexual exploitation, child trafficking, organ trafficking and other similar crimes need to be addressed, but in a different way. Company supply chain transparency laws are a very good way to get the concept of modern slavery into your legal system, starve a significant percentage of criminal modern slavery activities of cash, protect both the reputation of your country and its business community and its ability to trade goods and services in the international marketplace, and finally, to protect your fellow citizens from being exploited. Some research holds that if modern slavery was a country, it would be the third highest enabler of climate change because it empowers so many destructive industries.

A very brief synopsis of relevant law

What follows is an incredibly high-level description of relevant public international laws that are applicable to modern slavery. It is not comprehensive but should help you to understand what is out there. There are many public international law declarations and protocols from the UN and the International Labour Organization (ILO) that address what is now called modern slavery, dating back to about 1930. You need to find out whether your country is a signatory to any of these.

- **UN Convention on Human Rights**: Article 4 prohibits slavery and servitude in all forms.
- **Palermo Protocol (2000)**: Provides the first internationally recognized definition of human trafficking and outlines measures to prevent and combat it.
- **ILO Forced Labour Convention (1930, No. 29)**: Defines forced labour and commits signatory states to suppress it.
- **ILO Protocol of 2014 to the Forced Labour Convention**: Enhances measures to prevent forced labour and provide victim protection

> *You should assume that almost every country that your nation wants to trade with has similar laws somewhere that deal with modern slavery and that might already prohibit materials, goods and services made, or suspected to be made, by forced labour from entering those countries*

In addition, there are other relevant laws that may apply in countries that your nation will want to be able to trade and do business with. Lawyers are seeing a growing link between human rights and international trade. Some national laws make human rights compliance a condition of the entry of goods into their market. Recent European Union law does this also. This means that goods, products, or resources produced in your country may be prohibited from entry into the European Union, Canada, the United States or other countries with such laws if they

are produced by people in modern slavery situations. Some of the laws to be aware of are set out below. There are also various customs laws and specific modern slavery laws (discussed further below) in addition to those that are set out in this article. You should assume that almost every country that your nation wants to trade with has similar laws somewhere that deal with modern slavery and that might already prohibit materials, goods and services made, or suspected to be made, by forced labour from entering those countries, and many more countries are now passing or actively considering specific modern slavery transparency laws. Again, the list of laws below is not comprehensive:

European Laws

- **European Convention on Human Rights (1950):** Article 4 prohibits slavery and forced labour.
- **EU Trafficking Directive (2011):** Requires EU member states to introduce laws prohibiting trafficking and protecting victims.
- **Corporate Sustainability Reporting Directive (CSRD, 2023):** Expands reporting requirements for companies on social and environmental risks, including human rights impacts.

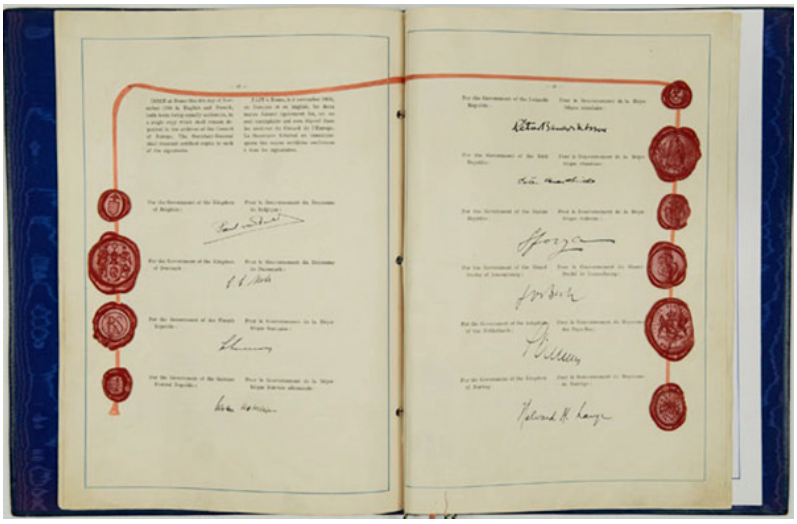
United States Laws

- **Trafficking Victims Protection Act (TVPA, 2000):** Provides a comprehensive framework to combat human trafficking and protect victims.
- **California Transparency in Supply Chains Act (2010):** Requires large retailers and manufacturers to disclose efforts to eradicate slavery and human trafficking from their supply chains.
- **Uyghur Forced Labour Prevention Act (2022):** Prohibits the importation of goods made with forced labour from the Xinjiang region of China.
- **Tariff Act of 1930:** Prohibits the importation of merchandise mined, produced, or manufactured, in whole or in part, in any foreign country by forced or indentured labour, including forced convict or child labour.

UK Laws

- **Gangmasters (Licensing) Act (2004):** Regulates labour providers in certain sectors to prevent exploitation.
- **Human Rights Act (1998):** Prohibits all forms of slavery and forced labour.

These laws and agreements work in tandem with specific modern slavery laws (e.g. The Modern Slavery Act 2015) to create a comprehensive legal framework aimed at eradicating human trafficking, forced labour, and related abuses. Some of the specific national modern slavery laws are set out on the next page.



The original copy of the European Convention of Human Rights (ECHR), photograph: accessed via ECHR website

NATIONAL LEGISLATION ON MODERN SLAVERY IN SUPPLY CHAINS

UNITED STATES: CALIFORNIA TRANSPARENCY IN SUPPLY CHAINS ACT

The California Transparency in Supply Chains Act was the first modern slavery transparency style law, and its framework has been copied into the UK, Australian and Canadian laws, although each of those countries has taken the legal obligations a bit farther than the last. It requires large retailers and manufacturers to disclose their efforts to eradicate slavery and human trafficking from their supply chains.



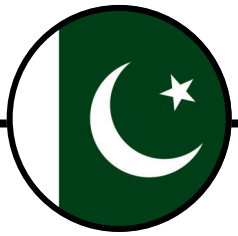
2010

UNITED KINGDOM: THE MODERN SLAVERY ACT

The Modern Slavery Act requires businesses to report on steps taken to ensure their supply chains are free from slavery and human trafficking and applies to businesses with an annual turnover of £36 million or more to publish an annual statement on the steps they have taken to ensure their supply chains are free from modern slavery.



2015



2018

PAKISTAN: PREVENTION OF TRAFFICKING IN PERSONS ACT

The Prevention of Trafficking in Persons Act addresses human trafficking and modern slavery, with provisions for victim protection and rehabilitation.



2021

GERMANY: THE ACT ON CORPORATE DUE DILIGENCE IN SUPPLY CHAINS

Germany's act obliges companies to identify and address human rights and environmental risks in their supply chains.

Information provided from: https://www.ardeainternational.com/thinking/navigating-modern-slavery-reporting-legislation-worldwide-what-businesses-need-to-know/

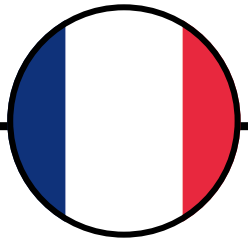


FRANCE: THE CORPORATE DUTY OF VIGILANCE LAW

The law requires large companies to implement plans to prevent human rights abuses, including modern slavery, within their operations and supply chains. It contains heavy fines for companies that breach their legal obligations under this Law.

AUSTRALIA: THE COMMONWEALTH MODERN SLAVERY ACT

Like the UK Act, The Commonwealth Modern Slavery Act, mandates large businesses to report annually on the risks of modern slavery in their operations and supply chains.



2017



2018



2021



2023

NORWAY: THE TRANSPARENCY ACT

The act requires companies to conduct due diligence to ensure their operations and supply chains are free from human rights abuses, including modern slavery.

CANADA: THE FIGHTING AGAINST FORCED LABOUR AND CHILD LABOUR IN SUPPLY CHAINS ACT

Enacted in 2023, the act mandates businesses to report on measures taken to prevent forced and child labour in their supply chains. It borrows from both the Common law and (French) civil law approaches. The financial consequences of breach are higher than in the other common law jurisdictions.

> *A company operating in a country that does not have adequate disclosure requirements against modern slavery automatically becomes a higher risk*

The common element of all these laws is that companies bound by them must not purchase goods and services from anywhere in the world without first assessing whether there is a risk that these have been produced by people working in conditions of modern slavery, in breach of their fundamental human rights. Because the fines applicable under these laws and the public scandal of a commercial arrangement with a modern slavery enterprise is so significant, companies caught by these laws will be reluctant to do business with any company or in any country that may carry a human rights risk. **A company operating in a country that does not have adequate disclosure requirements against modern slavery automatically becomes a higher risk** than another company working elsewhere that has laws addressing modern slavery. This is because there is one less data point to check for the modern slavery/human rights due diligence that is required by these foreign laws.

Put another way, if companies in your country have to consider how to avoid modern slavery within themselves and in their own supply chain, they **become more internationally competitive and attractive to** other countries and their business communities. Any public statement that they make about their commitment to avoid modern slavery in themselves or their supply chain, will give **some reassurance to those who wish to do business with them.**

> *The Commonwealth countries that have enacted modern slavery laws share common goals but differ in their specific requirements and approaches*

These laws represent significant steps towards eradicating modern slavery, but continuous efforts and global cooperation are essential to address this crime effectively. The Commonwealth countries that have enacted modern slavery laws share common goals but differ in their specific requirements and approaches. These differences reflect each country's unique legal, economic, and social contexts. While the core objective of eradicating modern slavery remains consistent, the specific mechanisms and thresholds for compliance do vary.

Applying international standards, conventions and protocols

Framing and guiding national legislation

How do international standards and legislation, including the UN Guiding Principles and measures such as due diligence laws, work to address human rights risks, prevent abuses, and promote accountability in global supply chains?



Nathanael Foo
Principal, Business and Human Rights, Walk Free



Photograph: ©Bhabin Tamang via canva.com

The **United Nations Guiding Principles on Business and Human Rights** (UNGPs) is the authoritative international standard for addressing business-related human rights risks. In 2005, United Nations (UN) Secretary General, Kofi Annan, set out to establish international standards for states and businesses on their responsibility and accountability for business-related human rights impacts. At the time, there was no authoritative framework to manage such corporate harms. Kofi Annan appointed Professor John Ruggie from the Harvard Kennedy School as Special Representative for Business and Human Rights. Prof. Ruggie and his team led extensive global consultations and built consensus with stakeholders, culminating in the UNGPs. The UNGPs received extensive cross-sector support and were unanimously endorsed in 2011 by the United Nations Human Rights Council [1].

The UNGPs are intended for all states and businesses, and consist of 31 principles across three fundamental pillars:

- **Pillar One – The State Duty to Protect Human Rights**
- **Pillar Two – The Corporate Responsibility to Respect Human Rights**
- **Pillar Three – Access to Effective Remedy**

The UNGPs have fundamentally influenced other standards. One such example is the Organisation for Economic Cooperation and Development

(OECD), that updated its Guidelines for Multinational Enterprises and accompanying Guidance for Responsible Business Conduct to reflect the UNGPs[2]. These frameworks set out practical due diligence steps to help businesses identify, prevent, mitigate and account for actual and potential impacts in their operations and value chains. All emerging human rights due diligence laws are underpinned by these frameworks.

International Standards

Human rights risks are present in all business and government value chains. The State's duty to protect starts with ensuring effective laws, policies and regulations are enforced, to prevent, investigate, punish and redress human rights abuses that occur within their jurisdiction. For States that are considering passing such laws, it is crucial to adequately define human rights and include standards, practices and behaviours in accordance with the above-mentioned frameworks, and the following internationally recognised instruments which have been widely ratified.

Instrument	Summary
International Labour Organization (ILO) Forced Labour Convention No. 29 (1930)	Defines and suppresses forced labour, including requirement for penalties under law to be enforced.
Abolition of Forced Labour Convention (1957)	Abolishes all forms of forced and compulsory labour as a means of politically prescribed purposes.
International Bill of Human Rights (1976)	Comprised of the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic Social and Cultural Rights (1966). The Bill sets out the human rights entitled to all, and the responsibilities of member states to protect and respect these rights.
ILO Declaration on Fundamental Principles and Rights at Work (1998)	The Declaration obliges all countries to promote and protect five basic human values – freedom of association, elimination of forced or compulsory labour, abolition of child labour, elimination of employment discrimination and upholding a safe working environment.
UN Sustainable Development Goal Target 8.7 (SDG 8.7)	SDG 8.7 requires countries take urgent action to eliminate all forms of human trafficking, forced labour, child labour and modern slavery by 2030.
UN International Covenant on Civil and Political Rights (ICCPR) Article 8 (1966)	Prohibits slavery, slave trade, servitude and forced or compulsory labour.
ILO Protocol to the Forced Labour Convention (2014)	The Protocol updates previous forced labour conventions and prescribes measures to prevent and eliminate forced labour. This includes national policy, sanctions for perpetrators, supporting public and private sector due diligence to address risks, and access to remedy.
Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol, 2000), supplementing the UN Convention against Transnational Organized Crime	Defines, prohibits and criminalises human trafficking, and requires member states to prevent and combat human trafficking, including ensuring access to safety and support for survivors.
ILO Convention on the Rights of the Child (1989)	Defines universal standards for protecting children's rights, including on all forms of child exploitation, abuse, sale and trafficking.
ILO Worst Forms of Child Labour Convention (1999)	Prohibits and eliminates the worst forms of child labour, and provides for sanctions (including penal), and access to safety and support for survivors.

3 4

The UN's Intergovernmental Working Group on the Business and Human Rights Treaty (BHR Treaty) is developing a binding international legislative framework that would regulate business activity on human rights. Since 2015, the Working Group, with States and stakeholders, has produced three drafts of the treaty[5]. Although ratification of the treaty is unlikely in the immediate future, debates have shifted away from questioning the need for this instrument, to discussing its terms and their applications. Once enacted, the treaty will broaden corporate responsibility and accountability for human rights. This will likely include requiring businesses to conduct human rights due diligence, and imposing sanctions for corporate non-compliance[6].

Mandatory reporting legislation

In 2015, the United Kingdom passed the **UK Modern Slavery Act 2015**. It was the first national legislation enacted, requiring UK businesses with an annual turnover of over GBP36 million to report on measures undertaken to address modern slavery risks in their operations and supply chains. Following this, the Australian government passed the **Australian Modern Slavery Act 2018**, with a similar focus on mandatory reporting, while requiring more details from businesses on their modern slavery risk management policies.



Australian farmers during the harvest season, photograph: ©kerriekerr via canva.com

> *"Once enacted, the treaty will broaden corporate responsibility and accountability for human rights*

Both Acts have increased private sector awareness of modern slavery, and some businesses in both countries have shown leadership in addressing their modern slavery risks. However, mandatory reporting laws have led to limited action to address modern slavery. Walk Free's Beyond Compliance research assesses modern slavery statements provided by business in accordance with the UK and Australian Modern Slavery Acts. Of the statements assessed, 75% do not meet the minimum legislated requirements[7]. Further, a statutory review of the Australian Modern Slavery Act in 2022 stated "reporting should not be an end in itself," and found broad support for a stronger due diligence framework, involving not just transparency on modern slavery risks, but requiring that those risks be mitigated[8].

Mandatory Human Rights Due Diligence Legislation

Drawing from the UNGPs, countries in Europe have increasingly passed their own laws mandating human rights due diligence for certain businesses operating in their jurisdictions. Mandatory Human Rights Due Diligence (MHRDD) laws are the leading approach in addressing human rights risks, not only improving business disclosures, but also strengthening business



Photograph: ©AnthonyRosenberg via canva.com

practice in managing and remedying such harms.

These laws include France's **Corporate Duty of Vigilance Law 2017**, Norway's **Transparency Act 2021** and Germany's **Supply Chain Due Diligence Act 2021**. In May 2024, the European Union passed the **EU Corporate Supply Chain Due Diligence Directive** (CSDDD), requiring each EU member state to pass mandatory due diligence laws by July 2026.

Given the recency of their introduction, these laws are not yet substantially evaluated. However, anecdotal evidence and empirical studies on the French law have demonstrated a shift in behaviour in both reporting and corporate human rights practices[9]. Interestingly, a study on businesses reporting under both French and UK legislation showed that the stronger requirements under the French law are reflected in more effective reporting under the UK law[10].

Although it is too early to evaluate the full effectiveness of MHRDD laws in combating modern slavery, one can justifiably conclude that businesses must go beyond reporting and undertake modern slavery due diligence.

> *States should strongly consider implementing their own MHRDD laws as there is no existing alternative that demonstrates effective corporate identification, prevention or remediation of modern slavery risks*

States should strongly consider implementing their own MHRDD laws as there is no existing alternative that demonstrates effective corporate identification, prevention or remediation of modern slavery risks. Further, by putting their own MHRDD laws in place, States can foster market access and commercial competitiveness for their businesses operating or transacting in jurisdictions with existing MHRDD laws, such as those in Europe.

In developing MHRDD regimes, decisions need to be made about the core elements of the law, which include:

- the **types of organisations** to which the HRDD obligations will apply.
- the nature of the due diligence **legal obligations** including conducting due diligence, establishing a grievance mechanism, providing remedy and reporting (e.g. whether companies will be judged by a duty and standard of conduct, outcome or both; whether liability will be automatic or based on proof of fault, and whether a defence is available).
- the **scope** of these obligations (e.g. the entities and activities to which the due diligence obligations extend – large companies, small to medium-sized enterprises).
- **the human rights themes**

- **and risks** targeted (i.e. some may focus on a narrower range of issues and impacts, such as child labour, modern slavery, or sourcing from conflict zones, others may have a particular industry focus).
- how compliance with the obligations will be **monitored and enforced** (e.g. government agency, a dedicated office such as a commissioner, civil society stakeholders).
- the **types of liability** that will result from non-compliance (e.g. civil and/or criminal liability).
- the sanctions that may be imposed, and/or the remedial steps that may be required in the event of noncompliance.
- the **supporting regulatory architecture and services** that may be needed (e.g. guidance, consultations, regulatory effectiveness reviews, education etc.)[11].

Forced Labour Import Bans

Forced labour import bans are another promising legislative approach. The **US Tariff Act 1930** affords US Customs and Border Protection the power to withhold products produced with forced labour by issuing Withhold Release Orders (WROs). WROs can be subsequently modified if the importer can demonstrate that these products are no longer produced by forced labour, usually by providing evidence of remediating the indicators of forced labour. **The US Uyghur Forced Labor Prevention Act 2021** (UFLPA) creates a rebuttable presumption that goods mined, produced or manufactured, in any form, in Xinjiang or by an entity on the UFLPA Entity List, are prohibited from import into the US. As obliged by the Canada-United States-Mexico Agreement Implementation Act, Mexico passed The Forced Labour Regulation 2023,[12] and Canada amended its Customs Tariff 1997,[13] prohibiting goods produced by forced labour from entering their respective jurisdictions. The EU **Forced Labour Ban Regulation**, recently approved by the EU Parliament, will introduce a ban on the sale, import and export of goods made using forced labour. The product ban can be withdrawn either by the EU Commission or a member state authority, if the company can demonstrate that forced labour has been eliminated from their supply chain or operations, and that remediation has been provided where relevant.

> *Beyond ensuring that businesses adequately address and prevent the recurrence of forced labour, States considering such laws should take a rightsholder-based approach.*

Given the nature of forced labour import ban laws, there is evidence suggesting such bans result in desired



Cargo ships exporting goods internationally, photograph: ©Martin Damboldt via canva.com

outcomes on addressing forced labour and provision of effective remedy. There are many high-profile examples, including the Chapter 3 case study on Felda Global Ventures, where after investigations revealed forced labour in its operations and the CBP issued a WRO, the company provided almost US$50 million in reparations to its affected workers. This evidence indicates that some businesses do improve their practices to regain and maintain market access[14]. Beyond ensuring that businesses adequately address and prevent the recurrence of forced labour, States considering such laws should take a rightsholder-based approach. This includes strengthening rightsholder involvement, averting unintended or counterproductive impact on workers, and ensuring access to effective remediation[15].

Although there is not much evidence regarding the complementary effectiveness of MHRDD laws in tandem with forced labour import ban laws, in principle, both legal instruments should not interfere. Where MHRDD laws are intended to improve corporate practices to identify, prevent and address risks, forced labour import ban laws are a mechanism to impose trade restrictions to halt the perpetuation of forced labour in goods and ensure that the harm is eliminated and remediated[16].

1. https://shiftproject.org/resources/ungps101/
2. https://www.onlinelibrary.iihl.org/wp-content/uploads/2021/06/2012-UN-Guiding-Principles-Business-HR-conflict-affected-areas.pdf
3. https://www.ethicaltrade.org/sites/default/files/shared_resources/eti_base_code_guidance_modern_slavery_web.pdf
4. https://www.europarl.europa.eu/RegData/etudes/STUD/2022/653664/EXPO_STU(2022)653664_EN.pdf
5. https://www.ohchr.org/en/business-and-human-rights/bhr-treaty-process
6. https://www.allens.com.au/insights-news/insights/2023/11/nine-year-check-in-draft-binding-treaty-on-business-and-human-rights/
7. https://beyondcompliance.wikirate.org/dashboard/all-sectors
8. https://www.ag.gov.au/sites/default/files/2023-05/Report%20-%20Statutory%20Review%20of%20the%20Modern%20Slavery%20Act%202018.PDF
9 HR-reporting-FRLANGv2-1.pdf (shiftproject.org)
10. Corporate Responses to Tackling Modern Slavery: A Comparative Analysis of Australia, France and the United Kingdom | Business and Human Rights Journal | Cambridge Core
11. https://www.ohchr.org/sites/default/files/Documents/Issues/Business/MandatoryHR_Due_Diligence_Key_Considerations.pdf
12. https://supplychaincompliance.bakermckenzie.com/2023/02/22/mexicos-implementation-of-usmca-forced-labor-import-ban/
13. https://www.cbsa-asfc.gc.ca/publications/dm-md/d9/d9-1-6-eng.html
14. https://modern-slavery.files.svdcdn.com/production/assets/downloads/ImportBans_briefing-updated-final.pdf?dm=1639503511
15. https://www.humanrights.dk/files/media/document/SETTING%20THE%20SCENE%20FOR%20AN%20EFFECTIVE%20FORCED%20LABOUR%20BAN%20IN%20THE%20EU_accessible.pdf
16. https://modern-slavery.files.svdcdn.com/production/assets/downloads/Updated-HRDD-briefing.pdf?dm=1711554244

The economic benefits of protecting human rights in supply chains

How can we address modern slavery in supply chains with robust laws to protect human rights, ensure ethical trade, and sustain global competitiveness?



Photograph: ©anyaberkut via canva.com



Andrew Wallis OBE
CEO, UNSEEN

Modern slavery in supply chains refers to severe forms of exploitation where individuals are forced to work under conditions that violate their basic human rights. It can include:

- **Forced Labour**: Workers are coerced into working through threats, violence, or other forms of intimidation.
- **Human Trafficking**: Individuals are transported, recruited, or harboured for the purpose of exploitation.
- **Debt Bondage**: Workers are forced to work to repay a debt, often under unfair terms that make it impossible to escape.
- **Child Labour:** The employment of children in work that harms their health, development, or well-being.
- **Slavery and Servitude**: Individuals are treated as property and forced to work without the freedom to leave.

> *Workers are forced to work to repay a debt, often under unfair terms*

Developing or strengthening human rights due diligence legislation is crucial for several reasons:

- **Market Access:** Many markets, especially in the EU and North America, are implementing import restrictions on products linked to human rights abuses. Strong legislation helps ensure that domestic companies can continue to access these lucrative markets.
- **Global Standards Alignment:** As more countries adopt stringent due diligence laws, those without similar regulations risk being excluded from global trade networks. Aligning with these standards ensures that countries remain competitive and integrated into the global economy.
- **Attracting Investment:** Investors are increasingly prioritizing companies that adhere to high ethical standards. Countries with

robust due diligence laws can attract more foreign investment by providing a stable and transparent business environment.

- **Corporate Responsibility**: Mandatory due diligence laws compel companies to identify and mitigate human rights risks in their supply chains. This not only improves corporate practices but also enhances the overall reputation of the country as a responsible business hub.
- **Economic Growth**: Ethical business practices contribute to sustainable economic growth. By preventing exploitation and promoting fair labour practices, countries can foster a more stable and productive workforce.
- **Consumer Trust**: Consumers are increasingly aware of and concerned about the ethical implications of their purchases. Enforcing strong due diligence laws can help build consumer trust and loyalty, benefiting businesses and the economy.

Parliamentarians should care about human rights due diligence legislation for several reasons:

- **Protecting Human Rights**: Ensuring that businesses operate without exploiting workers or violating human rights is a fundamental responsibility. By supporting due diligence laws, parliamentarians can help protect vulnerable populations from abuse and exploitation.
- **Economic Competitiveness:** Strong human rights standards are more attractive to ethical investors and consumers. This can lead to increased foreign investment and stronger economic growth.
- **Global Leadership:** By championing human rights due diligence, parliamentarians can position their country as a leader in ethical business practices, setting a positive example for others to follow.
- **Legal and Reputational Risk:** Companies that fail to comply with human rights standards face significant legal and reputational risks. Strong legislation helps mitigate these risks, ensuring that businesses operate responsibly and sustainably.
- **Sustainable Development:** Ethical business practices contribute to sustainable development goals by promoting fair labour practices, reducing inequality, and fostering economic stability.



Photograph: ©FotografiaBasica via canva.com

> *Ethical business practices contribute to sustainable economic growth*

> *Strong human rights standards are more attractive to ethical investors and consumers. This can lead to increased foreign investment and stronger economic growth*

The moral case for modern slavery legislation

Addressing modern slavery involves creating frameworks that prioritise the protection of vulnerable populations, promote compliance, and tackle systemic governance challenges.



Photograph: ©Devonyu via canva.com

Neil Wilkins

Head of Migrant Worker Programme, Institute for Human Rights and Business

Endorsed by the UN Human Rights Council in June 2011, the UN Guiding Principles on Business and Human Rights are a set of guidelines for States and companies to prevent, address and remedy human rights abuses committed in business operations.

The Guiding Principles confer responsibilities on both states and business actors.

State Duty to Protect Human Rights - States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.

Corporate Responsibility to Respect Human Rights - Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.

Preventing modern slavery is therefore an obligation on all state and business actors. Current governance gaps require deliberate, robust and coordinated action to address a range of policy issues, including strategies to incentivise legal compliance; and steps to strengthen grievance mechanisms, access to remedy, and bilateral, regional and multilateral engagement.

Effective legal and policy frameworks rely on clear and coherent objectives. The main objective of modern slavery legislation should be to protect potential victims of modern slavery. Ensuring appropriate legislation that is transparently and consistently applied, however, also provides an operational framework for law abiding business, allowing them to respect rights whilst competing fairly within the law.

> *Preventing modern slavery is therefore an obligation on all state and business actors*



Women working in low-wage or low-status jobs are particularly vulnerable, photograph: ©Thibault Luycx via canva.com

Engaging with trade associations and securing their support can be a useful first step to business engagement and wider understanding. Gaining the trust and backing of trade associations may require careful outreach over a period of time. Trade associations may be extremely reluctant to admit to exploitation in their sector and see themselves as having to defend their members. An approach that stresses the need for modern professional processes that prevent law-abiding business from being undercut by unscrupulous or illegal operations may be judicious.

> *Women may be particularly vulnerable to exploitation and abuse*

Protecting the rights of women

Women may be particularly vulnerable to exploitation and abuse. They are often employed or seeking employment in low-wage or low-status jobs. They may face other challenges such as lack of appropriate facilities or accommodation. They may also be subject to sexual harassment and abuse.

Government policymakers may fail to understand or adequately address the particular challenges of women. They may also impose draconian legislation that fails to respect women's rights and often such legislation also fails to protect them. For example, government bans on women working abroad may discriminate against women. They also mean that many women still travel abroad to work anyway, but without using formal channels - a situation

> *Effective policies to prevent exploitation of women are those that recognise and respect the rights of women*

which leaves them even more vulnerable to exploitation and abuse and unable to access consular help abroad.

Effective policies to prevent exploitation of women are those that recognise and respect the rights of women.

Global supply chain lens on human rights & modern slavery

Modern slavery persists in supply chains worldwide. Effective legislation, aligned with international standards and enforced consistently, can protect vulnerable workers and drive meaningful change across all sectors, including construction.



Elaine Mitchel Hill
International Lead, Design for Freedom, Grace Farms Foundation



Photograph: ©metamorworks via canva.com

Global Supply Chain Lens on your Country

Understanding how your own country is viewed through the lens of human rights in relation to modern slavery in supply chains will offer useful insights as you either review existing laws or consider new supply chain legislation. It will give a useful perspective as you begin to engage with the private sector both nationally and internationally. It will also quickly bring into focus the human rights challenges that exist, and which legislation must be geared to address.

International businesses with global supply chains should be guided by the UN Guiding Principles on Business & Human Rights (guidingprinciplesbusinesshr_en.pdf (ohchr.org)), OECD Guidelines (MNE Guidelines - Organisation for Economic Co-operation and Development (oecd.org)) and other internationally recognised frameworks, such as the Ethical Trading Initiative Base Code (ETI Base Code | Ethical Trading Initiative (ethicaltrade.org)). These frameworks align on the steps that must be taken by the private sector, including; internal policies; systems and processes; analysis of risk; risk-based human rights due diligence; measures to address, mitigate and remediate human right abuses; monitoring,

Examples of good references when assessing human rights and supply chain issues:
ILAB List of Goods Produced by Child Labor or Forced Labor | U.S. Department of Labor (dol.gov)
Walk Free Foundation Global Slavery Index | Walk Free
ILO Global Estimates of Modern Slavery: Forced Labour and Forced Marriage | International Labour Organization (ilo.org)

capability building, and transparent communication.

Being aware of these frameworks, and seeking alignment where possible, will help to ensure that legislation demands that businesses address the *root causes* of forced labour in supply chains. This is fundamentally important and will help avoid legislation which presents businesses only with a 'compliance hurdle' to be overcome in a manner which has no direct impact on the ground for those men, women and children in situations of forced and child labour.

For example, the low bar set by the UK Modern Slavery Act means that it has not had the intended impact. Not all organisations in scope of the Act have complied with the requirement to report annually, and neither has it been reliably enforced. Where some companies have produced an annual modern slavery statement and are compliant, many statements do not contain useful information, or transparently share any progress made, work underway, or indeed the number of individuals identified as in modern slavery as a result of their efforts. The fact that it is not ultimately enforced, means that it has had little impact on the ground. Annual modern slavery statements responding to the UK Modern Slavery Act are often managed internally by legal teams far removed from direct work with supply chains.



Photograph: ©peshkov via canva.com

A Patchwork of Legislation

Businesses currently work with a 'patchwork' of legislative requirement across the globe which presents huge challenges (A). This manifests where business in the US, Canada, UK or EU, for example, have specific legal requirements, investor expectation and civil society demands to meet, but the 'sourcing country' does not. It is also compounded where related national laws exist in supply chain geographies but are not enforced. Most often, suppliers in unregulated countries do not see the value, necessity or commercial rewards for the added time, resource, and expense in complying with requirements of customers in legislated countries. Consequently, some or all of the following may be evident:

- Increase in trade between unregulated countries – which undermines human rights law, keeps labour standards low, depresses wages, increases demand for cheap labour and increasingly makes unregulated countries less attractive to the regulated environment.
- Confounding of the ease of doing business in those geographies, undermines government efforts to address forced labour, apply a living wage, or raise labour standards.
- Overall actions do not support the implementation related International Labour Organisation conventions that may have been ratified by countries making them harder to uphold. (For example: ILO Convention No. 182, which addresses the worst forms of child labour, has achieved universal ratification, meaning that all 187 member states of the ILO have made a legal

commitment, have agreed to take action to implement, and have agreed to reporting and supervision).
- Unregulated countries continue to appear on high-risk goods indexes, making them increasingly unattractive to trade with, or increasingly likely to trade with other unregulated countries.

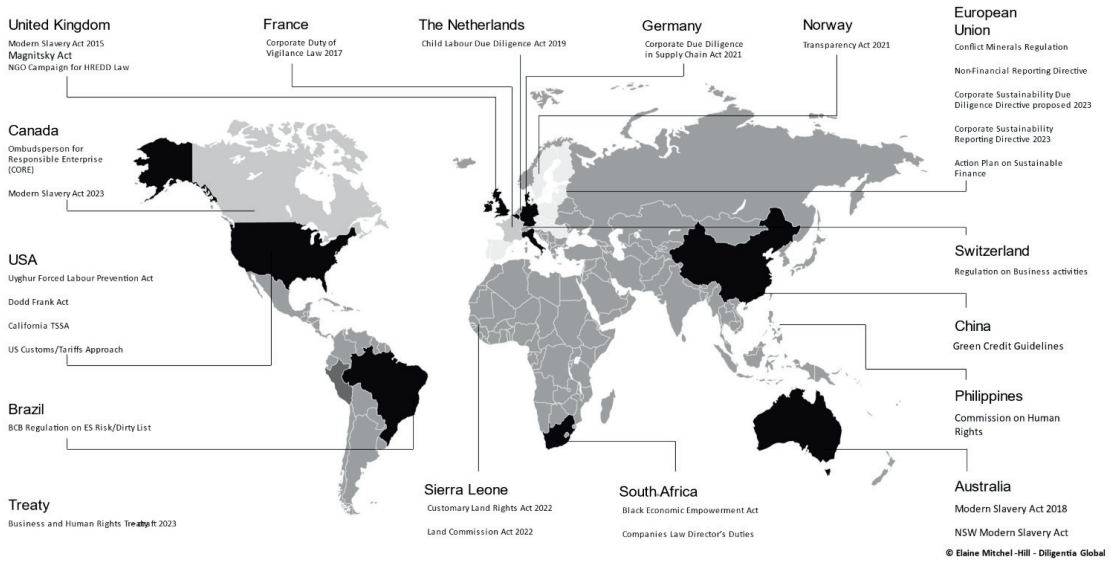
Actions for consideration:
- Consider aligning with internationally recognised human rights and business frameworks.
- Be clear on the salient human rights risks in your country's supply chains.
- Be clear on how businesses can best support government efforts to address forced labour and reflect in legislation.
- Ensure that the law is enforced, and that evidence is required to support claims of supply chain actions which uphold and support human rights.
- Link annual reporting on forced labour/modern slavery to company financial reporting mechanisms to ensure enforcement.
- Consider legislation in relation to your country's existing legislation – seek to compound and multiply efforts.
- Ensure that laws level the playing field and offer a commercial benefit to those organisations required to comply, including SMEs.

Engage with the Private Sector at both Implementation and Board Level

Some private sector organisations will lean-in to your efforts to draft, legislate, implement, review and revise laws which support and uphold human rights in supply chains. Others will not come forward so willingly and may come under duress. Do everything in your power to secure their engagement, nevertheless, as they either are, or will be, the implementers of the laws that you make. Engaging with the full range of actors in the private sector space will help to ensure that you have stronger laws which can be fully implemented. This engagement should include investors, insurers, brands, companies, and their suppliers across the tiers. I would also encourage business engagement to be at both implementation and Board level.

With hindsight, the UK could have done more when drafting the UK Modern Slavery Act to engage those executives responsible for the overall strategic direction and

Business & Human Rights Regulatory Landscape



management of an organisation, which would have aided traction and implementation. As a consequence, there are many excellent implementers within private sector organisations who are held back by lack of resources to deliver the required human rights due diligence supply chain programmes, and who are confounded and frustrated as the human rights in supply chains agenda is continually pushed off the board room table in favour of environment. Both *must* be present.

Actions for consideration:

- Engage with your local UN Global Compact Network as it will have enlightened members.
- Engage with the ILO Child Labour Platform (The Child Labour Platform – The leading business initiative to eradicate child labour in supply chains) which works with companies and brands already committed to upholding human rights in supply chains.
- Reach out to industry association and bodies but ensure that these are cross sectoral.
- Consider whether the domestic laws and their implementation empowers supply chain legislation or creates a drag factor.
- Profile good practice, but ensure this spans the range of actors, including SMEs, and does not only highlight the same big brands.
- Work with business to establish flag ship programmes, make much of voluntary commitments and examples, and highlight the commercial benefits.

Lead by Example: Include Central Government and Local Authority Procurement

It is fundamental that central government and local authority procurement spend is subject to the same legal requirements and scrutiny as the private sector. This offers the opportunity to lead by example, demonstrate good practice, share solutions and challenges, and to promote the collaboration.

> *"Consider legislation in relation to your country's existing legislation*

Elevating discussion regarding solutions and challenges in implementing supply chain laws will encourage transparent reporting and effective change. It will also be important to reward transparency and the finding and fixing of issues. Business should not be penalised for finding issues of modern slavery in the first instance. Only seek to penalise where identified issues are not addressed effectively within an agreed timeframe.
Aligning legal supply chain requirements with ongoing government efforts to address forced labour will help to ensure that the private sector works in support of government efforts. Too often, corporate endeavours are not aligned and can undermine government efforts. More collaboration across sectors and with all actors at the table is the only way to make substantial progress toward 'Decent Work & Economic Growth', SDG8 (Goal 8 |

Side note: Sustainability, as framed by the UN Global Compact (Homepage | UN Global Compact), is built around four pillars of human rights, labour, environment and anti-corruption. ESG is not sustainability and has traction to varying degrees in different geographies. It is primarily an investor language which allows investors to assess a company's performance on non-financial risks and opportunities in the areas of environment, social and governance. Investors and ESG rating agencies compile information and scoring on private sector performance which is considered by investors when making decisions. However, although human rights span the E, S and G, it is not yet fully represented in a manner which is helpful to galvanising the efforts of the private sector to help governments to eradicate forced labour.

(https://www.ohchr.org/sites/default/files/documents/issues/business/workinggroupbusiness/wg-business-cfis/2023/investros-esg/investorsesghumanrights-low.pdf)

Department of Economic and Social Affairs (un.org). My experience here has taught me that it is not more money that is required to be thrown into this space by business, but much more collaboration and a smarter approach by a range of actors, including government, civil society, affected communities, lived-experience leaders and others.

Construction, Building Materials and Forced Labour

While global supply chains regarding agriculture (food) and garments (clothes) have been subject to much discussion, scrutiny, investor interest and media exposure, the construction (shelter) sector, other than onsite labour, has not. This offers a huge opportunity for engagement, collaboration and progress, and for clearly reflecting construction and infrastructure specifically within supply chain legislation.

The annual global spend on construction and infrastructure is substantial. As of recent estimates, the world needs to invest an average of $3.7 trillion per year in infrastructure to keep pace with projected GDP growth. This includes investments in roads, railways, ports, airports, power, water and telecoms.

Government spend on infrastructure and construction in all geographies is hugely significant. According to the Global Infrastructure Outline[1], by the Global Infrastructure Hub, here are the projected infrastructure spending figures for 2025: **China**: $1.4 trillion **United States**: $1.2 trillion **India**: $1 trillion
United Arab Emirates: $300 billion,
Japan: $250 billion.
The UK is expected to have spent £164 billion on construction and infrastructure projects between 2023 and 2024/25. Over the next decade, the planned and projected investment is estimated to be between £700 billion and £775 billion .[2] In 2024, the global spending on building products and materials was estimated to be USD 1.35 trillion. This market is projected to grow significantly, reaching around USD 2 trillion by 2034, with a compound annual growth rate (CAGR) of 4% from 2024 to 2034[3]. Globally, the construction sector is responsible for approximately 18% of global forced labour[4]. Construction must face the same scrutiny as other sectors.

However, the industry also offers vast opportunity for increased government and private sector collaboration in the drive to eliminate modern forced and child labour.

Actions for consideration:

- Ensure that you have actors from construction and the built environment at the table when discussing/reviewing legislation.
- Elevate strategic dialogue within governments regarding construction and the built environment in relation to building materials supply chains.
- Explore how your own government's agenda and spend on construction and infrastructure can be harnessed in support of supply chain legislation.
- Align with Design for Freedom and explore how in-country Design for Freedom Accelerator activity can support the governments agenda.

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Business perspectives: influencing and applying legislation

The construction sector

As one of the UK's largest developers, Balfour Beatty offers a unique perspective on addressing modern slavery in the construction sector - one of the country's most at-risk industries.



Lucy Healy

Responsible Supply Chain and Governance Manager, Sustainability, Enabling Functions, Balfour Beatty



Photograph: ©ljubaphoto via canva.com

The UK construction sector is well known to be high risk for labour exploitation in both its own operations as well as its supply chain. Indeed, it is the third most reported industry for cases of labour exploitation in the UK. The reasons for this are many and varied, including the long and often complex supply chains, and the dynamic nature of construction projects, requiring workers to join and exit a project throughout its lifecycle.

Balfour Beatty welcome opportunities to participate in legislative development, so we can advocate for clear, feasible regulations that protect workers in our supply chain while allowing the respective businesses to operate efficiently. In the Spring of 2024, along with other UK businesses, we were invited by Good Corporation and Baroness Lola Young to participate in a debate at the House of Lords, to discuss the then active COPAD Bill (Commercial Organisations and Public Authorities Duty.) Whilst this particular Bill did not make it into the UK's statute books, it was encouraging to witness that the participants in that debate were aligned with our own view and would welcome more robust legislation on human rights due diligence.

> *"The UK construction sector is well known to be high risk for labour exploitation in both its own operations as well as its supply chain, being the third most reported industry*

By supporting fair and proportionate legislation that combats modern slavery, we feel this will contribute to levelling the playing field within our supply chain, make our due diligence processes when onboarding smoother, and give



Photograph: ©hxdyl via canva.com

us more options of suppliers from more countries. It will also help prevent unscrupulous businesses from gaining a competitive advantage through exploitation. The construction sector, as a whole, with our extensive supply chains, will benefit from the stable, transparent and ethical business environments that legislation can support. Having a turnover of more than £36 million and being a strategic supplier to the UK Government,

> *The construction sector, as a whole, with out extensive supply chains, will benefit from the stable, transparent and ethical business environments that legislation can support*

Balfour Beatty are subject to the Modern Slavery Act 2015 (MSA) section 54, which requires us to write and upload a Modern Slavery Statement to the government portal on an annual basis, as well as complete the UK Government's Modern Slavery Assessment Tool (MSAT). In addition to this, in February 2025 the new Procurement Act will be coming into force, which will be increasing the responsibilities and requirements on companies of all sizes when working on certain public contracts.

As per section 54 of the MSA, Modern Slavery Statements must describe the steps we have taken as an organisation during each financial year to deal with modern slavery risks in our supply chain and our business operations. Whilst there is no legal requirement,

> *By supporting fair and proportionate legislation that combats modern slavery, we feel this will contribute to levelling the playing field within our supply chain, make our due diligence processes when onboarding smoother, and give us more options of suppliers from more countries*

as yet, to report a year-on-year improvement to our practices Balfour Beatty, as an ethical business and strategic supplier to the UK Government, is committed to continuous improvement. A step we have taken in trying to raise labour standards throughout our supply chain is requiring all suppliers pre-qualifying to work with us, via Construction Line, regardless of turnover, to produce their own Modern Slavery Statements. This has helped us better understand where our supply chains are with this topic and how we can best support them to mitigate exploitation.

The MSAT is a resource designed to help organisations

assess and manage the risks of modern slavery within their supply chains. It was developed by the UK Government, specifically by the Home Office, in collaboration with other stakeholders, to assist businesses in identifying potential vulnerabilities to modern slavery and exploitation.

Key Features of the Modern Slavery Assessment Tool

1. **Risk Assessment:** The tool helps organisations evaluate the risk of modern slavery across their supply chains.
2. **Supplier Engagement:** MSAT encourages businesses to engage directly with their suppliers by asking specific questions about their labour practices, recruitment processes and measures in place to prevent exploitation.
3. **Tailored Recommendations**: Based on the assessment, the tool provides tailored recommendations to help companies address identified risks.
4. **Continuous Improvement:** The MSAT is designed to be used regularly, allowing organisations to track progress over time and continually improve their practices in preventing modern slavery.
5. **Reporting and Compliance:** The tool can assist companies in meeting legal reporting requirements, such as those under the UK Modern Slavery Act, by providing a structured approach to assessing and mitigating risks.



Photograph: ©nenovbrothers via canva.com

Overall, the Modern Slavery Assessment Tool serves as a practical aid for businesses seeking to uphold ethical standards in their operations and throughout all tiers of our supply chains, ensuring they contribute to the global effort to eradicate modern slavery.

In continuing to drive continuous improvement and taking note of MSAT recommendations, Balfour Beatty developed and implemented a new supply chain modern slavery audit programme in 2023. Balfour Beatty spends around two thirds of its UK revenues in procuring goods and services from our supply chain partners.

Making sure that we are spending this money wisely, and in a way which leaves a positive legacy, is something we take very seriously. The audit programme gave us better visibility and understanding of the maturity of our supply chain in identifying and managing the risk of modern slavery in their own business and in their supply chain.

We have taken a collaborative approach to embed a culture of discovery and continual improvement, where suppliers feel better supported to take responsibility and action for their own improvement. Our approach empowers our supply chain to find it, fix it and prevent it, improving awareness, knowledge and standards across the built environment.

The retail food sector

One of the UK's leading supermarkets is centring human rights by pushing for stronger legislation and working with governments, suppliers, and industry peers



Andy Hickman
Head of Human Rights, Sainsbury's



Sarah Picasso
Human Rights Manager, Sainsbury's



Photograph: ©Jittawit21 via canva.com

Ensuring human rights are respected is integral to Sainsbury's purpose: to make good food joyful, accessible and affordable for everyone, every day. As the second largest supermarket chain in the UK, we play an important role in improving working conditions across our global supply chains, including calling for effective and responsible legislation to address modern slavery and exploitation.

> *"Collaboration between businesses and governments when designing modern slavery legislation is critical to ensure that any laws protect workers and communities without creating unintended consequences*

The construction sector affects our operations and supply chains. Collaboration between businesses and governments when designing modern slavery legislation is critical to ensure that any laws protect workers and communities without creating unintended consequences. We support the implementation of strong and effective modern slavery legislation and see dialogue between businesses, governments and policy makers as how we can influence change. For example, we have supported calls to the UK Government to introduce mandatory human rights and environmental due diligence.

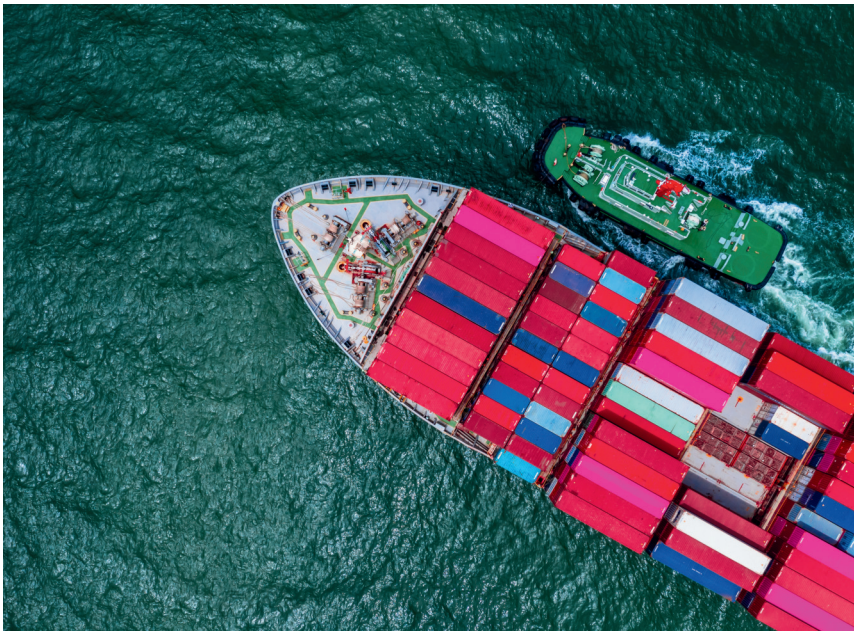
> *"In our engagement with policy makers, we highlight the positive impacts of effective regulation of human rights and labour standards for responsible businesses... creating a level playing field so that responsible businesses can thrive*

We also recently wrote to the newly appointed Parliamentary Under-Secretary of State at the UK Government's Department

for Business and Trade, to share our perspectives on the role of the Fair Work Agency – a new body being established in the UK to enforce employment rights.

Our engagement with governments and policy makers focuses on the areas of greatest relevance to our business and our human rights strategy, but it's important to ensure there is alignment across the sector. We work to identify opportunities to bring together the voices of different businesses, to have a clear message and clarity for policy makers. In light of the global nature of our supply chains, we will be looking for opportunities to work with our suppliers and other partners to engage in advocacy and engagement with policy makers and decision-makers outside of the UK. Events such as those hosted by the Commonwealth Parliamentary Association in the UK (CPA UK) are a great opportunity to do this.

In our engagement with policy makers, we highlight the positive impacts of effective regulation of human rights and labour standards for responsible businesses, including providing incentives for companies to source ethical and sustainable products, creating a level playing field so that responsible businesses can thrive, and by going beyond auditing to implement



Photograph: ©avigatorphotgrapher's Images via canva.com

effective due diligence. Sainsbury's has a risk-based approach to onboarding new suppliers and auditing existing suppliers, with considerations including the quality of regulation and enforcement in a particular country or locality.

The lower risk a product, supplier or source country is from a human rights standpoint, the easier it will be for our buying teams to bring that product to our customers. We see the profile of human rights within supply chains and businesses' own operations continuing to grow, as it's rightly prioritised by consumers and other stakeholders, and as we see the introduction of mandatory requirements in countries around the world. We will continue to work with our suppliers to improve how we identify and address human

> *"The lower risk a product, supplier or source country is from a human rights standpoint, the easier it will be for our buying teams to bring that product to our customers*

rights risks, as well as working alongside our peers and partners to invest in programmes that tackle their root causes and contribute towards making supply chains more resilient for the future.

The fishery industry

Working with government to achieve protection of workers and combat modern slavery in the fishing industry, with the aim of creating a safer, more ethical environment for workers.



Cassie Leisk

People and Planet, Group Director, New England Seafood International



Lara Funk

Head of Social Responsibility, New England Seafood International



Photograph provided by author on behalf of New England Seafood International

As someone working in a business, governments once felt to me like inaccessible entities, especially in countries beyond where our direct operations were based. Discussing issues like modern-day slavery with foreign governments once felt outside our reach. Instead, we relied on the hope that countries that we sourced from and traded with would adopt legislation to provide reassurance that there was a genuine, concerted effort to tackle this critical issue and protect people.

Over time, and with the introduction of business guidance, including the United Nations Guiding Principles on Business and Human Rights, we realised the importance of engaging with governments to achieve our business commitments of meaningfully addressing modern-day slavery in our supply chains.

As we began engaging with governments, we discovered that such interactions need not be daunting. Businesses are significant stakeholders, and, more often than not

> *We realised the importance of engaging with governments to achieve our business commitments of meaningfully addressing modern-day slavery in our supply chains*

> *Instead, businesses committed to tackling this issue can provide valuable guidance to governments on what to consider when developing legislation*

governments are interested in and want to understand the priorities of businesses sourcing from their jurisdictions.

Regarding legislation, one might assume there is a centralised system for sharing ideas about laws addressing global issues, such as protecting people from the



Photograph provided by author on behalf of New England Seafood International

persistent threat of modern-day slavery. However, no such system exists. Instead, businesses committed to tackling this issue can provide valuable guidance to governments on what to consider when developing legislation. When the market aligns on best practices, it helps governments prioritise their efforts.

While creating legislation is fundamentally about doing the right thing, coupling this objective with commercial incentives can enhance its effectiveness. We are proud to have taken an active role in supporting these efforts. The challenge now is defining and agreeing on what effective due diligence looks like for businesses. This process should be standardised. By tackling the core issues collaboratively, we can better ensure that modern-day slavery is eliminated from our business ecosystem. Alignment on best practices also enables us to advise governments more effectively.

> *"Despite these complexities, we are uniting pre-competitively to achieve this alignment*

The UK seafood industry has its own unique characteristics and challenges. Despite these complexities, we are uniting pre-competitively to achieve this alignment—initially with our UK partners and stakeholders, and with aspirations for a broader impact. One area we are already aligned on is advocating for the ratification of the ILO Work in Fishing Convention (ILO c188), a crucial step toward standardising protections for workers at sea. Once we agree on further priorities and next steps, governments can support us by enacting complementary legislation.

Addressing modern-day slavery is a business imperative, but it's also an ethical imperative. No single business will solve this alone, so we will continue working pre-competitively and actively engaging with governments to instil change to help protect workers globally.

Parliamentarians' perspectives: reflecting on their legislation

In this series of articles, parliamentarians at the forefront of introducing legislation to address modern slavery in supply chains consider next steps and reflect on lessons learned.

The Modern Slavery Act (UK) - part 1

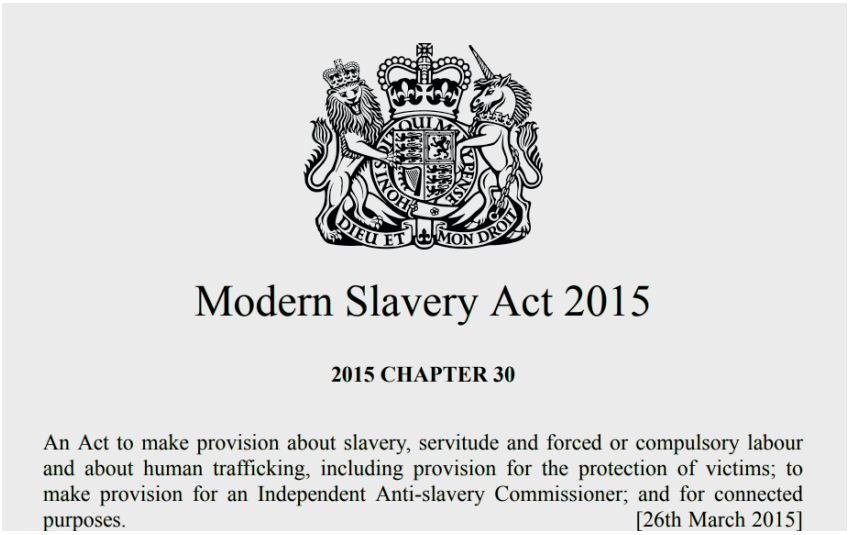
Parliament : United Kingdom

Year passed: 2015



The Rt Hon. the Baroness May of Maidenhead

Former UK Prime Minister



Modern Slavery Act 2015

2015 CHAPTER 30

An Act to make provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims; to make provision for an Independent Anti-slavery Commissioner; and for connected purposes. [26th March 2015]

The first page of the Modern Slavery Act, photograph: UK Government via legislation.gov.uk

I was and remain proud of the efforts I made as Home Secretary in introducing the Modern Slavery Act 2015, which was the first of its kind in Europe and one of the first in the world to specifically address slavery and trafficking in the 21st century.

It was always my intention from the outset that any new legislation should provide tough penalties for the individuals committing these heinous crimes, give law enforcement the tools that they need, and, crucially, enhance the support and protection available for victims.

I understood the need to get the legislation right, both to punish the perpetrators and protect the victims. It had to be thorough and carefully considered in order for the Act to have the intended effect. I recognised that if the United Kingdom was able to lead the way in this landmark legislation, other countries would follow. It is one of the reasons that one year after the

> *"It was always my intention from the outset that any new legislation should provide tough penalties*

Modern Slavery Act came into effect, I commissioned an independent review by Caroline Haughey KC, to assess the effectiveness of the legislation.

> *One year after the Modern Slavery Act came into effect, I commissioned an independent review by Caroline Haughey KC, to assess the effectiveness of the legislation*

In my view, it was important to signal that our work was far from over, to listen and heed the recommendations of the independent review and demonstrate that we were willing to appraise the legislation, to make it as strengthened and effective as possible.

To also ensure that the UK's response was spearheaded domestically and internationally, I established the UK's first-ever Independent Anti-slavery Commissioner. While the passing of the legislation was a crucial step, it was important to me that we



Home Secretary Theresa May gives a statement to the House of Commons in 2016, photograph: ©Parliament TV/ PA via AP

went further and the newly created role of Commissioner would drive forward the law enforcement response, help swiftly identify victims, ensure agencies used the new legislation to its full potential, and call to account those that failed to deliver.

> *The newly created role of Commissioner would drive forward the law enforcement response, help swiftly identify victims, ensure agencies used the new legislation to its full potential, and call to account those that failed to deliver*

The Act delivered enhanced protection and support for victims and a world-leading transparency requirement on businesses to show that modern slavery was not taking place in their companies or their supply chains. Many other countries have followed suit.



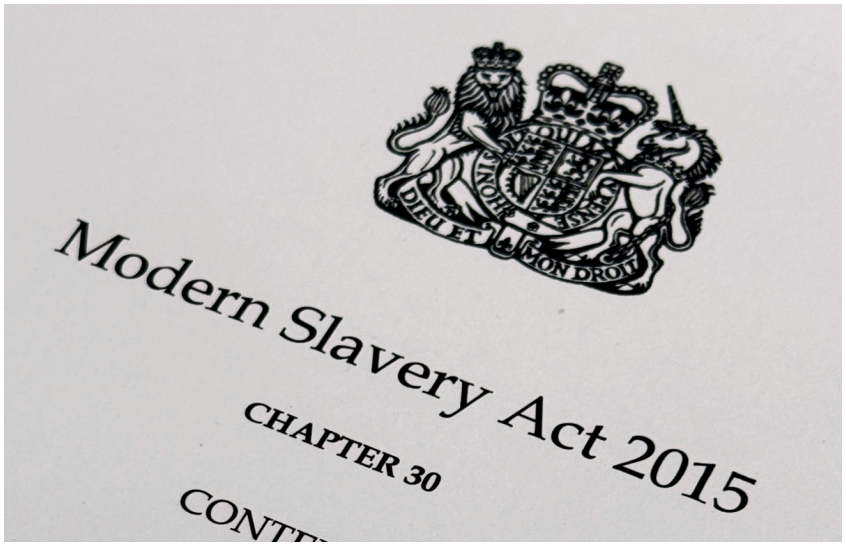
Baroness May at CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains, October 2024

The Modern Slavery Act (UK) - part 2

Baroness Butler-Sloss discusses the origin of the Act, the successful interactions between backbenchers and ministers that led to it, and the recommendations made through post-legislative scrutiny to improve it.



Baroness Elizabeth Butler-Sloss
Member of the House of Lords, UK Parliament



Photograph: © UK Parliament

In the early years of the 21st century, issues of modern slavery and human trafficking were not foremost in political thinking in the UK. In 2008, Anthony Steen, then a conservative MP, and I, a cross bench (independent) member of the Upper House (the House of Lords), set up the All Party Parliamentary Group (APPG) on modern slavery. In 2010, Anthony and I set up the Human Trafficking Foundation, an NGO which services the APPG and, among its other activities, arranges conferences on modern slavery in Europe, both in European Union (EU) countries such as Portugal, Poland and Romania, and non-EU countries such as Serbia.

In 2011, while the UK was still in the EU, the EU drafted the Human Trafficking Directive which dealt specifically with aspects of modern slavery. There were laws against aspects of modern slavery in several UK Acts, but they were not co-ordinated. The phrases "modern slavery" and "human trafficking" in Europe are largely interchangeable, but have, to some extent, different meanings in English law.

The Modern Slavery Act 2015

In 2014, Frank Field, then a Labour MP, recruited John Randall, then a Conservative MP, and myself, to try to persuade Theresa May, then Home Secretary, to introduce a specific Modern Slavery Bill. We saw her in October 2014, and she told us to provide the evidence to persuade her such legislation was necessary.

> *"There were laws against aspects of modern slavery in several UK Acts, but they were not co-ordinated*

In about 6 weeks in October/November 2014, we read a vast number of documents and heard considerable oral evidence. We provided the Home Secretary with a report on 16 December 2014 which convinced her legislation was necessary.

A Select Committee of both Houses of Parliament was set up in January 2015 to carry out pre-legislative scrutiny of the proposed legislation. Frank



Baroness Butler-Sloss debates a bill in the House of Lords, 2024, photograph: ©Parliament TV

Field was chairman and John Randall and I were both members. We heard further evidence and reported in March 2015. The Modern Slavery Act (the 2015 Act) became law in May 2015. It follows the essentials of the EU Directive, but departs from it in certain respects, particularly in differentiating modern slavery from human trafficking. It was, in 2015, the first law of its kind across the world and it has been copied and improved in many other countries, such as Australia.

It significantly increased the sentences for the most serious crimes. It created new Prevention and Risk Orders, orders which include removing passports and confining persons to within the UK. An Independent Modern Slavery Commissioner was appointed. There is some protection for victims and a child can not commit an offence as a victim. There is a requirement for transparency in supply chains for companies with a turnover of over £36 million (but without teeth to enforce).

The Aftermath

In 2019, Frank Field, Maria Miller, then a Conservative MP, and I, did a review of the implementation of the 2015 Act. We presented it to the Government in May 2019, with 80 recommendations. In a careful response, the government accepted some of them, but in the event, none was effectively implemented.

The main reason for no progress on implementation of much of the 2015 Act and some, at least, of our recommendations, was a dramatic change of policy by the same Conservative Government. It concentrated on issues of immigration rather than safeguarding of vulnerable people and conflated immigration with refugees and victims of modern slavery. The Nationality and Borders Act 2022, The Illegal Migration Act 2023 and The Safety of Rwanda Act 2024 were subsequently passed. Although not all the sections of the legislation are in force and the Rwanda Act will not be implemented by the new Labour Government, the 2015 Act has been seriously emasculated.

> *“This was a cross party approach by back bench politicians which actually persuaded its Government to tackle one of the most serious crimes*

Nonetheless, this was a cross party approach by back bench politicians which actually persuaded its Government to tackle one of the most serious crimes against men, women and children. Our 2019 review was taken seriously by the Government and part of it was, at that time, accepted. It demonstrates that there is real value in cross party working together and, from time to time, there is the possibility of exerting sufficient pressure on ministers to get something done and make changes to legislation.

The Modern Slavery Act (NSW)

Parliament: New South Wales (Australia)

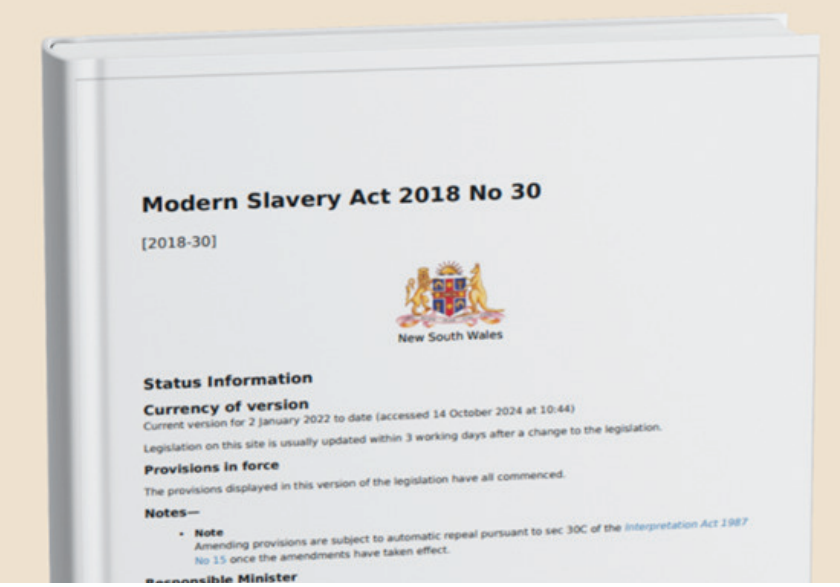
Year passed: 2018



Dr Joe McGirr

Chair of the New South Wales Modern Slavery Committee and Member, New South Wales Legislative Assembly

This contribution is on behalf of the New South Wales Modern Slavery Committee



The latest version of the Act, photograph: provided by Hon. Dr Sarah Kaine for CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains (2024)

Modern slavery is an ongoing issue in New South Wales (NSW) and Australia. The *Modern Slavery Act 2018* (NSW) is an important piece of state legislation that was enacted to address modern slavery in New South Wales. It requires NSW Government agencies, local councils and state-owned corporations to report on how they are addressing modern slavery risks in their supply chains. The Act also provided for the establishment of the NSW Anti-slavery Commissioner and created modern slavery offences.

> *"The Act also provided for the establishment of the NSW Anti-slavery Commissioner and created modern slavery offences*



A public hearing of the Modern Slavery Committee undertaking a review of the 2018 Act, November 2023, photograph: New South Wales Parliament, screenshot via YouTube

While the *Modern Slavery Act 2018* (NSW) was passed in 2018, it did not come into effect until 2022. This was followed by a state election in March 2023, resulting in both the Modern Slavery Committee and Anti-slavery Commissioner only becoming active relatively recently.

The Modern Slavery Act (Australia)

Parliament: Australia

Year passed: 2018


AUSTRALIA

Modern Slavery Act 2018

No. 153, 2018

Compilation No. 2

Compilation date: 7 November 2024

The first page of the Modern Slavery Act 2018, photograph: ©Australian Government, screenshot via Federal Register of Legislation



Senator the Hon. Linda Reynolds CSC

Senator for Western Australia

My journey as an anti-slavery campaigner began with two parliamentary study programmes in 2016. The first was a CPA UK sponsored parliamentary education programme for Commonwealth MPs in London. This programme provided participants with a practical understanding of modern slavery and how the UK Government, under then Prime Minister Theresa May's leadership, was tackling the issue.

The second 2016 programme I participated in was a Gates Foundation funded Parliamentary study tour organised by Save the Children Australia to Cambodia. It was during this visit that I first came into contact with orphanage tourism, or as it was often referred to: "voluntourism".

These two study programmes were eye opening experiences. I realised that modern slavery was not just a distant problem affecting other countries; it was intricately linked to our own actions and consumer choices. I was struck by the realisation that the exploitation of vulnerable individuals was being fuelled by the consumer choices of people from global north countries like Australia.

Upon returning to Australia, I was determined to act, and I recognised that raising awareness was a crucial first step. I began by informing my parliamentary colleagues about the issue, sharing my experiences and the disturbing facts I had learned. I highlighted that modern slavery was not limited to orphanage trafficking but was a widespread problem embedded within global supply chains, affecting industries ranging from agriculture to technology.

> *"I recognised that raising awareness was a crucial first step. I began by informing my parliamentary colleagues about the issue, sharing my experiences and the disturbing facts I had learned*

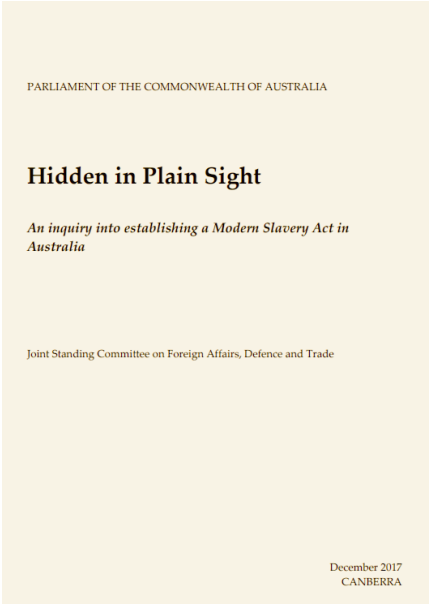


Senator Linda Reynolds speaking at the CPA UK Asia-Pacific Workshop on Modern Slavery & Human Trafficking, May 2017

Understanding the complexity of the issue, I sought to address modern slavery comprehensively. My hope was to develop legislation that would not only raise awareness but also create tangible mechanisms to combat the problem. I aimed to introduce a legal framework that would compel businesses to take responsibility for eradicating modern slavery from their operations and supply chains.

To achieve this, I proposed the establishment of a parliamentary inquiry to investigate the extent of modern slavery in Australia and our supply chains. This inquiry, which culminated in the Hidden in Plain Sight report, involved extensive research, public hearings, and submissions from a wide range of stakeholders, including NGOs, industry representatives, experts, and survivors of modern slavery.

> *I aimed to introduce a legal framework that would compel businesses to take responsibility for eradicating modern slavery from their operations and supply chains*


PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Hidden in Plain Sight

An inquiry into establishing a Modern Slavery Act in Australia

Joint Standing Committee on Foreign Affairs, Defence and Trade

December 2017
CANBERRA

The Hidden in Plan Sight report, published in 2017 by the Australian Parliament

Evidence to the resulting 2017 inquiry clearly demonstrated the need for action by Australians against slavery, both in Australia and overseas. The report revealed modern slavery was prevalent, not only in overseas supply chains, but also within Australia, in industries including agriculture, construction, sex work, and domestic work. It highlighted that our consumer choices and business practices were contributing to the exploitation of vulnerable people, both domestically and internationally.

Drawing on the inquiry's findings, I introduced the Modern Slavery Act 2018. My aim with this legislation was to create a legal framework that would promote transparency, accountability, and ethical practices within business operations and supply chains. The Act requires large businesses and entities operating in Australia with an annual consolidated revenue of at least AUD 100 million to report on the risks of modern slavery in their operations and supply chains.

These businesses must submit annual Modern Slavery Statements, which are made publicly accessible through an online register. This transparency mechanism is designed to hold businesses accountable and encourage

> *My aim with this legislation was to create a legal framework that would promote transparency, accountability, and ethical practices*

them to take proactive measures to assess and address modern slavery risks. By making this information publicly available, consumers, investors, and civil society can make informed decisions and apply pressure on businesses to improve their practices.

My hope in pushing for this legislation was to achieve several key objectives.

1. **Raise Awareness**: Increase understanding among businesses, consumers, and the broader community about the prevalence of modern slavery and how our actions contribute to it.
2. **Promote Accountability**: Ensure that businesses take responsibility for monitoring and addressing modern slavery risks within their supply chains.
3. **Foster Ethical Practices**: Encourage the adoption of ethical sourcing and labour practices, thereby reducing the exploitation of vulnerable populations.
4. **Set a Global Precedent:** Position Australia as a leader in combating modern slavery, inspiring other nations to implement similar legislation.
5. **Protect Vulnerable People:** Ultimately, the goal was to protect vulnerable men, women, and children from exploitation by disrupting the systems that enable modern slavery to persist.

> *By making this information publicly available, consumers, investors, and civil society can make informed decisions and apply pressure on businesses to improve their practices*

One of the key strategies was to present the issue not just as a humanitarian concern but also as an economic and national security imperative. Modern slavery distorts markets, undermines fair competition, and can be linked to other illicit activities such as money laundering and organised crime. By framing the legislation within this broader context, I was able to engage a wider range of stakeholders and highlight the multifaceted benefits of addressing modern slavery.

The passage of the Modern Slavery Act 2018 was a significant milestone. However, I recognise that legislation alone cannot eradicate modern slavery. Ongoing vigilance, enforcement, and international cooperation are essential to creating ethical supply chains free from exploitation.

> *Modern slavery distorts markets, undermines fair competition, and can be linked to other illicit activities such as money laundering and organised crime. By framing the legislation within this broader context, I was able to engage a wider range of stakeholders and highlight the multifaceted benefits of addressing modern slavery*

> *I recognise that legislation alone cannot eradicate modern slavery*

Today, slavery is not just a criminal enterprise but, in some cases, state-sponsored, benefiting state-linked enterprises that distort markets and gain unfair advantages. This is particularly concerning in industries tied to critical mineral processing and new energy technologies. For example, solar-grade polysilicon, used in 95% of solar modules, is sourced significantly from the Xinjiang Uyghur Autonomous Region in Western China[1]. Concerns of forced labour under re-education schemes and labour transfers in Xinjiang highlight the urgent need for vigilance as we transition to new energy technologies.



Senator Reynolds on the floor of the Senate, photograph: accessed via https://www.lindareynolds.com.au/tackling-modern-slavery-voluntourism/

> *In some cases, state-sponsored, benefiting state-linked enterprises that distort markets and gain unfair advantages*

As the global north pushes for low-carbon solutions, we must ensure that this progress does not come at the cost of human servitude. The goods and services we consume must be slavery-free, ensuring a future that is both sustainable and humane. Eternal vigilance and collective action are required to uphold this commitment.

1. Fiona David and Shannon Hobbs, "Modern Slavery risk and WA's clean energy plan: Actions needed for responsible procurement of renewables" (White paper, Fair Futures, 2024), 5, https://fairfutures.com/media/mgchq515/modern-slavery-risk-and-was-clean-energy-plan.pdf.

The Fighting Against Forced Labour and Child Labour in Supply Chains Act

Parliament: Canada

Year passed: 2023



Senator Julie Miville-Dechêne

Member, Senate, Parliament of Canada

Hon. John McKay



Member, House of Commons, Parliament of Canada


CANADA

CONSOLIDATION

CODIFICATION

Fighting Against Forced Labour and Child Labour in Supply Chains Act

Loi sur la lutte contre le travail forcé et le travail des enfants dans les chaines d'approvisionnement

S.C. 2023, c. 9

L.C. 2023, ch. 9

The first page of the Act, photograph: Government of Canada via the Justice Laws Website

Don't let the perfect be the enemy of the good

Like most people around the world, Canadians oppose modern slavery and say they don't want to buy goods made with forced or child labour. This view holds true across regions and linguistic groups and is largely cross-partisan, although some differences exist between political parties concerning the specific policies to implement. Left-of-centre parties typically favour more stringent regulation and liability for businesses, while right-of-centre parties generally prefer approaches based on transparency and market mechanisms.

Despite having studied the issue of modern slavery for years, including in a 2018 parliamentary report on child labour in supply chains, Canada had still not legislated on the issue when the Liberal government was re-elected in November 2021. MP John McKay had introduced a bill in 2018, and Senator Miville-Dechêne had introduced bills in 2020, but all had died on the order paper. While there was broad agreement on the need to act, modern slavery was not a political priority for anyone.

> *"While there was broad agreement on the need to act, modern slavery was not a political priority for anyone... The objective was to introduce a bill that might get sufficient support to pass*

It is in this context that Liberal MP John McKay and Independent Senator Julie Miville-Dechêne decided to team up and force the issue of modern slavery onto the legislative agenda. The objective was to bypass

government distraction and inertia and introduce a bill that might get sufficient support to pass.

Four key strategies were deployed

First, it was determined that a Senate bill sponsored by independent Senator Miville-Dechêne would be the best vehicle for introducing legislation. As an **independent legislator**, Senator Miville-Dechêne could **work collaboratively with members of all parties**, and she could sponsor the bill without generating partisan reactions. The **rules of procedure in the Senate also made it easier for the bill to move quickly, since legislative progress in the Senate is not conditional on a lottery system**, as it is in the Canadian House of Commons.

Second, the bill (Bill S-211) was drafted using existing Canadian legislation on corporate transparency as a basis, using modern slavery statutes in the United Kingdom and Australia as additional sources of inspiration, and with a desire to propose improvements. These improvements included **applying the law to both private and public entities, expanding the definition of child labour by using the International Labour Organisation's definition, ensuring that modern slavery reports are included in companies' annual reports**, and **adding enforcement mechanisms targeting misrepresentations and the failure to file a report**. Adopting a resolutely pragmatic approach, Bill S-211 proposed a transparency framework (as opposed to the due diligence model more prevalent in Europe), which was more susceptible of being supported by Canada's main political parties. However, that transparency framework was enhanced and strengthened by requiring companies to report on their due diligence processes and remedial measures in relation to forced and child labour, and through the other improvements described above. This allowed the bill's sponsors to claim that Canada would move "from laggard to leader" on the issue of modern slavery.

Third, quickly after the November 2021 election, Senator Miville-Dechêne and MP McKay, working with Canada's *All Party Parliamentary Group to End Modern Slavery and Human Trafficking*, **wrote to the Prime minister and the Leader of the Official Opposition**, reminding them that both the newly elected Liberal government and the opposition Conservatives had committed in their electoral platforms to introduce legislation to fight forced labour in Canadian supply chains. A few weeks later, Prime Minister Trudeau included support for modern slavery legislation in the mandate letter for the new Labour Minister and referenced this commitment in the mandate letters of Ministers responsible for international trade, public safety, and global affairs.

> *"This allowed the bill's sponsors to claim that Canada would move "from laggard to leader" on the issue of modern slavery*

Finally, Senator Miville-Dechêne and MP McKay determined that the only way to ensure that Canada would finally pass a modern slavery bill – that is, that sufficient political support would exist to adopt specific legislation – was to **hold steady and resist attempts to deviate from the pragmatic compromise at the root of Bill S-211.** Specifically, this meant ignoring amendments from both groups advocating for stricter legislation and groups advocating for a weaker bill. Although some suggestions were legitimate, any change –



Senator Julie Miville-Dechêne, Hon. John McKay and Michael Messinger (World Vision) hold a press conference after the passing of their private member's bill. photograph: Senator Julie Miville-Dechêne via X.

including changes proposed by the government – carried the risk that either the governing Liberal party or the Opposition Conservatives would pull their support for the bill. Amending the bill in the House of Commons, after the Senate had passed it unanimously, also carried the risk that final passage of the bill would be delayed as the two chambers of Parliament traded versions of the legislation.

Bill S-211 received Royal Assent on 11 May 2023. In the final vote in Parliament, the bill was supported by Canada's two main parties, the Liberals, and the Conservatives, while smaller opposition parties who advocated for a due diligence model voted against. As a result of the work of Senator Miville-Dechêne and MP John McKay, with the support of allied organisations, Canada has finally adopted modern slavery legislation, which can be strengthened over time. The first reports were due in the spring of 2024, and more than 6,100 entities operating in Canada submitted their first reports. It is expected that the quality of these reports will improve over time, and the Canadian government will be reporting annually on the progress achieved

> *"This meant ignoring amendments from both groups advocating for stricter legislation and groups advocating for a weaker bill... Although some suggestions were legitimate, any change carried the risk that either the governing Liberal party or the Opposition Conservatives would pull their support for the bill*



Corporate Sustainability Due Diligence Directive (Directive 2024/1760)

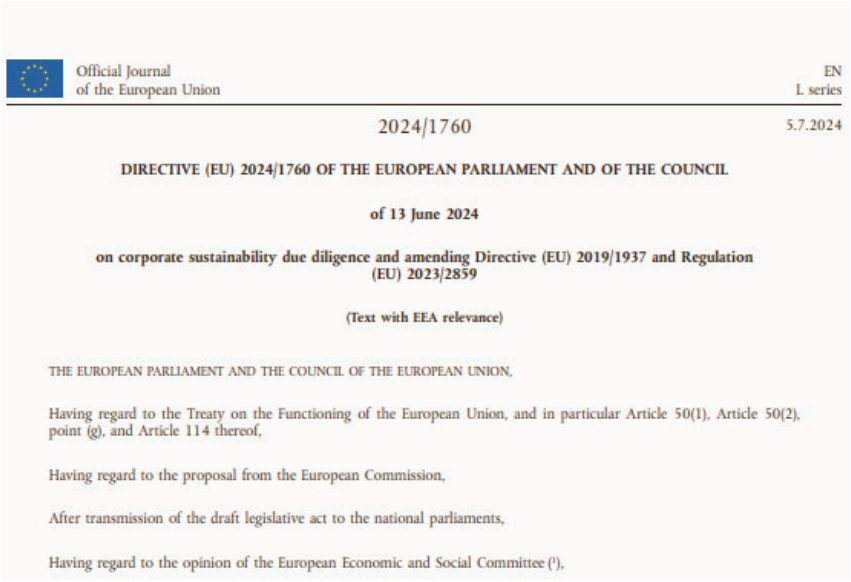
Parliament: Malta (European Union)

Year passed: 2023



Jonathan Vassallo

Permanent Secretary, Office of the Prime Minister and Ministry for European Funds, Equality, Reforms and Social Dialogue, Malta



Official Journal of the European Union — EN L series

2024/1760 — 5.7.2024

DIRECTIVE (EU) 2024/1760 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 13 June 2024

on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 50(1), Article 50(2), point (g), and Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee [1],

The first page of the Directive, photograph: the European Union via EUR-LEX

The Maltese Government remains committed to ensure that its legislative framework not only aligns with EU directives but also establishes a robust standard for human rights and corporate accountability. In strengthening our laws against modern slavery within supply chains, our objective is to create a sustainable and transparent business environment that prioritises the protection of individuals, especially those at risk of exploitation.

Malta has developed a strong framework to combat human trafficking/modern slavery as highlighted in its Constitution. Article 35(1) states, "no person shall be required to perform forced labour," reflecting Malta's commitment to protecting individual rights, including the right to work, safe working conditions, the minimum age for employment, and protections against inhumane treatment of minors.

However, modern slavery is a complex issue that requires coordinated and comprehensive action through effective legislation, policies, and international collaboration. This underscores the necessity for countries to collaborate and develop better policies to address both small- and large-scale exploitation.

Modern slavery can manifest in various ways — from a single individual trafficked to work in a private home to children forced to labour in factories, or entire industries relying on forced labour in agriculture, manufacturing, or mining. To effectively combat modern slavery, it is essential to address root causes such as

> *"This underscores the necessity for countries to collaborate and develop better policies to address both small- and large- scale exploitation*

> *A holistic approach is vital, encompassing law enforcement, victim protection, corporate responsibility, and public awareness to dismantle the systems that allow exploitation to thrive*

poverty, inequality, and weak governance while establishing strong legal frameworks to hold perpetrators accountable.

A holistic approach is vital, encompassing law enforcement, victim protection, corporate responsibility, and public awareness to dismantle the systems that allow exploitation to thrive. Recognizing and detecting modern slavery is crucial for addressing the problem.

Legislative Journey

The Maltese government has undertaken a comprehensive review of the Corporate Sustainability Due Diligence Directive (Directive 2024/1760) to transpose it into national law. This review is guided by a collaborative approach, building strong alliances within parliament, and engaging multiple ministries and regulatory bodies to ensure that the process reflects a wide range of stakeholder input.

To align with the directive, Malta is conducting a detailed sectoral analysis, ensuring that responsibilities across industries are well-defined and that the necessary legal adjustments are identified. This mapping exercise will help clarify the roles of businesses and regulatory bodies in combatting human trafficking, particularly in sectors most vulnerable to exploitation.

Beyond merely complying with the EU directive, Malta aims to exceed its provisions. We are enhancing protections within supply chains by requiring businesses to adopt stringent due diligence measures. Parliamentary discussions have focused on ensuring that these regulations are not only passed into law but are also monitored effectively, transforming compliance into a genuine commitment to ethical practices.

Apart from the above, Malta has introduced the Temporary Working Regulation which stems out from the Directive 2008/104/EC of the European Parliament and the Council of 19th November 2008 on temporary agency work and was transposed into Maltese law on the 5th of December 2011. This regulation governs the Temporary Work Agencies which assign (whether on a regular or on an irregular basis) the temporary agency workers to user undertakings to work temporarily under their supervision and direction, whether or not such activity is the main or ancillary activity of the temporary work agency.

It aims to regulate temping and outsourcing agencies, by establishing clear procedures and licence conditions and ensuring the qualified and competent individuals are committed in this endeavour. Temporary workers, particularly low-wage workers face risks of debt bondage, deceptive recruiting, forced labour and in extreme cases, servitude, sexual servitude, or even human trafficking.

> *Parliamentary discussions have focused on ensuring that these regulations are not only passed into law but are also monitored effectively, transforming compliance into a genuine commitment to ethical practices*



Photograph: ©Oleksandr via canva.com

Therefore, this regulation, which came into force on 1st April 2024, is considered as a groundbreaking regulation marking a crucial step towards ensuring fair, ethical and lawful practices within the temping industry in Malta. It reduces the chances of labour exploitation among low-skilled workers who are engaged on temporary assignments to perform low-skilled work.

National Strategy and Action Plan (2024-2030)

The National Strategy and Action Plan on Combatting Trafficking in Human Beings (2024-2030) is integral to the transposition of Directive 2024/1760. This strategy directly links Malta's anti-trafficking efforts with corporate responsibility, requiring businesses to assess risks of human trafficking within their supply chains, particularly in sectors prone to labour exploitation.

The Action Plan emphasises victim protection, sector-specific risk assessments, and collaboration with business associations to develop tools for reporting and risk mitigation. A national campaign will be launched to raise public and business awareness about the benefits of fair trade and responsible measures in combatting human trafficking.

This strategy reinforces Malta's commitment to a human rights-based, gender-sensitive approach, aiming for tangible changes in governance and business practices. It strengthens protections for vulnerable individuals, advances labour rights, and supports social inclusion. The legal framework is underpinned by Malta's Criminal Code, which has incorporated significant

> *This strategy directly links Malta's anti-trafficking efforts with corporate responsibility, requiring businesses to assess risks of human trafficking within their supply chains*

reforms, including severe penalties for human trafficking offences.

Compliance and Enforcement

Directive 2024/1760 requires all Member States to criminalise human trafficking, an area where Malta has been proactive. Human trafficking is prohibited under Malta's Criminal Code, which was aligned with the Council of Europe Anti-Trafficking Convention through reforms in 2013. The establishment of enhanced penalties for offenses involving minors further demonstrates Malta's commitment.

In line with Article 19 of the Directive, Malta has established robust victim assistance services, including safe housing, legal aid, and psychological support. The National Strategy also prioritises awareness campaigns to educate the public and potential victims. Malta's efforts continue through the transposition of the Anti-Trafficking Directive (Directive (EU) 2024/1712), maintaining alignment with evolving EU frameworks.

Challenges and Opportunities

Implementing Directive 2024/1760 presents challenges, particularly in preparing Maltese SMEs for the due diligence requirements. Many smaller businesses may lack the resources or expertise to assess supply chain risks, necessitating capacity-building efforts. Furthermore, the need for public reporting on human rights and environmental impacts will require businesses to adopt new transparency measures, adding additional compliance burdens.

> *A national campaign will... raise public and business awareness about the benefits of fair trade and responsible measures in combatting human trafficking*

Nevertheless, the directive offers Malta an opportunity to position itself as a leader in sustainable corporate governance in the Mediterranean region. By fostering transparency and corporate responsibility, Malta can attract investment from ethically focused companies and enhance business standards across the local economy.

> *Malta has established robust victim assistance services, including safe housing, legal aid, and psychological support*

EU's efforts to combat forced labour through new regulations banning products, harnessing exploitation, enforcing supply chain transparency, and supporting victim remediation.

The Forced Labour Regulation

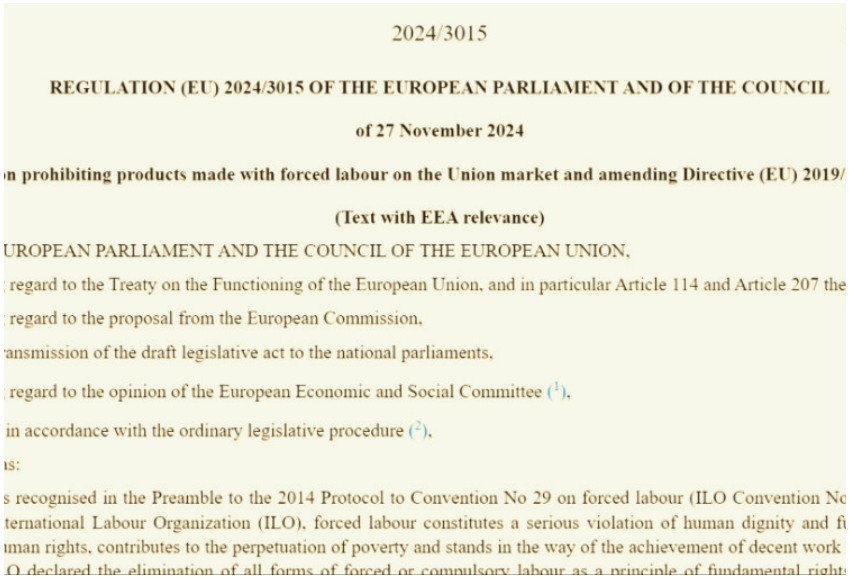
Parliament: European Union

Year passed: 2024



Samira Rafaela

Visiting Fellow at Cornell University Global Labor Institute and Former Member of European Parliament



2024/3015

REGULATION (EU) 2024/3015 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 27 November 2024

n prohibiting products made with forced labour on the Union market and amending Directive (EU) 2019/

(Text with EEA relevance)

UROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 207 the

regard to the proposal from the European Commission,

ansmission of the draft legislative act to the national parliaments,

regard to the opinion of the European Economic and Social Committee ([1]),

in accordance with the ordinary legislative procedure ([2]),

s:

s recognised in the Preamble to the 2014 Protocol to Convention No 29 on forced labour (ILO Convention No

ternational Labour Organization (ILO), forced labour constitutes a serious violation of human dignity and fu

uman rights, contributes to the perpetuation of poverty and stands in the way of the achievement of decent work

O declared the elimination of all forms of forced or compulsory labour as a principle of fundamental right

The first page of the Regulation, photograph: the European Union via EUR-LEX

It is deeply unfortunate that, even today, the International Labour Organization (ILO) reports 27.6 million people as victims of forced labour, with most profits ultimately benefitting the private sector. According to the ILO, companies generate an estimated $236 million in illegal profits annually through forced labour and exploitation, creating a significant incentive for companies to continue exploiting forced labour. With the introduction of the new EU Forced Labour Regulation, the European Union (EU) aims to dismantle these incentives. Through a product-based and risk-based approach, the EU will enforce this regulation to prevent products made with forced or child labour from entering the market. This critical instrument was approved and signed in 2024.

The EU, together with the United States (US), stands among economic superpowers committed to this cause. Inspired by the US's Uyghur Forced Labour Prevention Act and related import bans, the EU is targeting not only state-imposed forced labour, but also all products made with forced labour. While a coalition of like-minded countries is striving to reform global labour governance, it is impossible to ignore the influence of the current geopolitical agenda. Europe seeks to protect its international labour reputation and aims to reduce dependency on systemic rivals like China. At the same time, the EU is transforming its trade policy into a values-based and rules-based approach, arming itself with new tools, like the Forced

> *"The EU is targeting not only state-imposed forced labour, but also all products made with forced labour*



Samira Rafaela in the European Parliament. photograph: European Parliament via brusselsenieuwe.nl

Labour Regulation, in an assertive trade toolkit.

In 2022, the European Parliament demanded a specific instrument to combat forced labour alongside the new Corporate Sustainability Due Diligence Directive (CSDDD). Parliament called for a WTO-compatible instrument with a published sanction list of prohibited products. Parliament also advocated for a mechanism to remediate forced labour victims. Recognising that forced labour exacerbates poverty, inequality and governance issues, and disrupts the global economic order and human rights, the European Parliament prioritised this effort. This mission was led by the Rapporteur's Team (myself of the Renew Europe Group and Maria Manuel Marquez of the Social Democrats), we worked to negotiate an instrument with a firm emphasis on workers' rights and human rights.

> *"Forced labour exacerbates poverty, inequality and governance issues, and disrupts the global economic order and human rights*

Acknowledging Parliament's demands, the European Commission proposed a new legislative framework to ban products made with forced labour. Broad support for this initiative spanned the political spectrum, as all parties recognised the serious human rights abuses involved. However, negotiations highlighted concerns about the regulation's impact on small and medium-sized enterprises (SMEs). During trilogue negotiations with other EU institutions, this issue was addressed by securing additional support for SMEs to help them implement the regulation effectively. Since this regulation applies to companies of all sizes, such provisions ensure fairness across the board.

The European Parliament's strong backing and collaboration with Civil Society Organizations (CSOs) were key to advancing this regulation, ensuring transparency and wider involvement of stakeholders, including researchers and academia, in its implementation. The CSOs' advocacy during the negotiations also ensured that discussions about the forced labour regulation occurred openly, underscoring the urgent need for it.

> *The Forced Labour Regulation's primary aim is to affect companies financially, compelling them to clean up their supply chains*



Inside the European Parliament, photograph: ©RossHelen via canva.com

The Forced Labour Regulation's primary aim is to affect companies financially, compelling them to clean up their supply chains. As a result, companies will need to strengthen due diligence, improve transparency under Corporate Sustainability Due Diligence Directive, and invest in tracking their global supply chains. They will also need to build local relationships, engage meaningfully with stakeholders, and take steps to prevent exploitation, forced labour, and child labour in their operations.

Two European Parliament committees led the negotiations on the Forced Labour Regulation: the International Trade Committee and the Internal Market Committee. This dual-committee structure emphasises the regulation's role as both an import and export measure. The regulation's broad scope targets forced labour-produced products within and outside the EU. During negotiations, Parliament highlighted the importance of involving both Member States and the European Commission in investigating suspected products. Under this arrangement, if a case arises within EU borders, the Member State conducts the investigation; if the case originates outside the EU, the European Commission acts as the "28th competent authority" alongside the 27 Member States. This pragmatic solution, introduced by the European Parliament, also underscores the need for increased resources for the Commission.

A crucial aspect of the regulation is the creation of an evidence and fact-based database. This database will provide competent authorities within Member States as well as the public with information about closed investigations into forced labour where it was actually found, lists of prohibited products, and high-risk geographic areas and products linked to state-imposed forced labour. The European Parliament has championed this database as the regulation's core, enabling effective enforcement across Member States and within the EU.

> *Companies will need to strengthen due diligence, improve transparency under Corporate Sustainability Due Diligence Directive, and invest in tracking their global supply chains*

Additionally, Parliament advocated for age and gender disaggregated data to better protect vulnerable groups. The regulation requires companies to prove that their supply chains are free of forced labour before their products are permitted back on the internal market.

Although Parliament pushed for stronger commitment to victim remediation, this topic was challenging to negotiate. To address this, the European Parliament advocated for integrating remediation as a core objective throughout the legislative text. Remediation now forms part of company guidelines and will be revisited when evaluating the regulation's efficacy to determine the need for a dedicated remedy mechanism. An EU "Forced Labour Union Network" will also be established under this regulation, with the European Commission, Member States, customs authorities and other stakeholders working collaboratively to monitor and assess forced labour trends, share expertise and review cases of remediation following product bans. This network indirectly incentivises companies to participate in remediation and fosters opportunities for international collaboration on knowledge-sharing initiatives.

> *The regulation requires companies to prove that their supply chains are free of forced labour before their products are permitted back on the internal market*

Another critical aspect is international cooperation with like-minded countries. To enhance this effort, the European Parliament advocated for Article 13 in the Regulation on International Cooperation. Harmonizing the EU's efforts with partners like the United States will be essential for sharing data on high-risk products and sectors and ensuring a united front on forced labour. This collaboration will also support training and guidance for partner countries. The European Parliament has emphasised the involvement of civil society, academia, researchers, and international bodies like the ILO and United Nations (Business and Human Rights), to ensure high-quality, reliable data on at-risk products. In November 2024, The European Parliament established a monitoring group dedicated to overseeing the Forced Labour Regulation's implementation, ensuring open communication with the European Commission. As part of the scrutinising role of the European Parliament, it is a good idea to stay involved and monitor progress.

> *Harmonizing the EU's efforts with partners like the United States will be essential for sharing data on high-risk products and sectors and ensuring a united front on forced labour*

By enacting the Forced Labour Regulation, the European Parliament champions a renewing vision: a global labour system where human rights are paramount, forced labour eliminated, and transparency and accountability are the core of international trade. Hopefully this will lead the fight against exploitation and serve as a model for ethical and fair global trade.

Stalled progress: New Zealand's legislative journey

Progress on modern slavery legislation in New Zealand has stalled, leaving exploitation in supply chains unaddressed and risking the country's international reputation.



Dr Christina Stringer
Director of the Centre for Research on Modern Slavery, University of Auckland Business School, New Zealand



Photograph: ©FotografiaBasica via canva.com

Since the enactment of the UK Modern Slavery Act 2015 and the Australian Modern Slavery Act 2018, a diverse range of stakeholders—including academics [1], businesses, consumers, NGOs [2] and trade unions—has been advocating for modern slavery legislation in New Zealand. From 2021, the advocacy gained momentum, driven by pressure from both domestic stakeholders and foreign governments for New Zealand to adopt comprehensive legislation.

In 2021, Trade Aid (a social enterprise) and World Vision (a humanitarian organisation), presented a petition to parliament with over 37,000 signatures, calling for legislation requiring companies to report on the risks of modern slavery in their supply chains and operations. That same year, businesses signed an open letter supporting legislation, stating that New Zealand "must similarly show leadership and act to end modern slavery legislation" [3]. Business advocacy continued to grow. In 2024 New Zealand investors managing $295 billion in assets urged the government to "heed the voices of New Zealand investors" [4] and introduce robust due diligence legislation. A recurring theme across advocacy efforts was the sentiment that "modern slavery goes against our kiwi values" [5].

More recently, concerns have been raised that failing to advance legislation could jeopardise New Zealand's international trade obligations. The UK-NZ Free Trade Agreement which came into force in 2023, requires both parties to "facilitate private and public entities to identify and address Modern Slavery in their global and domestic supply chains" [6]. Similarly, the EU-NZ Free Trade Agreement, effective May 2024, includes expectations regarding decent work in supply chains.

> *"A recurring theme across advocacy efforts was the sentiment that "modern slavery goes against our kiwi values"*

In 2021, the Labour Government in New Zealand established a Modern Slavery Leadership Advisory Group, comprising business leaders, academics, NGOs and trade unions to advise the Ministry of Business, Innovation and Employment on developing a legislative framework. In 2022, a public consultation received over 5,600 submissions, overwhelmingly in support of legislative action in one form or another.

The proposed legislation was ambitious. It sought to address due diligence in international supply chains, while also tackling migrant worker exploitation in operations and supply chains of New Zealand entities. However, as the Labour government moved forward with drafting the legislation in 2023, the proposal was less comprehensive than was proposed during the public consultation.

Following the November 2023 election, the newly formed National-led coalition government shelved plans for modern slavery legislation as it was not seen as a priority. The decision to pause legislative developments aligned with election promises by one of the coalition partners to shield businesses from unnecessary bureaucracy. Ironically, many businesses themselves were actively lobbying for modern slavery legislation.

While progress has stalled, the issue remains pressing. Modern slavery is a reality within the supply chains of New Zealand companies, and failing to address it is morally irresponsible and economically short-sighted. Robust frameworks to combat modern slavery are not only an ethical imperative, but also crucial for aligning with the expectations of international trading partners. Without such frameworks, New Zealand risks falling out of step with global norms and undermining its reputation in international markets.

More importantly, legislation must prioritise helping those trapped in modern slavery. There is a Māori proverb: 'He aha te mea nui tea o? He tangata, he tangata, he tangata', which translates to, 'What is the most important thing in the world? It is people, it is people, it is people'.

1. See for example, Stringer, Christina. (2017). Why New Zealand needs a Modern Slavery Act. New Zealand Herald. https://www.nzherald.co.nz/nz/christina-stringer-why-nz-needs-a-modern-slavery-act/6FJJRZNVUSI2RMGNOOBQLZEBCQ/; Stringer, Christina, Brent Burmester, Snejina Michailova, and Thomas Harré. (2021). Toward a Modern Slavery Act in New Zealand: Legislative Landscape and Steps Forward: White Paper. University of Auckland, Business School, Centre for Research on Modern Slavery. https://www.auckland.ac.nz/assets/business/about/our-research/research-institutes-and-centres/CReMS/CRMS%20Toward%20a%20Modern%20Slavery%20Act%20v1.1%20WEB.pdf
2. See for example, Szablewska, Natalia, Rebecca Kingi, Rebekah Armstrong and Quintin Lake. (2022). An Opportunity for Impact. Recommendations for regulating modern slavery in supply chains in Aotearoa New Zealand. https://modernslaveryrecommendations.nz/Recommendation%20paper%20-%20An%20Opportunity%20for%20Impact.pdf
3. Trade Aid. (2021). Open letter to New Zealand Government. https://www.tradeaid.org.nz/content/uploads/2021/03/Open-Letter-to-NZ-Government-002.pdf
4. Mint Asset Management. (2024). https://www.mintasset.co.nz/assets/SRI/Modern-Slavery-Legislation-Investor-Letter-2401-FINAL.pdf
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Unlegislated countries: the impact of non-existing legislation

Rarely a day goes past when the topic of modern slavery isn't at the top of international headlines, sometimes under the guise of violence, sexual assault, coercion, employment law breaches or health and safety. Nonetheless it is there, spreading its rot through our societies, and it is the duty of legislators to address it.



Clare Barber MHK
Member, House of Keys, Isle of Man



Clare Barber MHK at CPA UK's Legislative Strengthening Seminar, October 2024

Introduction to the Isle of Man

The Isle of Man is a self-governing Crown Dependency of the United Kingdom (Kermode, 2001). This self-governing status allows both primary and secondary legislation to be drafted and introduced through the Isle of Man tricameral system. The dependency status extends the ability for a Permissive Extent Clause (PEC) to be added into an Act of the United Kingdom (UK) parliament, that, with the consent of the Isle of Man parliament, could be enacted at a later date (Constitutional, Legal Affairs and Justice Committee, 2024). Such a Clause was inserted into the UK Modern Slavery Act 2015, but to date no enactment has been progressed.

Isle of Man Sectors

The Isle of Man has historically seen a thriving fishing and agriculture sector and, indeed, these sectors continue to play a key economic role in this coastal community (*IsleofMan.com, 2022*). With a continued focus on tourism, there is also a vibrant hospitality sector, with many seasonal workers required across the hotel, restaurant, bar and café trade (Visit Isle of Man, 2022). The Isle of Man has also seen a rapid increase in the e-gaming and e-sports sector, building on its strengths as a well-regulated financial jurisdiction in the banking and insurance sector (*Digital Isle of Man, 2023*). Evidence would suggest that food processing, agriculture and fishing are all industries with a statistically higher occurrence of modern slavery (*International Labour Office, 2017),* meaning that effective early identification is key, as well as sectoral support to prevent its occurrence.

Isle of Man Modern Slavery Legislative Provision

The absence of a Modern

Slavery Act, however, does not indicate the absence of relevant legislation that would address the causes and symptoms of modern slavery. The Isle of Man, at present, relies on a number of other Acts and regulations to place rules relating to minimum wage, health and safety obligations for employers, overcrowding, work permits, employee rights, human trafficking etc. on a statutory footing. This allows the actions that constitute modern slavery to be addressed without prioritising bespoke legislation, although consideration of either enacting the PEC provision, or introducing bespoke legislation is ongoing.

Employee Protection

Employees on the Isle of Man are supported with legislation that provides for minimum employment standards and a minimum wage. There is a Manx Industrial Relations Service (MIRS) and Citizen's Advice Bureau (CAB), as well as a number of trade unions on the Island representing different sectors. Legislation also exists pertaining to housing; with clear definitions a around minimum standards and overcrowding rules that apply across all types of housing, and Health and Safety law is aligned with the UK to allow for clear understanding and to aid implementation for businesses.

Modern Slavery: Identifying the Scale of the Problem

The Isle of Man is not immune to exploitation for those who engage in modern slavery and, indeed, recent cases have shed light on some of the specific challenges faced by an Island nation. With border vulnerabilities owing to the 100 miles of coastline, and a reliance on migrant labour, it is essential that protections against forced labour are both implemented and enforced.

A cross-agency team is in place with a focus on legislation and enforcement relating to modern slavery and human trafficking, with representation from other agencies being brought in as needed.

The ongoing work will inform the decision-making relating to legislation and enforcement provision and allow the Isle of Man to continue to provide an environment where modern slavery can be prevented, as well as identified, disrupted, and enforced, with perpetrators prosecuted and victims appropriately supported.

Conclusion

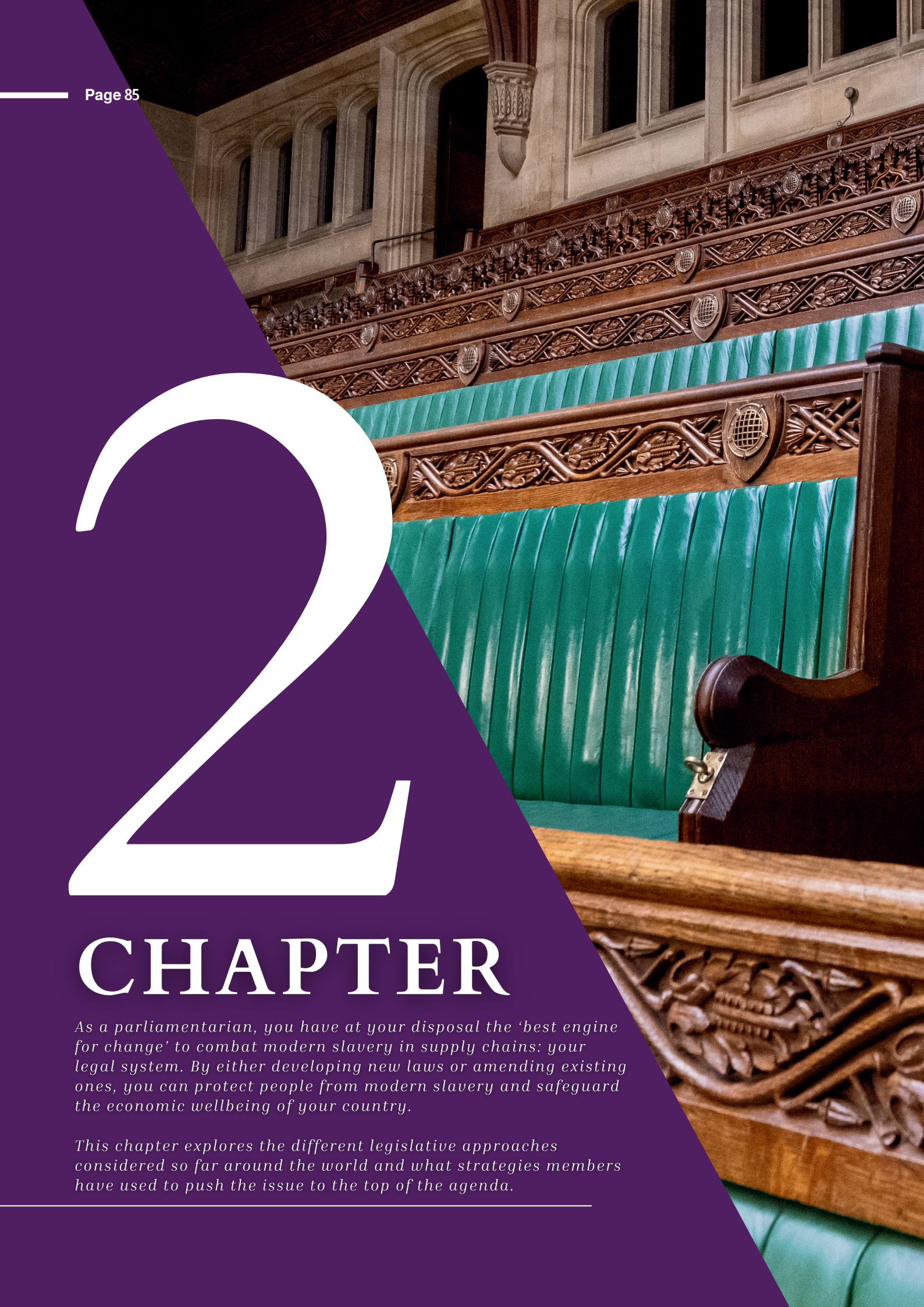
A country with comprehensive legislation relating to forced labour, but no enforcement, is arguably worse than a country with existing legislation that addresses the key elements of forced labour in a piecemeal manner but is effective in its enforcement. The recent cases identified within the Isle of Man offer a prime opportunity to assess the efficacy of the existing statutory provisions, and enforcement, and then assess where improvements are required in both legislation and enforcement to improve future outcomes.

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Key points for parliamentarians

- Modern slavery **looks like work**: it is not always clear at what point poor working practices and conditions transition into instances of modern slavery and exploitation.
- Modern slavery in supply chains is the **exploitation** of a person who is deprived of individual liberty **anywhere along the supply chain**, from raw material extraction to the final customer, for the purpose of service provision or production.
- **Forms of exploitation** manifest in practices like: low wages and wage theft, unsafe and unhealthy conditions, excessive working hours, forced labour, child labour, outsourcing and casualisation of employment, lack of job security, discrimination and harassment, and unethical recruitment.
- Often the exploitation of workers is driven by the **pursuit of low production costs and high profits**.
- **Transparency laws** intend to **deny** criminals who operate modern slavery businesses **access to the legitimate economy** of goods and services. These laws oblige businesses to consider their total global human rights footprint, both inside their own companies and in their supply chains.
- Some national laws make human rights compliance **a condition of entry** of goods into their market. You should assume that almost every country your nation wants to trade with has similar laws that might prohibit materials, goods and services made – or suspected to be made – by forced labour from entering.
- Of the national legislation passed so far, the **common element** is that companies must not purchase goods and services from anywhere in the world **without first assessing** whether there is a **risk** that they have been **produced** by people working in **exploitative conditions**.
- Developing or strengthening **human rights due diligence legislation has economic benefits** such as ensuring market access, aligning global standards to facilitate trade, attracting investment, enhancing reputation, delivering sustainable economic growth, and enhancing consumer trust.
- A company **operating in a country** that does **not have** adequate **disclosure requirements** against modern slavery automatically becomes **a higher risk**.
- **Mandatory Human Rights Due Diligence laws** (MHRDD) are the leading approach in addressing human risks, **improving** business **disclosures** and strengthening business practices in managing and **remedying** such harms.
- Forced labour **import bans** are another promising legislative approach. These seek to **ban the sale, import and export of goods made using forced labour**. They can be withdrawn if the state is satisfied that the company has eliminated forced labour from its supply chain.
- **Collaboration between businesses and governments** when designing legislation can ensure that laws do not have unintended consequences and that there is alignment across the sector.
- All-Party Parliamentary Groups and other **cross-party efforts can exert sufficient pressure on ministers to change the law**.
- Setting up a **parliamentary inquiry** to investigate the extent of modern slavery in supply chains can provide a **sufficient mandate for new legislation**.
- Ensuring that a bill can be **passed** sometimes means making **compromises** from your ideal 'perfect' legislation.
- Legislation can get lost as parliaments are dissolved. Ensure you have the **necessary time to pass a law in the session**.



2 CHAPTER

As a parliamentarian, you have at your disposal the 'best engine for change' to combat modern slavery in supply chains: your legal system. By either developing new laws or amending existing ones, you can protect people from modern slavery and safeguard the economic wellbeing of your country.

This chapter explores the different legislative approaches considered so far around the world and what strategies members have used to push the issue to the top of the agenda.



LEGISLATING AGAINST MODERN SLAVERY IN SUPPLY CHAINS

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SUB-CHAPTER 1

APPROACHES TO LEGISLATION



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Legislative approaches

Strengthening existing law vs. creating stand-alone legislation

Broadly, there are three ways to strengthen the law against modern slavery in supply chains: introducing a new transparency law, a punitive law or amending existing legislation. It is almost always more time-effective to amend an existing law.



Peter Talibart

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Photograph: ©simpson33 via canva.com

As a parliamentarian, you have an incredible instrument at the disposal of your legislature to use against the criminals who are abusing human beings for profit. That is your legal system. A legal system is an amazing engine for change and what this chapter proposes is that you align your legal system against the crime of modern slavery for the sake of your citizens and the economic wellbeing of your country. If you do not, sooner or later, it will affect the access of goods produced in your country to the global marketplace or to international corporate customers. That may have already started to happen without you realising it. Even if it hasn't, aligning your legal system is the right thing to do in the wider interests of humanity.

The most important message of this guide is that, as Commonwealth parliamentarians, you and your colleagues all have a much greater opportunity to fight this global crime in a way that has not been seen before in history. It is both easy and fast, in legal and political terms.

A Common Legal System

Commonwealth countries share a common legal system ("common law"). Many of the laws in Commonwealth countries are based on British ones, so they are very similar. This is particularly true of company law statutes. This

> *"Imagine 50 more countries suddenly requiring big companies to make a public statement about what they are doing to avoid accidently supporting the crime of modern slavery... It would make history*

similarity creates a unique opportunity for an easy win in the fight against modern slavery. If jurisdictions of the Commonwealth take advantage of this shared legal system to move in concert, this could be an incredibly powerful thing. Imagine 50 more countries suddenly requiring big companies to make a public statement about what they are doing to avoid accidently supporting the crime of modern slavery. This would require the people who run these companies to think about this issue and change the way that they operate their businesses, so as to avoid accidently supporting modern slavery. That in turn may remove the ability of criminals to earn a vast profit off the backs of people who are working in conditions of modern slavery. It will immediately put upward pressure on working standards everywhere. It would make history. The trick here is in finding the most effective way to do this.

You need to be aware of the different tools that you have at your disposal and the cost/difficulty of each potential approach. At a very high level, traditional law is punitive (crime, prosecution, punishment) and you may have noticed that the current trend in modern slavery law internationally is more towards "transparency laws" requiring a public disclosure approach, rather than the more traditional punitive approach. You, as a parliamentarian, have three potential approaches to legislating against modern slavery.

1: Draft a Punitive Law

Operating a law can be a very expensive exercise. The costs of operating a traditional punitive law can vary significantly depending on several factors, including a country's size, the extent of its punitive measures, and the specific policies in place. Here are some key components that contribute to the overall cost:

1. **Incarceration Costs:** Maintaining prisons and jails is one of the largest expenses. This includes the cost of building and maintaining facilities, as well as providing food, healthcare and security for inmates.
2. Law Enforcement: This includes the salaries and benefits of enforcement authorities, as well as the costs associated with policing activities such as investigations and prosecution.
3. Judicial System: Operating courts, paying judges, prosecutors, public defenders and other court staff, as well as the costs associated with trials and legal proceedings.
4. Social Costs: There are broader social costs, such as the impact on families and communities, lost economic productivity, and the long-term effects on individuals who have been found guilty.
5. Collateral Consequences: The imposition of fines and fees can exacerbate poverty, homelessness and mental illness which can lead to additional costs for social services and healthcare.

Parliaments can create a new crime and punishments for the crime of modern slavery if they do not have one already. It will take time to pass such a law and it may not successfully go through the political process. Even if it does, money will need to be found to support it and that may bring issues.

> *It will take time to pass such a law and it may not successfully go through the political process*

2: Draft a Transparency Law

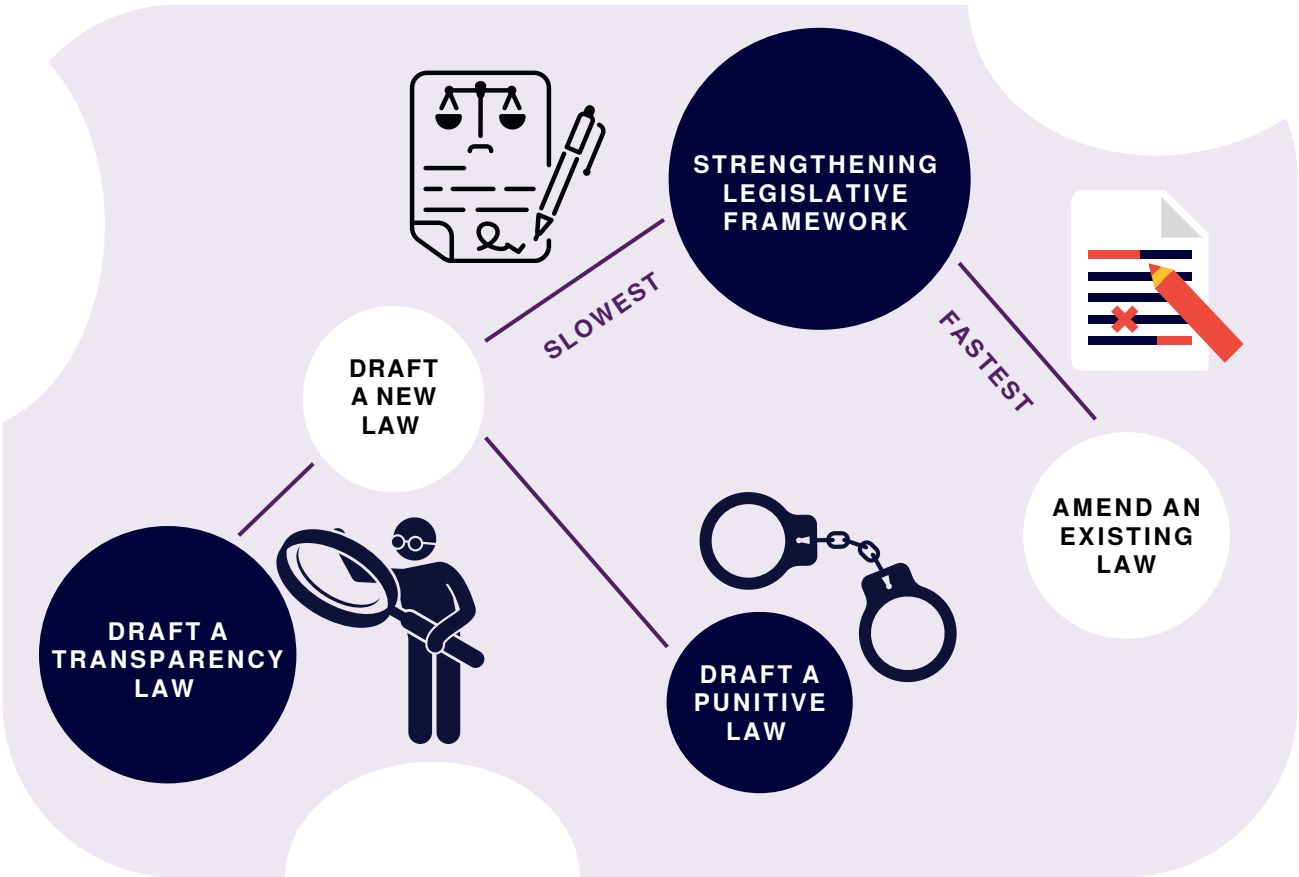
A transparency style law usually would require public disclosure by companies of measures taken (in this case) to avoid modern slavery. The public then effectively becomes the enforcement authority through consumers not buying unethical

goods and businesses not doing business with unethical companies or in high-risk countries. The cost of this type of law can be much lower than a traditional punitive law, although there are still financial implications associated with such measures. These include:

1. **Implementation Costs:** Establishing systems for transparency (such as public records databases and compliance mechanisms) involves initial setup costs.
2. **Operational Costs:** Ongoing costs include maintaining these systems, training staff, and ensuring compliance.
3. **Indirect Savings to government:** Transparency laws can, however, lead to cost savings by reducing corruption, improving efficiency and fostering public trust. There are some costs to companies subject to such a law because they have to understand what their own supply chains are and put measures in place to withdraw from risky ventures and to avoid them in future. While there are significant initial and operational costs for both the government and the private sector, transparency laws can lead to long-term savings for both, and to benefits by improving corporate governance and reputation in this area.

3: Amend an existing law

In many respects, this is an easy win if the amendment will be effective. Often a new law can take years to pass and may never even do that. Amending an existing law gives parliaments the advantage of tapping into existing infrastructures and minimising legislation costs. Often this can be done much more quickly and efficiently than passing an entirely new law. You can also take advantage of existing punitive and transparency laws already in your legal system so that these do not have to be designed from scratch. This should be the quickest and most efficient model with which to address modern slavery, if there is an existing law that can easily be adapted.



The three ways to strengthen the law against modern slavery in supply chains

50 words make a difference: strengthening existing laws through amendments

By amending their Company Law with as little as 50 words, Commonwealth legislatures are well placed to efficiently and effectively improve supply chain transparency and better address modern slavery in corporate supply chains.



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You have multiple ways at your disposal to start to address modern slavery in your legal system, either by drafting an entirely new modern slavery law (either a punitive or a transparency one) or by taking an existing law and adding words to it to weaponize it against modern slavery. There are various opportunities in the legal system to "modify" existing laws. Employment, health and safety, criminal, tax, trade, fraud, immigration, employment standards, securities, corruption, and competition laws could all arguably be amended to address the crime of modern slavery. But Company Law is interesting, firstly because it has multiple connections to other existing punitive and transparency laws already in the legal system. Secondly most Commonwealth countries could add about 50 words to their company law related to the obligations of Directors, to inform the public, consumers and shareholders in their annual reports about the affairs of the company to bring about a new modern slavery transparency law.

These 50 or so words would require the directors of public companies to make a statement about the steps they are taking to avoid indirectly supporting modern slavery in their supply chains. This is a "transparency law" that already exists, and there are penalties already in your legal system for directors of companies who breach their duties, so it presents every advantage to parliamentarians who wish to see action on this issue in the shorter term, in

> *"Most Commonwealth countries could add about 50 words to their company law... to bring about a new modern slavery transparency law*

minimal time and cost.

> *These 50 or so words would require the directors of public companies to make a statement about the steps they are taking to avoid indirectly supporting modern slavery in their supply chains*

Because the company laws of many Commonwealth jurisdictions are similar, this is also a good way to make an effective alignment of multiple Commonwealth legal systems against modern slavery. This would trigger multiple pressure points in each legal system and aligns them against modern slavery. For example, when company directors sign off on a public statement like the Directors' annual report, they are under a duty of care to be both accurate and honest in their statements. Third parties who rely on those statements may be able to take action against either the companies or the directors themselves if the statements are dishonest or inaccurate. Therefore, directors would have to carefully consider what they do, and what they say the company does, to address modern slavery. This approach does not operate too harshly against companies or company directors, because their only obligation is to make an honest statement about what they are doing to eradicate human rights abuses from their own supply chain. That is not an unreasonable ask of them. Good businesses want to say something about this issue anyway because (as stated earlier in this handbook) taking a positive public stance against modern slavery and human rights abuses makes a company more attractive to international partners. If good companies are being undercut in the market by criminal enterprises exploiting human beings, they will welcome this amendment.

> *This approach does not operate too harshly against companies or company directors, because their only obligation is to make an honest statement about what they are doing to eradicate human rights abuses from their own supply chain. That is not an unreasonable ask of them*

Furthermore, any public companies caught by such an obligation that wish to access important foreign markets or who sell goods or services to multinationals are likely to make this promise anyway, in order to do business with those countries or companies because of the laws referred to earlier in this handbook.

> *Even before a wider law is passed, the requirement on public companies will put pressure on private companies*

The one flaw in this argument is that this company law obligation would only catch public companies and not ones that are not subject to a national companies act (private companies). But that does not mean that it is a bad idea to first pass a law governing public companies to make a strong statement of clear intent and then, deal with private companies separately with similar obligations upon them. It will be easier to pass the second law if the first one is already in place. This approach may still be much faster than waiting to draft an entirely new modern slavery law. Even before a wider law is passed, the requirement on public companies will put pressure on private companies to also say something about the issue to their customers, for all of the same reasons as set out earlier.

The cross-party parliamentary committee that subsequently

looked at the effectiveness of the UK Modern Slavery Act a few years after it came into force, recommended that the UK Companies Act be amended in this way. This is a matter of public record.

Finally, the advantage of transparency laws is that they generate public information about the measures that companies are taking to avoid modern slavery in their supply chains, and this can educate other public and private companies about how to deal with this issue. It will help the development of corporate best practice in ensuring supply chains (and companies) are not indirectly assisting the crime of modern slavery. The data generated by the statements can be analysed by artificial intelligence systems to identify patterns and trends which in turn could inform the development of further modern slavery laws. In a perfect world, Commonwealth countries could cooperate on a common data platform to hold company modern slavery disclosures, to both spread the cost and share notions of what good practice is.



Photograph: ©Ron Lach via canva.com

> *The data generated by the statements can be analysed by artificial intelligence systems to identify patterns and trends which in turn could inform the development of further modern slavery laws*

You will find in the annex section, examples of 50-word amendments we are suggesting, to some Commonwealth countries company law. Together with your legislative drafting experts, you can improve on this. You all have the power to start to make the world a better place for over 50 million people living the most desperate lives because criminals can turn their treatment into profit. You now have an argument that few will oppose. You now have a method that is both relatively easy and cost effective to achieve, in political terms. All you need now is a desire to condemn this terrible practice to the history books, for the sake of ourselves, our collective history, and our children. If you do this together at the same time the world will surely take notice.

> *Transparency laws generate public information about the measures that companies are taking to avoid modern slavery in their supply chains, and this can educate other public and private companies about how to deal with this issue*

Considerations for developing stand-alone legislation

Senator Julie Miville-Dechêne and Hon. John McKay provide insight into the development of Canada's Fighting Against Forced Labour and Child Labour in Supply Chains Act.

Bill S-211 : The Fighting Against Forced Labour and Child Labour in Supply Chains Act

Country: Canada

Year passed: 2023



Senator Julie Miville-Dechêne

Member, Senate, Parliament of Canada



Hon. John McKay

Member, House of Commons, Parliament of Canada



Canada's House of Commons, photograph: ©vaeenma via canva.com

In 2016, NGO World Vision Canada commissioned a comprehensive analysis by Dentons, a global law firm, to identify the most appropriate instrument to enact modern slavery legislation in Canada. Because Canada is a federal state, with constitutional legislative authority divided between provinces and the federal government, two questions needed to be answered.

The first was determining which heads of power of the federal government provided the best constitutional foundation for modern slavery legislation. The second was deciding whether to develop stand-alone legislation or amend an existing federal statute.

> *A stand-alone bill seemed more manageable in the context of legislation sponsored by individual parliamentarians*

Of the federal powers enumerated in the Constitution of Canada, two were theoretically relevant to supply chain legislation: the federal government's authority over "the regulation of trade and commerce" and its authority to enact criminal law.

> *With constitutional legislative authority divided between provinces and the federal government, two questions needed to be answered. The first was determining which heads of power of the federal government provided the best constitutional foundation for modern slavery legislation. The second was deciding whether to develop stand-alone legislation or amend an existing federal statute*

The analysis found that the criminal law power provided a somewhat fragile foundation for supply chain legislation, because the proposed legislation (like similar laws in California and the UK) would be enforceable through civil actions brought by the government, and therefore not considered to contain a prohibition or penal consequence that met the formal requirements of valid criminal law in Canada. It is also the case that evidentiary standards under criminal law are extremely high, which would have been impractical for legislation aimed at supply chain monitoring.

However, the federal trade and commerce power did offer a promising source of federal authority. As Dentons wrote, "it is uncontroversial that the federal government could ban the importation of goods produced by forced labour or the worst forms of child labour under this [head of power]. … Canada has already banned the import of goods produced by prison labour. For constitutional purposes, banning goods produced by forced labour or the worst forms of child labour is analogous to banning goods produced by prison labour." As a result, Bill S-211 was anchored in the federal government's power to legislate on matters of international trade and commerce, and the bill stated its purpose in the preamble as: "The purpose of this Act is to implement Canada's international commitment to contribute to the fight against forced labour and child labour through the imposition of reporting obligations on government institutions producing, purchasing or distributing goods in Canada or elsewhere; and entities producing goods in Canada or elsewhere or in importing goods produced outside Canada."

Finally, because Canada's existing federal labour laws apply only to a small subset of federally-regulated businesses, and because Canada had no legislation relating directly to modern slavery in supply chains, it was appropriate that Bill S-211 be drafted as stand-alone legislation, using UK and Australia legislation as important sources of inspiration. Significantly amending existing legislation can also be more complicated due to the risk of unforeseen consequences. A stand-alone bill seemed more manageable in the context of



Sen. Miville-Dechêne at CPA UK's Legislative Strengthening Seminar, October 2024, discussing Bill S-211.



Senator Julie Miville-Dechêne and Hon. John McKay at a House Foreign Affairs Committee meeting. Photograph: ©*The Hill Times by Andrew Meade*

legislation sponsored by individual parliamentarians.

As the legislation was being developed, MP John McKay and Senator Miville-Dechêne consulted many groups and consulted with several stakeholders, including NGOs, investors, businesses, and law firms specialising in business law and supply chains. Among our most trusted advisors were Chris Crewther, an Australian MP who was instrumental in passing modern slavery legislation in Australia, Stephen Pike, a Canadian lawyer at Gowling WLG, in Toronto, and Peter Talibart, a Canadian lawyer based in London.

Among NGOs, the invaluable and tireless support of World Vision Canada must be singled out. World Vision was a constant ally, providing substantial reports on the presence of unethical goods in the Canadian market, helping to keep the issue in the public eye, and rallying lawmakers of all parties to the draft legislation.

Bill S-211 was often attacked and criticised by some Canadian business representatives, who claimed it went too far; and some Canadian human rights organisations, who claimed that transparency legislation did not go far enough. The latter group pushed for a due diligence model – based on European precedents in France Germany and elsewhere – that would have imposed stricter obligations on businesses and offered remedies to victims of forced labour. While not philosophically opposed to these stricter measures, MP McKay and Senator Miville-Dechêne felt strongly that such a bill would have insufficient political support to pass, and they were determined, pragmatically, not to let the perfect be the enemy of the good. Pressure from critical NGOs did lead two smaller political parties to oppose the bill.

Preventing products made with forced labour from entering the European Union market

Country: European Union

Year passed: 2024



Hon. Raphaël Glucksmann

Member of the European Parliament, Member of The Progressive Alliance of Socialists and Democrats (S&D Group), Shadow Rapporteur (point person) of the S&D Group on the Forced Labour regulation



Hon. Raphaël Glucksmann giving a speech in the European Parliament. Photograph: ©Photo Sipa /Future Image/D. ANORAGAN

In September 2021, the President of the European Commission announced that the European executive would put forward a proposal for a mechanism to ban forced labour from the European Union's (EU) market. Following this announcement, the European Commission considered incorporating this measure into the due diligence legislation it was already drafting. However, after strong pressure from the European Parliament, the final proposal took the form of a stand-alone piece of legislation — a regulation distinct from the broader due diligence obligations imposed on companies.

Several factors drove the European Parliament's insistence on stand-alone legislation, particularly in light of the EU's unique legal framework. Chief among these was the fact that the due diligence proposal was intended to be a directive (requiring EU Member States to achieve specific objectives), rather than a regulation (which is directly applicable in Member States). A directive in this instance could have resulted in inconsistent implementation across the EU and would not have guaranteed the level of coordination required at the EU level, particularly in areas such as customs and trade policy.

Nevertheless, the rationale for stand-alone legislation holds merit beyond the EU context for several key reasons.

First, adopting stand-alone legislation sends a clear and potent political signal: the responsibility for combating forced labour lies not with companies, but with the State itself. It is the State, through its enforcement agencies, that is

> *"The responsibility for combating forced labour lies not with companies, but with the State itself*

tasked with investigating forced labour cases. These authorities act proactively, with dedicated teams fighting forced labour. In contrast, due diligence regimes primarily rely on companies' efforts to monitor their supply chains. This unequivocal political stance is especially crucial in addressing state-imposed forced labour, acting as a robust deterrent.

Second, stand-alone legislation proves to be far more effective in practice. This is particularly true because due diligence measures are often impossible to implement in certain regions of the world, such as the Xinjiang Uyghur Autonomous Region (XUAR), where state-imposed forced labour is prevalent today. Without viable due diligence mechanisms, both companies and states are left ill-equipped to address such challenges.

More broadly, the primary advantage of stand-alone legislation lies in its focus on products rather than companies. As a result, while due diligence laws typically set thresholds for their application (based on a company's size or turnover), stand-alone legislation applies universally to all products, regardless of the company involved. Furthermore, the legislation can target an entire production site, ensuring that all products manufactured at such a location are immediately covered—irrespective of the downstream companies handling them.

> *"The penalties are also swift and decisive: any product found to be made with forced labour will be seized, and its future importation prohibited*

The penalties are also swift and decisive: any product found to be made with forced labour will be seized, and its future importation prohibited.

Similarly, a stand-alone law banning products made with forced labour creates an obligation of result, rather than an obligation of conduct. The latter, associated with due diligence requirements, allows companies to avoid liability if they can demonstrate sufficient effort. In contrast, under a stand-alone law, even if direct sanctions are not imposed on companies implicated in forced labour, potentially significant economic losses may incur from the seizure of their products.

> *"A stand-alone law banning products made with forced labour creates an obligation of result, rather than an obligation of conduct*

Due diligence legislation addresses a broad spectrum of human rights and environmental violations, relying on companies to identify and mitigate risks within their operations. Stand-alone laws on forced labour engage State authorities directly, providing a complementary and indispensable tool for effectively combating this issue.

Considerations for consolidating legislation

Baroness Theresa May discusses provisions that can be introduced to consolidate existing legislation, through the example of the UK's Modern Slavery Act 2015.

Consolidatory Act of the UK Modern Slavery Act 2015

Country: United Kingdom

Year passed: 2015



The Rt Hon. the Baroness May of Maidenhead

Former UK Prime Minister



Baroness May giving her maiden speech in the House of Lords, highlighting the intersection between climate change and modern slavery, photograph: ©Parliament TV

As I outlined in the previous chapter, one of the reasons I commissioned an Independent Review one year after the Modern Slavery Act 2015 became law, was to allow for recommendations to be made to strengthen and consolidate its effectiveness.

It was and remains my view that if areas of legislation can be improved, listening to experts and importantly people with lived experience who can identify areas where things can be done better, we should not shy away from that. As the review pointed out, and I agree, provisions within the Act to target businesses did have limited impact because of a lack of enforcement with no direct penalties for not complying with the law. Proposals have since been made to include a single enforcement body which would be able to impose financial penalties for non-compliance with section 54 of the Act.

This issue of rooting out modern slavery in business supply chains is one of the key focuses of the research being conducted currently by my Global Commission on Modern Slavery and Human Trafficking. I do not believe this is a one size fits all approach. The work of my Commission will explore the varying approaches of modern slavery legislation globally, in areas it works well and others

> *Another area where the impact of the Modern Slavery Act 2015 could benefit from greater assessment is the use by police forces of the slavery and trafficking risk orders and the use by the courts of the slavery and trafficking prevention orders*

less so, to obtain a holistic view of best practice. I believe this evidence which will be published in Spring 2025 will offer insight into ways legislation can be improved and consolidated.

Another area where the impact of the Modern Slavery Act 2015 could benefit from greater assessment is the use by police forces of the slavery and trafficking risk orders and the use by the courts of the slavery and trafficking prevention orders. If used well, the risk orders could stop people from being drawn into slavery. The question refers to human trafficking, but in relation to modern slavery, I suggest that the Act could be improved by enhancing the provisions of business supply chains.

One of the grey areas in which policy could help address human trafficking in the UK is the reporting process. Section 52 of the Modern Slavery Act specifies that public authorities in England and Wales have a statutory duty to notify the Home Office when they come across potential victims of modern slavery. This is effective, and the Home Office is therefore made aware (by authorised 'First Responder' organisations such as local authorities, NGOs, police forces and specified government agencies) of potential cases. This duty is only discharged, however, by either referring a potential child or consenting adult victim into the National Referral Mechanism, or by notifying the Home Office if an adult victim does not consent to enter the National Referral Mechanism.

There is concern that because of the domestic or financial circumstances of an adult who is a potential victim of trafficking, they may be hesitant to come forward and consent to being referred to the National Referral Mechanism. There is little evidence to explore the reasons why the individuals do not want to report their potential trafficking. However, Dame Sara Thornton, former independent Anti-Slavery Commissioner outlines how the duty to notify cases jumped up in 2021 by 47%, and again in 2022 by a further 44%. This resulted in approximately 4,500 people who were identified by a first responder as a potential victim of modern slavery choosing not to be referred into the National Referral Mechanism.

The process to eliminate the crime of modern slavery and human trafficking does not end once legislation has passed. It remains important to me that policymakers continue to engage on this subject, to deliver better outcomes for victims, keeping them at the forefront of one's mind throughout the process.



Baroness May at CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains, October 2024

Reviewing the Modern Slavery Act

Country: United Kingdom

Year passed: 2015



Caroline Haughey OBE KC

Independent Barrister at Law, Furnival Chambers, London



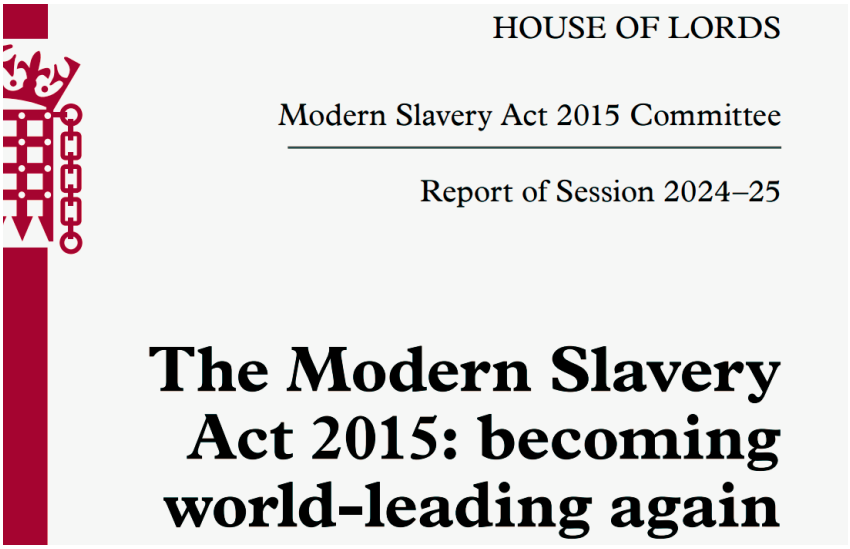
The first page of the independent review of the Modern Slavery Act, commissioned by the government and delivered to the Home Secretary in 2019, image: UK Government

As with any legislation, the Modern Slavery Act is a living instrument. The landscape has changed dramatically since it was drafted and implemented in 2014/15, from both a criminal and commercial perspective. Society as a whole has become more aware of what modern slavery and, in particular, labour exploitation is, demonstrated particularly in the UK by the Leicester garment industry problems during Covid[1]. Consumers are more demanding of companies being ethical employers and holding them to account both on social media and in their purchasing powers. Synergistic with that is the expectation by society that governments will hold both companies and indeed themselves to account in their commercial activities. This is particularly relevant with current geopolitical instability and the receipt of products from areas such as Myanmar[2].

Supply chain compliance must be at the forefront of any government's legislative programme. As of 25 July 2024, the EU Directive on corporate sustainability due diligence (Directive 2024/1760) entered into force, with the aim of fostering sustainable and responsible corporate behaviour in companies' operations and across their global value chains. The new rules will ensure that companies in scope identify and address adverse human rights and environmental impacts of their actions inside and outside Europe. There is an emphasis on corporate positive action and responsibility at board level, as

> *Consumers are more demanding of companies being ethical employers and holding them to account both on social media and in their purchasing powers*

well as an expectation that governments will act as enforcement. Whilst the UK Modern Slavery Act 2015 may have been the first domestic Act of its kind and the principles then wholly admirable, the recent House of Lords' evidence gathering process demonstrated that companies often paid lip service to the MSA 2015 section 54 requirements, that



The latest review of the Modern Slavery Act was conducted by the House of Lords and published in October 2024, image: UK Parliament

enforcement was negligible, that particular sectors were more vulnerable than others (such as the care sector), and that the reach and 'teeth' of the Act needed to be reconsidered. Reviewing the Act, hearing evidence from experts in their field, exploring views and experience across the widest possible breadth of sectors, and acknowledging current strengths and weaknesses of legislation and its application, enables an Act to be current and fit for purpose. There is huge benefit from looking abroad at other jurisdictions and seeing the approaches being adopted worldwide to ensure that an Act meets the needs of the society to whom it applies.

It is perhaps unusual that the MSA 2015 has been reviewed three times. However, context must be understood. The Act is a wide-ranging piece of law, addressing criminal conduct, commercial activity, the creation and appointment of IASC, etc. Not all the reviews looked at the Act as a whole. We are now 10 years on since the first drafting of the MSA 2015 took place: we have been through Covid and have seen first-hand how slavery and exploitation can be hidden in plain sight. Commercial and consumer understanding and expectation has changed. Governments must follow suit, ensuring that any legislation drafted is predicated on expert evidence from both practitioners and academics, leading to an Act capable of moving with the times, but able to address those matters immediately in front of it.

> *"Whilst the UK Modern Slavery Act 2015 may have been the first domestic Act of its kind and the principles then wholly admirable, the recent House of Lords' evidence gathering process demonstrated that companies often paid lip service to the MSA 2015 section 54 requirements, that enforcement was negligible, that particular sectors were more vulnerable than others (such as the care sector), and that the reach and 'teeth' of the Act needed to be reconsidered*

1. https://www.independent.co.uk/news/uk/home-news/boohoo-leicester-factories-modern-slavery-boohoo-leicester-factories-modern-slavery-investigation-coronavirus-coronavirus-fast-fashion-a9602086.html
2. In June 2022, the US Uyghur Forced Labour Prevention Act (UFLPA) came into force, requiring companies that source material from the Xinjiang region in China to prove that the supply chains are not tainted with forced labour if they want to import their goods into the US.

SUB-CHAPTER 2

GATHERING INTERNAL SUPPORT



Photoraph: ©MangoStar_Studio via canva.com

Building support for legislation: from conception to implementation

From securing the passage of Australia's Modern Slavery Act to now supporting parliamentarians in implementation at The Interparliamentary Taskforce on Human Trafficking, Senator Reynolds highlights the benefits of building domestic and international partnerships.



Senator the Hon. Linda Reynolds CSC

Senator for Western Australia



Photograph: ©Tetiana Nekrasovavia canva.com

Modern slavery and human trafficking are extremely complex global issues and can seem overwhelming to tackle, largely because they are hidden throughout international supply chains and require significant behavioural change across civil society.

Addressing these pervasive issues requires countries to legislate and implement comprehensive measures to tackle domestic and global slavery and trafficking. Not only can they be hard to identify, but they are politically sensitive to tackle, making them challenging to successfully legislate and implement.

Navigating a pathway to legislation

After attending a 2016 CPA UK workshop in Westminster for Commonwealth Parliamentarians on the UK experience in implementing Modern Slavery Legislation, the other Australian participants and I returned home with the knowledge of how to initiate a pathway to similar legislation.

This started with the establishment of a Parliamentary Inquiry into the need for modern slavery legislation which I participated in. The committee conducted extensive hearings with domestic and international non-governmental organisations, subject matter experts, and advocacy groups specialising in human rights and anti-trafficking. This inquiry reported in December 2017 and clearly demonstrated a need for legislation in Australia.

However, the report, *Hidden in Plain Sight*[1], was just the beginning of the legislative and reform journey in Australia. A journey that continues today.

Passing & Strengthening Legislation

One of my proudest moments in my parliamentary career was in November 2018, as Assistant Minister for Home Affairs, having carriage of the legislation through the Parliament. The legislation was designed to commence modern slavery reporting for businesses with a consolidated revenue of over $100 million, requiring them to disclose slavery risks within their supply chains and the measures taken to address them.

> *There was significant political and business pushback to the original legislation... This required some compromises*

Even with the compelling arguments of the evil of human slavery and trafficking, there was significant political and business pushback to the original legislation, particularly in relation to a new regulatory reporting requirement for large businesses. This required some compromises to the legislation to ensure that it would pass in parliament.

In retrospect, the issue was such a remote one for most Australians, the need for domestic reform was a hard sell. Few Australians understood that, not only did trafficking and slavery still occur in many places around the world (including Australia), but Australians were also unknowingly contributing to its perpetuation and growth. This is a situation that continues today.

Under the first four years of the legislation, large companies developed a greater understanding of modern slavery in their supply chains and largely accepted this requirement. The legislation was reviewed in 2022, and the Act was updated in 2024. The key reforms include establishing an Anti-Slavery Commissioner to respond to modern slavery by raising awareness, supporting victims and helping businesses address the risk of modern slavery in their operations.

Implementation & Partnerships

Successfully implementing legislation requires a significant body of work to inform key domestic stakeholders of the extent of the problem, gaining support for the legislation itself and the changes it will require.

In recent years, the conventional wisdom for

> *These are the domestic and global collaborative partnerships required to gain and sustain the required momentum*

legislation tackling slavery and trafficking in persons has been to implement the three P's – Prevention, Protection and Prosecution. What has been missing until now, is a fourth P – Partnerships. These are the domestic and global collaborative partnerships required to gain and sustain the required momentum.

Today I am working with multiple global organisations to coordinate and implement consistent reforms, including the Commonwealth Parliamentary Association UK Branch, the Organization for Security and Co-operation in Europe and the Inter-Parliamentary Union. In 2022 I became a member of The Interparliamentary Taskforce on Human Trafficking, which has developed a practical, three step, change-based approach for legislators and governments on how to effectively implement anti-trafficking and anti-slavery measures. The steps are: **educate**, **advocate,** and **legislate.**

Educate	Governments and legislators can combat modern slavery through education and awareness. This includes public information campaigns in their own constituencies, media outreach, and raising awareness through schools, community groups, programmes and media. An issue to start communicating on locally is voluntourism and ethical volunteering.
Advocate	Legislators and national governments can advocate against modern slavery through international cooperation, research, and policy reforms. This includes fostering bilateral and multilateral agreements to share information and coordinate efforts. Legislators can also promote capacity building, such as training for law enforcement and the judiciary, to improve responses to modern slavery. A key to success is the sharing of practical examples and best practices.
Legislate	To combat modern slavery in supply chains, legislators must implement comprehensive legislative frameworks that address both domestic and international factors enabling the exploitation of vulnerable workers. This includes criminalising modern slavery, developing clear laws against exploitative practices, strengthening oversight and the adoption of national referral mechanisms.

The three step approach for implementation developed by The Interparliamentary Taskforce on Human Trafficking

These experiences have shown me that parliamentarians, not just governments, can successfully collaborate and advocate for legislative change. The journey will be long and neither linear nor the same country-by-country.

By sharing this account, I hope to inspire other parliamentarians to pursue proactive measures against modern slavery and human trafficking. Together, I have no doubt that we can more effectively collaborate through new partnerships to learn from each other's experiences to work towards a future where supply chains are free from exploitation and servitude and all people are afforded dignity, respect, and freedom.

> *"We can more effectively collaborate through new partnerships to learn from each other's experiences to work towards a future where supply chains are free from exploitation*

1. https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/ModernSlavery/Final_report

Parliamentary alliances: gathering support and building credibility for legislative reform

Even the most noble proposals fail without the necessary parliamentary support. Building alliances from a credible platform is crucial to securing legislative reform.



Hon. Dr Chrizoster Halwindii Phiri BBAE, D. Litt.

Member, Parliament of Zambia



The National Assembly of the Zambia, photograph: AFP

Modern slavery remains a pressing global issue, particularly within supply chains, where exploitation often goes unnoticed. To combat this pervasive problem, legislative reform is essential. Gathering support and building credibility among various stakeholders is crucial for enacting effective laws that can address modern slavery in supply chains. Engaging with businesses, non-governmental organisations (NGOs) and affected communities can create a coalition of advocates who share a common goal to eliminate human trafficking and forced labour from production processes.

It is worth noting that the terminology, 'Modern Slavery' is barely used in countries like Zambia. However, the terminology is known by its constitution as it covers a set of specific legal concepts including forced labour, forced marriage, human trafficking, child labour, domestic servitude, bonded labour, and unlawful recruitment. It is also worth noting that in the Zambian context, Article 14 of the Constitution provides protection against forced labour and slavery. Further, the Anti-Human Trafficking Act, No. 16 of 2022, defines forced labour and human trafficking and prevents and prohibits them.

> *"Gathering support and building credibility among various stakeholders is crucial for enacting effective laws that can address modern slavery in supply chains*

> *My role as a parliamentarian and advocate against modern slavery is to mobilise my fellow parliamentarians and personnel and enlighten them on the topical issue*

The Anti-Human Trafficking Act also provides for victim identification, protection, rehabilitation and access to remedies. The Penal Code, Sections 87 and 143 of the Laws of Zambia, under Part XV provides for sanctions in case of offences against morality and, in particular, as regards abduction, prostitution and harmful cultural practices. It further provides for sanctions in cases of procuring of children and other persons for prostitution, and selling or trafficking in children. However, the highlighted pieces of legislation are not adequate to fully address modern slavery.

My role as a parliamentarian and advocate against modern slavery is to mobilise my fellow parliamentarians and personnel and enlighten them on this topical issue. To this effect I am happy to indicate progress in the Zambian parliament - a parliamentary caucus on Post Legislative Scrutiny was launched in September 2024 and scrutiny of existing laws on Modern Slavery in the supply chain will be one of its priorities.

Building Credibility

Building credibility involves demonstrating a comprehensive understanding of the complexities surrounding modern slavery. This requires thorough research into existing supply chains and the factors

> *Building credibility involves demonstrating a comprehensive understanding of the complexities*

that contribute to exploitation. Legislative proposals must be grounded in evidence-based practices that prioritise victim support while holding corporations accountable for their sourcing decisions. By establishing clear metrics for compliance and transparency, legislators can foster trust among stakeholders who may be sceptical about reform efforts.

Making Alliances for Legislative Reform in Parliament

Forming alliances with influential entities is vital for successful legislative advocacy. Collaboration between parliamentarians (e.g. in the form of a Parliamentary Caucus on Modern Slavery in Supply Chains), civil society organisations and private sector leaders, can amplify calls for reform. Such partnerships not only enhance the visibility of the issue but also provide diverse perspectives on potential solutions. By leveraging these alliances, advocates can facilitate discussions that lead to comprehensive policy frameworks aimed at eradicating modern slavery from supply chains worldwide.

In Zambia, we have a legal framework against modern slavery in supply chains, comprising of: Article 14 of the Constitution of Zambia, Anti Human Trafficking Act No. 16 of 2022, Penal Code, Sections 87 and 143 of the Laws of Zambia, which prescribes punishment to offenders, Children Code Act, No 12 of 2022, and the Anti Gender Based Violence Act, No 1 of 2011.

Despite these provisions, modern slavery is still a

> *By establishing clear metrics for compliance and transparency, legislators can foster trust among stakeholders who may be sceptical about reform efforts*



Engaging with fellow parliamentarians and stakeholders at CPA UK's workshop Strengthening Parliamentary Action to Address Modern Slavery in Supply Chains, November 2023

> *Collaboration between parliamentarians, civil society organisations and private sector leaders, can amplify calls for reform*

challenge in our country. The establishment of the Parliamentary Caucus on Post Legislative Scrutiny - whose mandate is to scrutinise laws and determine whether they are working or not, advise the executive on lacunas, if any, and further recommend for repeal or amendment - will, therefore, be vital to addressing the legal framework on modern slavery in the supply chains.

> *Legislative reform requires strategic efforts to gather support and build credibility among stakeholders*

Addressing modern slavery through legislative reform requires strategic efforts to gather support and build credibility among stakeholders. Through collaboration and informed advocacy, it is possible to create robust legal frameworks that protect vulnerable populations and promote ethical business practices.

Reference

LeBaron, G., & Boucher, A. (2017). The role of business in eradicating modern slavery: A critical review of current initiatives in global supply chains. *Journal of Business Ethics*, 144(3), 493-508.

Campaigning and debating: raising awareness of modern slavery in supply chains

Baroness Young of Hornsey reflects on her experiences in spreading awareness of modern slavery with researcher Jasmin Kreutzer



Baroness Lola Young of Hornsey
Member, House of Lords, UK Parliament



Jasmin Kreutzer
Parliamentary Assistant to Baroness Young of Hornsey, House of Lords, UK Parliament



Photograph: ©Mike Bird via canva.com

In 2009, Anti-Slavery International (ASI) was looking for a House of Lords Peer to table an amendment to the Coroners and Justice Bill. ASI felt the legislation presented an opportunity to address the fact that forced labour and domestic servitude were not crimes in the UK at the time. Together we created a campaign that engaged a wide range of groups: parliamentarians from all parties, NGOs, trade unions, modern-slavery agencies and businesses. After four months of debates and revisions, the government adopted the amendment. This was a pivotal step in improving UK laws on modern slavery. The inputs from various groups, as well as survivors of domestic servitude, made the amendment more persuasive and gave me an understanding of their needs and interests.

Building on the knowledge gained from this campaign, I decided to focus on specific supply chain areas, with the same collaborative approach. Choosing the right topics was essential. To enable genuine dialogue, I picked issues about which I am both passionate and curious, and which many people can relate to, even if only at a basic level. In 2010, I set up an All-Party Parliamentary Group (APPG) on Ethics and Sustainability in Fashion. Subsequently, in 2018, I formed an APPG on Sport, Modern Slavery and Human Rights. I also regularly facilitate roundtable discussions. Both the APPGs and the roundtables bring a wide range of stakeholder voices into parliament, including those who are less frequently part of the discussion, such as survivors of modern forms of enslavement.

> *Both the APPGs and the roundtables bring a wide range of stakeholder voices into parliament*

> *Once people realised that I was campaigning on the issue, they started sending me information and invitations to events*



Image created using Canva's AI

Over time, this collaborative, multi-stakeholder approach created a ripple effect. Once people realised that I was campaigning on the issue, they started sending me information and invitations to events. For instance, talking to a responsible supply chain expert allowed me to contribute to early debates around modern slavery in the construction industry supply chain, a subject of which I had previously known little. Engaging with a younger generation of campaigners and activists who have reached out to me on the topic, and working with them where possible, has also been an important part of my campaign.

Fifteen years on from the Coroners and Justice Bill amendment, I can say that achieving legislative reform is a long-term effort. My 2016 Transparency in Supply Chains Bill, designed to strengthen the supply chain provisions in the UK Modern Slavery Act, didn't pass. Then, in 2022, the government reply to one of my written questions on supply chain transparency led me to propose the Commercial Organisations and Public Authorities Duty Bill (COPAD) 2023. The Bill would have included measures to prevent modern slavery in supply chains more effectively. Although this Bill didn't pass either, it created significant new support among businesses, law firms and civil society organisations for introducing stronger reforms.

One thing I would do differently in hindsight is to maintain a comprehensive record of campaigning information. This would have been especially helpful in identifying the most effective areas on which to focus, and how: it would also serve as an archive of information for other campaigners.

Photo Credit of Icon Image: Janie Airey

Building alliances between parliamentarians: the role of an APPG

How APPGs can help us form alliances, campaign, and collaborate with parliamentarians across parties in the pursuit of legislating against modern slavery and human trafficking to create change.



The Rt Hon. Dame Karen Bradley DBE
Member, House of Commons, UK Parliament



Dame Karen Bradley MP on the floor of the House of Commons, photo: House of Commons

All Party Parliamentary Groups (APPGs) are cross-party groups within the UK Parliament that are composed of both Members of the House of Commons and Peers from the House of Lords. While the groups have no official status in Parliament, they provide a forum which allows parliamentarians from across party divides to come together to focus on, discuss and strategise on a particular issue. There are numerous APPGs, with groups formed to cover issues ranging from horseracing to entire continents. Although they can be seen as informal groups, APPGs often form part of important campaigns and can instigate and effect change.

The UK's APPG on Human Trafficking and Modern Slavery was first established in 2006, initially known as the APPG on Human Trafficking of Women and Children, to reflect the crime as we knew it then. It was formed of members from both Houses in the UK Parliament, and, crucially, with parliamentarians from multiple parties. Cross party support is essential to the success of an APPG. Broadening the membership gives the group more credibility and highlights the issue as one which transcends party manifestos and government whips. An APPG offers the chance for parliamentary coordination, for a question to be raised on an order paper and for colleagues from multiple parties to add to the debate.

At the time, the UK's understanding of human trafficking was not as advanced as it is now. In 2024, on occasion we are sadly still faced with the reply of 'it doesn't happen here'. Almost 20 years ago, these responses were even more common. To develop efforts against human trafficking, the first step is to

> *APPGs often form part of important campaigns and can instigate and effect change*

> *To develop efforts against human trafficking, the first step is to build alliances by increasing awareness of the issue*

build alliances by increasing awareness of the issue, and a good place to start is by engaging hearts and minds, keeping the victim/survivors at the centre. Nobody from any political party wants to see people kept in squalor and exploited for another person's financial gain. This is an economic crime which warrants a safeguarding response and should transcend party politics. Frank Field, a Labour MP, was instrumental in raising awareness within parliament and said we should call human trafficking what it is – modern slavery. Raising awareness can take the form of a parliamentary debate, the media, or via private lobbying. The reality of the situation is that every available door must be pushed in the hope that it gives just the few inches needed for an opportunity to develop.

In 2009, Conservative MP Anthony Steen, a founder of the APPG on Human Trafficking and Modern Slavery, received a place in the Private Members Bill Ballot. Private Members Bills are those introduced by individual MPs or Lords, as opposed to the Government itself. The time set aside to debate these bills is limited and often they do not become law. The bill introduced by Anthony Steen called for the introduction of an Anti-Slavery Day, to be held every year "to raise awareness on the need to eradicate all forms of slavery, human trafficking and exploitation; and for connected purposes." Following successful passage through parliament, supported by APPG members, the proposed bill became law in 2010, and since then, Anti-Slavery Day has been marked every year on the 18th of October. In 2011, the then Prime Minister David Cameron held a reception in 10 Downing Street, the UK Prime Minister's official residence, to mark Anti-Slavery Day, and it has become an important opportunity to continue to raise awareness of the issue, both inside parliament and out, ever since.

This awareness raising is crucial as, to effect change, it is important that it is a combined effort. MPs are influenced by their constituents, so only by wider society expressing their concern will an issue become a priority in parliament. The business community has a huge part to play within this and are an essential ally in addressing exploitation in society. Most businesses want to act ethically and mitigate the risk of exploitation within their supply chains, so the APPG worked with them to understand how future legislation could help them with this.

After building momentum through the APPG over a number of years, the UK passed the world's first Modern Slavery Act in 2015, a landmark piece of legislation that marked the culmination of almost a decade of work of



APPG's are usually held in parliaments, photograph: @House of Commons via flickr



APPG's consist of members of both the House of Commons (left) and the House of Lords (right), photographs: @House of Commons via flickr

the APPG and others within the UK parliament and the civil society and voluntary sector. The Modern Slavery Act establishes a duty, under Section 54, which requires organisations with an annual turnover of £36 million or more, to publish an annual statement that sets out what steps have been taken to ensure there is no modern slavery within their business or supply chains. It is important to encourage these efforts and build relationships. The broader the alliance, the more likely it is to keep modern slavery in people's minds. I had the honour of being the Minister responsible for taking the bill through parliament and became the first ever Minister for Modern Slavery. Since then, I have chaired the APPG with Baroness Butler-Sloss and modern slavery remains a cause very close to my heart.

Since being established in 2006, the APPG on Human Trafficking and Modern Slavery has been tirelessly involved in pushing for change and developing legislation on this issue. Members of the APPG led a review of the Modern Slavery Act in 2019 and in 2024, and several members of the APPG were part of a House of Lords committee reviewing the Modern Slavery Act and making recommendations to the new UK government where changes were needed.

A dedicated group, from across the political spectrum, are vital to keeping a cause relevant and for updating parliaments with trends and evidence. Parliamentarians naturally have plenty to keep abreast of, with many topics being important to them and their constituents. The APPG then offers a central hub, a touchpoint for all who need it to come together, learn more and coordinate on the issue. After many years of tackling modern slavery, it is clear that, only by working together through partnerships, change can be made. It is in this spirit of collaboration that parliamentarians must forge ahead, using all methods available to them, to rid our global community of this terrible crime.

> *"It is clear that, only by working together through partnerships, change can be made*

Pre-legislative scrutiny: parliamentary mechanisms to raise awareness

The ripple effects of parliamentary questions and debates

UK MPs reframed modern slavery as a corporate responsibility issue, driving debates that led to supply chain transparency in the Modern Slavery Act 2015.



Baroness Lola Young of Hornsey

Member, House of Lords, UK Parliament



Jasmin Kreutzer

Parliamentary Assistant to Baroness Young of Hornsey, House of Lords, UK Parliament



Photograph: ©Claudiodivizia via canva.com

UK parliamentarians have used various methods to spotlight modern slavery in supply chains. These approaches include reframing modern slavery as a corporate accountability issue, raising public awareness and exposing gaps in existing laws. In 2012, Fiona Mactaggart MP and Michael Connarty MP introduced legislative proposals to address modern slavery in supply chains. This marked a shift from viewing modern slavery as a criminal justice issue, to one which also includes corporate ethics. In late 2013, when the government introduced the Modern Slavery Bill, other MPs were beginning to emphasise supply chain transparency. Sir John Randall MP and Mr Frank Field MP mentioned the positive influence of Mactaggart's and Connarty's debating on their own actions[1]. These early efforts were significant steps towards introducing section 54 on supply chain transparency into the Modern Slavery Act 2015.

Debates that focus on public awareness, even without mentioning supply chains, have also spurred parliamentary action. Anthony Steen's 2010



Photo credit: Suki Dhanda

proposal for Anti-Slavery Day, for instance, motivated several MPs to engage more deeply with modern slavery. Jim Sheridan's Gangmasters (Licensing) Act 2004, was centred around public awareness. The momentum for his proposal came from a tragedy that took place in his constituency: 23 cockle pickers drowned in Morecambe Bay while working for their gangmaster. In the Bill debates, Sheridan cited additional UK examples of exploitation through gangmasters.

His Bill created a better understanding of exploitative labour practices and the shapes they can take. Connarty referred to gangmasters when setting out the importance of supply chain transparency for his Bill [2]. MPs found these arguments compelling, which led to engagement with a wider set of issues around the subject area.

Sometimes, simply prompting the government to articulate its position inspires positive actions from parliamentarians. For example, Baroness

> *Sometimes, simply prompting the government to articulate its position inspires positive actions from parliamentarians*

Sheehan's question about mandatory human rights due diligence revealed the government had no plans to pursue such measures. This led Baroness Young to introduce the Commercial Organisations and Public Authorities Duty Bill in 2023.

In sum, these examples highlight that, by continuously debating and engaging on supply chain issues, parliamentarians have created ripple effects with significant results over time – even if they were not immediately visible.

Photo Credit of Icon Image: Janie Airey

1. HC Debate (5 December 2013), vol. 571, col. 1151 and 1154. Available at: https://hansard.parliament.uk/Commons/2013-12-05/debates/13120554000001/details.
2. HC Debate (19 October 2012), vol. 551, col. 662. Available at: https://hansard.parliament.uk/Commons/2012-10-19/debates/12101926000005/details.

Harnessing public and media pressure to accelerate change

Insight into the factors which have assisted and informed the development of Canada's Fighting Forced Labour's legislation



Senator Julie Miville-Dechêne

Member, Senate, Parliament of Canada

Hon. John McKay

Member, House of Commons, Parliament of Canada





Canada bans imports from glovemaker Supermax, photograph: © Thomson Reuters 2021

The development of modern slavery legislation in Canada was helped by scandals and news reports documenting how products made with forced labour had found their way into Canada. This context made it easier to bring the issue of modern slavery to the foreground and turn it into a political priority for both government and opposition parties.

The most salient example came during the COVID pandemic, when the government of Canada signed a contract for more than CAN$200M with Supermax, a Malaysia-based business that produced medical gloves. Credible reports documenting the use of forced labour by Supermax led to a public scandal and tough questions for the government, which significantly increased the pressure to adopt modern slavery legislation (that would also apply to government procurement). Other work by NGOs (including an important report by World Vision on child labour in Mexico) and news documentaries on forced labour in China and elsewhere, also made the issue more salient and important to Canadians and increased the pressure on elected officials to act.

Senator Miville-Dechêne and MP John McKay repeatedly used these events to publicly highlight the need to pass modern slavery legislation in Canada, using their media appearances, social media posts and questions to government officials to spread information and make their case. Pointing to concrete examples – and obvious deficiencies in Canada's approach to modern slavery issues – was an effective strategy to raise awareness and focus the minds of key stakeholders.

SUB-CHAPTER 3

ENGAGING EXTERNAL PARTNERS



Photoraph: ©shotbydave via canva.com

Working together to legislate for better business practice

Collaborative effort drives systemic change, so how can CSOs, businesses, the public and parliamentarians work together to end modern slavery in supply chains?



Sian Lea

Business and Human Rights Manager, Anti-Slavery International



Photograph: ©Hiraman via canva.com

As the world's oldest human rights organisation, Anti-Slavery International is aware of how long it can take to secure meaningful improvements to the lives of workers.

> *"The prevalence of human rights violations and environmental harms linked to corporate value chains is a global problem that requires global, coordinated responses*

We also know that no individual can drive this kind of systemic change independently – we must build a movement. Central to this movement are not only the people who can turn ideas into law, but those who stand to benefit most from this change: workers.

As part of the Corporate Justice Coalition, Anti-Slavery International works with 65 other civil society organisations (CSOs) and trade unions in the UK to advocate for a law that would put a duty on companies, financial institutions and the public sector to conduct human rights and environmental due diligence in their operations and value chains. Crucially, this law would hold companies accountable if they failed to prevent harm.

In addition to coalition partners, we work with:

1. **CSOs** all over the world, particularly those working closely with affected people in producer countries, to inform our advocacy and to close the gap between policy and workers[1].
2. **Businesses**, who have been trying to uphold a high standard of ethical practice, but who remain exposed to undercutting due to an uneven playing field[2].
3. **The public**, who join our calls to action and push their local representatives[3].
4. **Parliamentarians**, without whom laws would never be made[4].

In November 2023, Baroness Lola Young of Hornsey, patron of Anti-Slavery International, set a precedent by introducing the Commercial Organisation Public Authorities Duty (Human Rights and Environment) Bill[5], also known as COPAD, into the House of Lords.

This proposed law would hold companies, financial institutions and the public sector accountable for human rights abuses and environmental harms in their value chains. Baroness Young has been a staunch defender of human rights and campaigner to end modern slavery for several years. Right from the outset of this Private Members Bill, Baroness Young recognised the importance of building a movement and listening to those who would be affected by this legislation.

Through research, roundtable discussions and media engagement, Baroness Lola Young was able to engage with civil society, businesses, survivors and policymakers, to raise awareness about the millions of people in forced labour in global supply chains. She was also able to garner support for the law and ensure that it was formulated as strongly as possible to drive out abuse, including modern slavery, from global supply chains. Although the UK General Election in July 2024 interrupted the Bill's progress, the spirit of and passion for the law carries on.

The prevalence of human rights violations and environmental harms linked to corporate value chains is a global problem that requires global, coordinated responses. Anti-Slavery International encourages lawmakers across the Commonwealth to follow the example of the COPAD Bill and engage with workers, civil society, and like-minded businesses. Together we can design laws that are effective in ending corporate abuse, holding bad actors accountable, and providing remedy for survivors.

> *"Together we can design laws that are effective in ending corporate abuse, holding bad actors accountable, and providing remedy for survivors*

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Engaging with forced labour investigators

Understanding the experiences of workers to inform policy

Multi-stakeholder collaboration is crucial to tackle modern slavery in global supply chains. Impactt's evidence-based guidelines have directly informed key policy shifts.



Phoebe James
Principal Technical Consultant, Impactt



Engaging with parliamentarians and stakeholders at CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains, October 2024

Multi-stakeholder collaboration to combat modern slavery

Due to the globalised nature of modern supply chains and workforces that make them thrive, engaging dialogue between the public sector, private sector, civil society, survivors and international organisations, is imperative to raise awareness, promote innovation, and galvanise

Sedex's anticipated introduction of the Collaborative Action Required (CAR) criteria exemplifies the growing emphasis on collaboration in addressing human rights violations in supply chains. The CAR criteria acknowledge that certain human rights violations, such as living wages and child labour, require a coordinated effort from multiple stakeholders to achieve sustainable change. Evidence indicates that such collective action avoids damaging economic performance of actors lower down the value chain, ultimately benefiting workforces who are the focal point of human rights due diligence efforts and regulation.

action against modern slavery and forced labour.

The importance of collaborative action is becoming increasingly recognised and defined within the human rights due diligence space, with acknowledgement that specific issues such as unethical recruitment practices[1] and withholding of wages[2] are deeply entrenched in global industry practices, making it impossible for individual companies to comprehensively understand and address them effectively on their own. As a result, these challenges demand unified efforts from multiple stakeholders across the industry to drive meaningful change.

Policymakers continue to face significant challenges in regulating and monitoring labour practices in globalised supply chains, particularly in addressing the consequential issues of forced labour and exploitation. By collaborating with organisations dedicated to combating modern slavery, policymakers can base legislation on real-world evidence and respond to the most urgent needs of vulnerable workers. By utilising insights, leveraging data, and collaborating on targeted solutions with a broad stakeholder group, policymakers can create practical, enforceable policies that align with international standards and are responsive to the identified risks.

Building alliances to support parliamentary action to combat modern slavery and forced labour

Understanding on-the-ground realities in specific country and industry contexts can inform parliamentarian action and strategies to address modern slavery and forced labour. Engaging with stakeholders such as NGOs, trade unions, forced labour experts and private sector actors, policymakers can reveal insights into factors that perpetuate exploitative practices. Through collaborative action, policymakers may:

1. **Proactively Identify and Avoid Unintended Consequences of Well-Intentioned Policy:** Ensure that policies designed to combat forced labour do not inadvertently harm the very individuals they aim to protect.
2. **Understand Challenges Businesses Face in Responding to Existing Regulation:** Recognise the practical difficulties businesses encounter in complying with current regulations and provide support to help them meet these requirements.
3. **Gain Data-Driven Insights into the Most Prevalent Forced Labour and Modern Slavery Issues:** Utilise comprehensive data analysis to identify the most pressing issues related to forced labour and modern slavery, enabling targeted and effective interventions.
4. **Gain Perspectives from All Stakeholders:** Engage with a diverse range of stakeholders to ensure that policy development is informed by the experiences and needs of all affected groups, leading to more inclusive and effective solutions.
5. **Integrate Worker-Centric Insights:** Incorporate the perspectives and experiences of workers to understand the real challenges they face and what they need to overcome them.
6. **Identify and Advance Prevailing Initiatives:** Support and promote existing initiatives that align with the direction of future legislation, providing businesses with a clear signal of the expected standards and practices.

The value of forced labour investigator perspectives



Photograph provided by author on behalf of Impactt

Forced labour investigators play a crucial role in uncovering and clearly communicating the realities of modern slavery within supply chains and play an important role in bringing stakeholders to the table to discuss difficult issues. By leveraging the experience of forced labour investigators and organisations dedicated to combating modern slavery, policy makers can ensure legislative development and amendments are grounded in real-world evidence and address the most pressing needs of vulnerable workers.

Impactt's role in alliances that combat modern slavery and forced labour:

Impactt's principles and guidelines for the repayment of migrant worker recruitment fees and related costs: Leveraging our extensive experience in fee repayment, we have formulated a comprehensive set of *Principles and Guidelines for the Repayment of Migrant Worker Recruitment Fees and Related Costs*. These guidelines have been further refined through a meticulous consultation process since 2020, engaging with over 200 organisations and individuals spanning civil society, business, trade unions and government. They have been endorsed and adopted by leading coalitions of multinational corporations, including the Consumer Goods Forum and AIM-Progress.

Impactt's principles and guidelines for the rectification of non-payment of wages: Since 2022, Impactt has been drafting and refining this document, based on extensive field-based findings, research, and stakeholder consultation. A similar set of expert entities and individuals have helped shape and refine the document as those who inputted to the Recruitment Fees Principles & Guidelines. We have already used this 8-step approach to investigate and repay wages across 3 field-based projects so far, totalling the equivalent of over USD 600,000returned to over 35,000 workers, with a further 4 sites currently in progress. The Principles and Guidelines are therefore continuing to be expanded and refined in an organic manner, based on these findings and challenges from our own fieldwork as well as that of other stakeholders supporting its continuous improvement.

Operational procedures for the remediation of child labour in industrial contexts (CLOP): We have successfully remediated over 200 ex-child workers worldwide. Alongside this work, we strengthen

company systems to prevent hiring underage workers in the future. Impactt developed the Operational Procedures for the Remediation of Child Labour in Industrial Contexts (CLOP) to help businesses identify and remediate instances of child labour in their supply chain. The procedures were informed by our extensive work on child labour remediation and input from consultations with over 90 leading practitioners globally. To date, 11 organisations have adopted the CLOP.

IOM Labour migration process mapping guide & toolkits: On behalf of the UN's International Organisation for Migration, between 2021-2023, Impactt created the extensive guide entitled: Labour Migration Process Mapping Guide: Understanding and Assessing Human and Labour Rights Risks to Migrant Workers During Recruitment, Employment and Return. This aims to help business enterprises identify, mitigate, and address human and labour rights risks faced by migrant workers in global supply chains. It provides step-by-step instructions on how to retrace the steps that migrant workers take from their communities of origin to their workplaces in destinations, and determine the effectiveness of existing recruitment management systems to prevent and address forced labour risks. Designed primarily for business enterprises with complex international supply chains where migrant workers are present, the guide builds on the United Nations Guiding Principles on Business and Human Rights (UNGP) and relevant international human rights, labour standards and frameworks on responsible business conduct. The publication was a collaborative effort developed in consultation with governments, civil society, migrant workers and the private sector, as well as by the collection of good practices by employers, multinational enterprises and labour recruiters.

ILO 'Eradicating Forced Labour: What Works in Practice?' Impactt was the lead author of this study, which identified ways that governments and companies have gained ground towards the eradication of forced labour by contributing towards identification, prevention, and remediation of the ILO 11 Indicators of Forced Labour.

UK Government's Home Office Modern Slavery eLearn: In 2021 As part of the UK Government's efforts to tackle modern slavery in global supply chains, the Home Office commissioned Impactt to produce an e-learning course for public sector commercial staff at all grades. The course covers practical steps staff can take throughout the commercial lifecycle to identify and mitigate modern slavery risks.

> *"Forced labour investigators play a crucial role in uncovering and clearly communicating the realities of modern slavery*

Evidence that contributed to the UK Home Office decision to mandate forced labour assessments for all NHS rubber glove suppliers: Impactt and Newcastle University collaborated to analyse data from Impactt's groundwork in Malaysia to demonstrate the prevalence of forced labour in the country's rubber glove sector. Data insights also demonstrated how COVID-19 exacerbated these conditions further. There is ample evidence-based research that demonstrates social audits, as they are currently administered, are ineffective in identifying and reducing forced labour. These findings were presented to the UK Home Office, which significantly contributed to the final decision.

1. Defined as recruitment practices that are unfair, exploitative, or violate the rights of workers
2. Non-payment of wages earned by and legally owed to workers

The central role of survivor voices

Including lived experience expertise in the legislative process

Survivors of trafficking provide vital insights for policy-making. Azadi in Kenya advocates for their inclusion, urging legislators to collaborate and create respectful, transparent, and impactful anti-trafficking policies.



Photograph: ©Azadi Community

AZADI COMMUNITY
SURVIVOR LED ORGANISATION

Survivors and survivor-led organisations play a vital role in combating human trafficking. At Azadi Community, we believe that survivors' voices and expertise should be at the core of the counter-trafficking sector and the larger human rights sector, not just as beneficiaries, but as leaders. Through our survivor leadership programme, we work with survivors to ensure that they are responsible for driving the agenda in the anti-trafficking sector and are also educating and steering areas of improvement in the society.

We have made significant efforts in Kenya to support the participation and inclusion of survivors in legislative and policy development processes, through consultative forums and convening with legislators at the national and local levels. Inclusion and participation of citizens in legislative processes is enshrined in the Constitution of Kenya 2010 and is largely appreciated as the main vehicle for legislative openness.

> *At Azadi Community, we believe that survivors' voices and expertise should be at the core of the counter-trafficking sector and the larger human rights sector, not just as beneficiaries but as leaders*



Photograph: ©Azadi Community

However, reflections from our previous engagement clearly highlight limited interest and understanding of legislators on how to meaningfully engage with survivors in policy development and review processes.

Promoting the inclusion of lived experience expertise between legislators and survivors enhances policy development and results in increased confidence among survivors to engage with the policies and legislation designed to assist them. Survivors' inputs in policy making should be highly prioritised to ensure effective, robust, productive, and holistic policies. Victims and survivors are a source of the insights and solutions needed to address this global crime. It is crucial for engagement to be structured and embedded in long-term policies to avoid tokenistic pockets of engagement.

> *"Parliamentarians should listen to survivors, because it is only the people impacted by the issues who can provide solutions to effectively combat that issue. People with lived experience have the solutions and, when they are given the platform, they can inform law makers with unique information that will result in developing policies to address their diverse needs.*
>
> *– **Voice from a Survivor Leader***

Meaningful engagement with people with lived experience emphasises that the people most impacted by any policy or advocacy work should always be involved in its creation and implementation. It is a continuous and ongoing process: from conceptualising a policy, adopting and implementing it, through to evaluating the impact it has had. The engagement of survivors is not a one-off event, but a process, and must look different at each stage of the policy cycle. Legislators should engage survivors through the spectrum of meaningful engagement that focuses on informing, asking, involving, collaborating and empowering.

On informing, legislators should ensure that survivors are well-informed about the policies and decisions that affect them.

The emphasis is on transparency, a fundamental principle in trauma-informed practice. This approach ensures openness and implies providing survivors with accessible, clear, and precise information regarding policies and policy-making processes, which enables them to articulate and exchange their perspectives effectively.

The next phase focuses on asking where legislators should intentionally seek out feedback, by having survivors review documents or policies and trying to incorporate their feedback. This can be as simple as sending out a survey inviting victims and survivors to give feedback. It can also include hiring survivors as consultants to review policy documents and give feedback.

On involving, legislators should support survivors to actively participate in the planning and implementation process, ensure their concerns are addressed and their feedback is incorporated into the process. This involvement starts from the initial stages of conceptualising a policy-making process, ensuring a robust foundation. There should be a deliberate effort to involve survivors from the outset, facilitating their ongoing engagement with the policy development team. This continuous involvement allows them to offer feedback on the policymaking process and participate in the final review process.

Under collaboration, legislators should work closely with survivors in every facet of the process, from exploring options to the ultimate decision-making process. This deep level of engagement implies that survivors are included and well-represented in policy-making bodies. And the final component is empowerment, which encourages the recognition of lived experience expertise and its relevance in guiding policy design, research, and implementation. This form of engagement means that policy makers commit to implement the strategies and decisions formulated in collaboration with survivors[1].

Discussions with survivor leaders from Kenya highlighted that legislators should ensure that survivors are not pressured into sharing more than they are comfortable with and that they have access to psychological support before, during and after sharing their experience. When engaging with survivors, legislators should not push them

> *“Lawmakers and parliamentarians should engage with lived experience stories by creating safe, respectful spaces that prioritise active listening and empathy. It's essential to empower individuals by involving them in how their stories are shared, ensuring their voices are honored and integrated into policy decisions. Providing support resources and maintaining ongoing relationships can help mitigate emotional risks, fostering a compassionate approach that values the insights and experiences of those involved.*
>
> ***– Voice from a Survivor Leader***

to recount their personal story unnecessarily, and they should also not share the details of a survivor's story without gaining permission and providing context for how the information will be used.

> *Empowerment, not exploitation - it's important to ensure that survivor's stories are not being used simply as emotional appeals, but that they are included meaningfully in the legislative process. They should be seen as equal participants in shaping policy, not as individuals recounting traumatic experience.*
> ***– Voice from a Survivor Leader***

Survivors come into the policy development process with many experiences, and legislators can benefit from the contribution of multiple, diverse experiences. Legislators should be cognizant that the needs of survivors are not homogenous and to promote holistic inclusion, they should think about the diversity of experiences of those who will participate and integrate participation into the policy development process. It is also important for legislators to reflect on their own personal biases and how they may impact on decision making when working with survivors. Partnerships with survivor led organisations and collectives are also key for legislators to understand the different complexities of providing holistic support to survivors.

> *Working with survivor-led organisations is crucial for lawmakers and parliamentarians because these groups offer invaluable insights and expertise rooted in lived experiences. Survivor-led organisations can provide a clear understanding of the challenges faced by survivors, ensuring that policies are not only informed by data, but also by the realities of those affected. Collaborating with these organisations fosters trust and credibility, promotes inclusivity, and helps create solutions that are more effective and relevant. These partnerships empower survivors, giving them a voice in the legislative process and promoting a more compassionate and informed approach to policymaking.*
> ***– Voice from a Survivor Leader***

1. Guidelines for policy makers on engaging with victims and survivors of child sexual exploitation and sexual abuse "Nothing About Us Without Us" by Professor S Caroline Taylor AM and Sophie Otiende

Tapping into first-hand evidence for transformative policies

Freedom Fund shares practical tips for parliamentarians on how to best gather first-hand evidence whilst ensuring the safety of survivors.



Ruth Kimani

Senior Program Manager, East Africa, Freedom Fund



Ginny Baumann

Senior Program Manager, Special Projects, Freedom Fund



Photograph: ©TheaDesign via canva.com

When organisations and individuals on the frontlines of work for human rights can collaborate with parliamentarians, especially meeting in person, it can lead to lasting and transformative alliances. It can bring opportunities for people in positions of power to bridge the dangerous chasms that have opened up in all our societies.

Through building these connections, parliamentarians can do three things: they can share knowledge with other legislators, alerting consciences and commitments, based on people's lived realities; they can obtain the direct and specific insights of people who would be most affected by a policy; and they can engage expert practitioners in helping to frame and draft important guidance or laws. So how can parliamentarians make best use of these opportunities?

The Freedom Fund's mission has given the organisation many powerful experiences of encounters between parliamentarians and local Civil Society Organisations, including those led by trafficking survivors. Helping to make those connections is part of its support to grassroots organisations that are building power among people affected by slavery. What does this look like in practice?

> *When organisations and individuals on the frontlines of work for human rights can collaborate with parliamentarians, especially meeting in person, it can lead to lasting and transformative alliances*



Parliamentarians hear evidence in a committee exercise at a CPA UK workshop, photograph: ©CPA UK

What does this look like in practice?



Example 1: Helping parliamentarians elevate an issue:

In India, in July 2018, the Freedom Fund witnessed a group of trafficking survivors as they met with several parliamentarians, at the request of the parliamentarians, in advance of the parliamentary session where the Trafficking of Persons Bill would be discussed. Local CSOs helped a group of survivors to come together from across 11 Indian states, preparing to meet those parliamentarians by sharing their experiences of different forms of exploitation, learning about the content of the government's proposed legislation, and identifying their priorities for specific ways in which it could be strengthened.

Following this, they held detailed discussions with parliamentarians that allowed them to understand the depth of the issues. The parliamentarians fed back to the survivors that they would use their examples in parliament. One of the survivors explained, "They had never met us in person, but now we are having the chance to share our experiences with them directly." For the trafficking survivors, it was an important affirmation when they heard those same parliamentarians speaking out in support of the bill in parliament and when the vote in the House was carried at that time. Many of the participants remain in touch and support each other in their local work.

Example 2: Enabling access to first-hand evidence, leading to a vital new policy:

In Nepal in 2022, the Freedom Fund supported a united group of agricultural bonded labourers from across the country to meet with the Minister of Land Management, explaining the persistent but unrecognised inter-generational agricultural debt bondage of tens of thousands of households in South East Nepal, in a form of exploitation called Harawa-Charawa. A concerned Chairperson of a parliamentary committee helped to ensure the presence of the Minister at this meeting and arranged for other parliamentarians to attend. This in-person engagement led the Ministry to appoint a task force which was commissioned to visit 22 districts affected by bonded labour, assisted by local NGOs. The task force gathered systematic information and documented cases. The final report, based on this exposure, was submitted to the Nepal government in April 2022, and it was a key factor leading the government to declare the liberation of households in Harawa-Charawa bonded labour in July 2022. This emancipation declaration was a significant milestone in the struggle for freedom for bonded labourers that still continues in Nepal.

Importantly, this network - the freed bonded labourers, the NGOs working with them and a Freedom Fund consultant - then helped to draft the detailed guidance prepared by the Nepal government on how local authorities should undertake the task of registering Harawa-Charawa households for rehabilitation support packages, and what factors they should look for in identifying individuals in bonded labour.



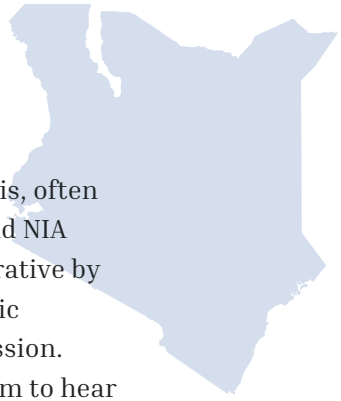
Example 2: The Federal Minister of Land Management, Cooperatives and Poverty Alleviation, Sashi Shrestha, joining the Task Force for the community consultations, 2022. Photographs: The Freedom Fund.



Example 3: Linking frontline CSOs and survivors with multilateral guidance formulation and policy development:

The Association of Southeast Asian Nations (ASEAN), through the ASEAN-Australia Counter Trafficking Program (ASEAN-ACT), has gathered information from civil society organisations and survivors in the region as they draft regional guidelines on the prevention of and response to transnational child and forced marriage for their member states. During the first ASEAN consultation in June 2024 on the guidelines, the Freedom Fund worked with one of their partners in Myanmar to enable an expert local NGO and a survivor of forced marriage to present their experiences to official representatives of the ASEAN member states, UN agencies and civil society.

The Freedom Fund ensured that the survivor of forced marriage felt supported throughout her international travel, understood the event's purpose, and reflected on the evidence she wished to provide during her presentation. Currently, the Freedom Fund and Johns Hopkins University are bringing together 13 CSOs from across the Greater Mekong Sub-region countries, that work against forced marriage, through convening a regional community of practice to exchange evidence and good practices. This collaboration will contribute valuable insights to the ASEAN regional guidelines as they are finalised.



Example 4: From silence to action Engaging parliamentarians in the fight against child exploitation:

In Kenya, modern slavery in the form of child domestic work is a hidden crisis, often overlooked by policymakers and the public alike. However, the Freedom Fund NIA (Not Invisible Anymore) Programme, launched in 2022, is changing that narrative by bringing these issues to the forefront. One of the partners is leveraging public community meetings known as 'Barazas', as platforms for debate and discussion. Crucially, they are inviting key parliamentarians to participate, allowing them to hear first-hand testimonies from young women who entered domestic work as early as 10 years old. These women, empowered through training and support, are now using their voices to challenge policymakers directly.

A central focus of these discussions is the conflict between the Basic Education Act 2013 and the Employment Act 2007, particularly around the minimum age of employment and definitions of "light work." These inconsistencies create loopholes that allow child exploitation to persist unchecked. During these 'Barazas', parliamentarians are faced with the real-life implications of these legislative gaps, often leading to critical reflection and, in some cases, interest in drafting policy briefs to address the issues. Engaging parliamentarians in these debates not only raises their awareness but also equips them to become advocates for change, championing laws and policies that protect Kenya's children from exploitation.

> *Engaging parliamentarians in these debates not only raises their awareness but also equips them to become advocates for change, championing laws and policies that protect Kenya's children from exploitation*

What does The Freedom Fund suggest to parliamentarians?

Parliamentarians can ask NGOs to be involved in all the ways described above: to help them create momentum among their peers towards better policies; gather real world information about the problem and solutions; and frame the content of policies. Some factors to bear in mind in building alliances with NGOs for these tasks include:



Do not assume that an expert anti-trafficking organisation is also an expert in parliamentary process. Ensure that the NGO understands the policy making process or mechanism that you are reaching out to them about. For example, does the NGO understand the role of a Private Members Bill vs a government Bill? Do they know how a select committee or a public inquest works? Take time to explain how the mechanism or process will contribute to positive change.



Make sure they understand how their information will be used. For example, will you be editing their testimony? Is it confidential or in the public domain? Will you check it back with them? Be watchful that the organisation is not inadvertently disclosing information that puts communities or individuals at risk.



Be aware of their limited staffing situation. Especially for small NGOs, they may not have administrators or researchers who can compile information for you, but they will probably want to help. Be mindful of their time, and recognise that unpredictable and urgent demands of casework or fieldwork may affect deadlines. Be clear about how much information you are hoping for.



Ask for the right kind of information. Some NGOs have access to vital field level or case-based evidence and insights, but they may not have easy access to wider socio-economic or prevalence data. Do not ask frontline organisations to write reports that your own staff could more easily put together through desk research. It may be a better use of the NGO's time to give their reflections on root causes and solutions. Hearing the insights of individuals who have been through forced labour or trafficking situations is vital for creating effective policies, but should be considered carefully. Support people to make an informed choice about whether and how to participate and what expertise to share.

Useful Resource: The Survivor Alliance - https://www.survivoralliance.org/

Key issues to consider when consulting with people with lived experience include:

Confidentiality. Try to understand what the survivor or member of a community affected by modern slavery needs in order to safely share their expertise. Survivors may need to provide evidence privately rather than in public, or to use a different name. You need to provide information on how any data about survivors will be safely stored, what protections are in place and who will have access to this information.

No pressure. Survivors of slavery should never feel obliged to share information, including publicly identifying themselves as a survivor. The opportunity to stop providing information at any time should be provided. Pay attention to what each survivor prefers to talk about.

Pay consultancy fees, honoraria and expenses. Expect to compensate experts by experience for the time spent providing information.

Consider supporting survivor leaders to meet and discuss the issue or topic you are raising. Help provide a supported space where survivors can formulate responses and ideas.

Try not to ask a lot about the individual-level details of the survivor's experience, unless the survivor particularly wants to provide this information. Be mindful of the risks of re-traumatising the survivor. Instead, try to use survivors' expertise about use of services, impact of policies, and what changes would be a priority.

Do not expect one survivor's experience to be representative of others. There is a huge diversity of experience, survival strategies and pathways towards healing. Also try not to typecast people either as victims or heroes.

Do not assume that individuals will have all the answers, based on their experience.

Public events, including media, need even more careful consideration and consultation with the individuals taking part.



Encouraging companies to tackle modern slavery – an investor perspective

Modern slavery generates $236 billion annually, exploiting workers and weakening economies. The Find it, Fix it, Prevent it initiative, backed by £15 trillion in assets, pushes companies to address slavery in supply chains.



Dr Martin Buttle
Better Work Lead, CCLA Investment Management



Photograph: ©alice-photo via canva.com

There is huge potential for companies' actions to reduce modern slavery around the world. While some companies are more exposed to the risk of modern slavery than others, making modern slavery a more material concern for them, CCLA believes that *all* companies have some exposure to modern slavery. Large, listed companies are in a potentially influential position to set standards, implement policies and actively find, fix and prevent modern slavery. Whatever the exposure, companies can take additional steps to strengthen their approach.

The estimated profits generated from forced labour globally are $236 billion per annum[1]. This equates to wages taken from vulnerable people – many of whom are struggling to support their families – through coercive practices. For migrants, it is money taken from remittances sent home to families. For governments, it also represents lost tax revenue. And the profits from forced labour incentivise further exploitation, strengthen criminal networks, encourage corruption and weaken the rule of law.

> *"Finance is inextricably intertwined with the rest of the economy, and the financial sector action can help to change the way the whole global economy works*

Finance is inextricably intertwined with the rest of the economy, and financial sector action can help to change the way the whole global economy works. As stewards of business, investors can work with business leaders to ensure that better practices are normalised and incentivised.

It is for this reason that, in 2019, we created *Find it, Fix it, Prevent it* - a collaborate investor initiative with the aim of using our leverage as investors to help companies **find**, **fix,** and **prevent** modern slavery in their supply chains.

The initiative was launched at the London Stock Exchange in November 2019. Since then, the initiative has grown in both scope and depth. There are currently 65 investors in *Find it, Fix it, Prevent it*, with a collective asset under management and advisory of £15 trillion.

The programme has three complementary workstreams:

1. **Corporate engagement** – aiding companies in developing and implementing better processes for finding, fixing and preventing modern slavery.
2. **Public policy** – promoting a meaningful regulatory environment through work with the government, policy-makers and regulators.
3. **Developing better modern slavery data** – working with data providers, NGOs, and academia to identify and develop better data.

In our engagements with companies, our starting presumption is that modern slavery is likely to occur in the supply chains and global operations of most businesses but it is often hidden. Companies that are tackling and managing the risks well will actively be seeking to 'find, fix and prevent' modern slavery and sharing their learnings with others.



Photograph: ©Falguni Mandal via canva.com

> *"Well-designed legislation can signal a direction for the investment sector and can level the playing field for business*

Companies seem to be responding well to this message. In November 2024, we launched the second CCLA modern slavery benchmark, which assesses the degree to which the top 100 UK publicly listed firms are disclosing finding modern slavery. In 2024, 30 companies disclosed 'finding' modern slavery, this was up from 25 in 2023. In total, 65 of the top 100 improved their scores compared with 2023 in the benchmark.

As legislators, we would encourage you to consider progressive businesses and investors as allies in the fight against modern slavery. Well-designed legislation can signal a direction for the investment sector and can level the playing field for business.

1. International Labour Organization (2024), 'Profits and poverty: the economics of forced labour', online at www.ilo.org/publications/major-publications/profits-and-poverty-economics-forced-labour

Uniting policy and practice: utilising data and technology to improve standards in the textile industry

Fashion-Enter has sought to overcome unethical practices in the garment industry with its transparent Galaxius system, ethical production standards, and worker education initiatives.



Jenny Holloway
Founder and CEO, Fashion-Enter



Photograph: ©Shellexx via canva.com

In 2020, there was a growing awareness of unethical employment conditions and workers' rights for Leicester-based fashion and textiles workers in the UK. The media exposed poor industry practices, with articles reading: "Revealed: 'shocking' lack of regulation at Leicester garment factories. Some factories remained open and forced staff to come in during the Covid pandemic, and insider reports revealed workers being paid as little as £3 to £3.50 an hour[1]."

Fashion-Enter Ltd (FEL) works on the ground in Leicester and we personally know a wide cross section of factories; most are now ethical and audited and some that are more invisible. However, since 2021, the number of these smaller unaudited factories have reduced considerably. FEL understands the pressure that the factories are under, such as having a consistent flow of work each week. Without regular orders for garment making, a manufacturing unit will haemorrhage money.

> *"It's a race to the bottom of the glass for prices, with manufacturers undercutting each other to save pennies off the cost price*

Yet we understand the pressures on the retail brands to keep a variety of stakeholders happy. This often results in brands squeezing the cost price to the minimum to maximise intake margins.



Online system Galaxius, photograph: ©Fashion-Enter

It's a race to the bottom of the glass for prices, with manufacturers undercutting each other to save pennies off the cost price.

To obtain the cheapest prices, a few of these factories may incorporate sharp practices such as paying cash to workers at less than minimum wage rates or paying part-time wages for full-time work. Machinists may also want to stay on Universal Credit, due to the instability of work, and therefore will agree to accepting the £3-5 cash-in-hand rate. There is a saying in the industry: “16 on and 16 off”. That's 16 hours on the books and 16 hours off the books.

On paper we are highlighting workers' rights abuse because no-one in the UK should be paid less than the minimum wage. But here lies the dilemma - who is actually at fault here? Is it the brand requesting totally unrealistic cost prices, forcing the factory to cut corners in pay? Is it the owner of the factory profiteering at the expense of the machinists, paying cash and less than minimum wage? Or is it the machinist defrauding the system by staying on benefits when they should be paying NIC and contributing to the economic activity of the UK? Or is it a combination of all three! More importantly, what can be done to stop these activities, and can transparency be improved?

Quite simply, YES!

At FEL, we have found a way to ensure there is complete transparency with the machinists’ working hours and their pay, and it’s fully traceable. FEL has been manufacturing since 2008 and we have developed a totally ethical and transparent online system called Galaxius. Galaxius allows us to know exactly who made what garment, how long they took to make that garment and how much they were paid. The information is cloud-based, and live production times by each machinist can be reviewed from anywhere around the world, if required, by simply logging onto the system.

FEL is fully audited by both SMETA and also, Fast Forward for UK retailers, and FEL is the only factory in the UK that has a "Leading Status" in the Fast Forward audit [2], a benchmark that states there are no "non compliances" due to the full transparency of the system that we have in place. Galaxius also enables a final garment QR Code that, once scanned, can highlight the names, faces and times of each operator that has worked on that garment. An auditor can then review this information and relate to our payroll for the machinists; live data captured and fully audited. There is nowhere to hide with this system!

> *Currently, the drive away from fast fashion to slow fashion and the major increase in repairs and reuse of garments is aiding the sustainability movement for ethical fashion*



Photograph: ©irynakhabliuk via canva.com

One of the issues with the violation of workers' rights is ensuring that non-English speaking workers understand their rights. FEL has worked closely with the Gangmasters Labour Abuse Authority to review this issue, which then resulted in FEL working with an awarding body, The Skills Education Group, to create a Level 1 Award qualification in Workers' Rights and Labour Exploitation. To date, FEL has educated hundreds of ESOL workers (English for Speakers of Other Languages), so they understand what their workers' rights are within the UK.
FEL has additionally participated in HRH Princess Eugenie's Anti-Slavery Collective, with former Prime Minister the Rt Hon. the Baroness Theresa May, to provide an innovative new way forward for the garment industry. One area that FEL is passionate about here is to create an Adjudicator for the fashion industry, which would enable a safe hotline for workers to highlight any abuse that may occur. This support would also be available to factory owners and their grievances with the retail / etail[3] brands. For example: requests for cost price reductions after delivery and inappropriate cancellation of orders without true justification of a faulty product.

Currently, the drive away from fast fashion to slow fashion and the major increase in repairs and reuse of garments is aiding the sustainability movement for ethical fashion. There are countries such as France, Canada and states within America, that are creating new legislation that will include taxation for imported cheap fashion lines. Combined with the Digital Product Passport and the move towards embedding Environmental, Social and Governance (ESG) policies with current Corporate Social Responsibilities, the fashion industry will have to review how to regulate the supply chain and provide clear information of where the product has come from, as well as how to dispose of end-of-life garments in a sustainable manner.

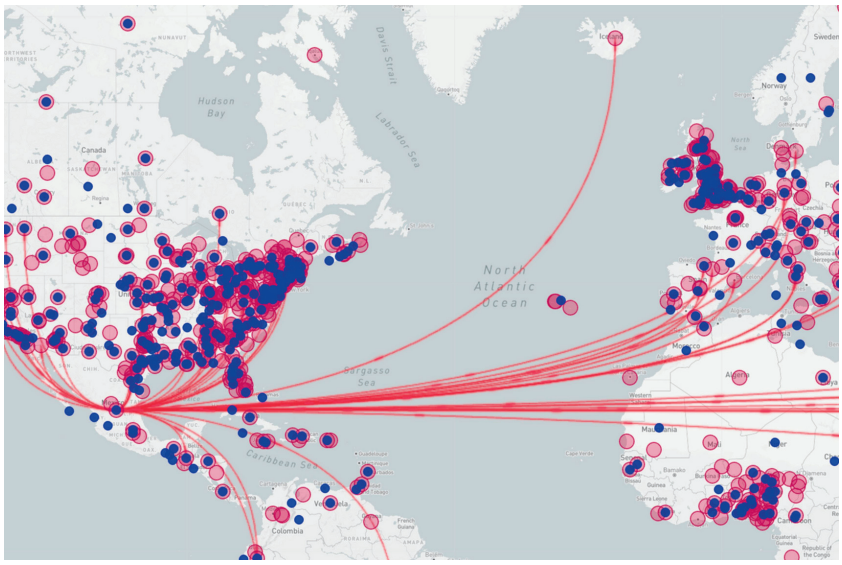
1. https://www.theguardian.com/uk-news/2020/aug/30/revealed-shocking-lack-of-regulation-at-leicester-garment-factories
2. A Fast Forward Audit is a management systems audit that assesses a business's compliance with ethical labour standards. It is a collaborative programme that aims to improve labour standards across a supply chain. It was developed in 2014 by ethical and labour standards auditing experts in response to concerns about exploitative practices in the UK fast fashion industry.
3. Etail means electronic retailing. It is the business of selling products and services online.

Data against exploitation: using artificial intelligence to fight modern slavery

Human traffickers exploit global data gaps, enabling them to operate undetected. Stop The Traffik's Traffik Analysis Hub tackles this by aggregating data, especially survivor stories, and applying AI to identify hotspots.



Lucrezia Bosio
Data Engagement Manager, Stop The Traffik



Photograph: ©Stop the Traffik

Human trafficking has been on the rise for many years, yet it persists as a crime with a significant global data gap. As reported by many international actors including the UN, there is a scarcity of evidence-based data on human trafficking, hindering support services and prevention (UNDOC, 2015). Traffickers abuse this anonymity, hiding in the shadows, generating an approximate USD$200,000 in profit per victim exploited, for an associated likelihood of under USD$100 in risk (Avery Centre, 2021) of being fined, arrested or prosecuted. At the same time, traffickers use Artificial Intelligence and technology to advance in their operations. They abuse the anonymity afforded by technology, such as social media platforms, or online money transfer services, to 'recruit' individuals into exploitation, and to launder money through legitimate financial institutions. Rather than fighting technological advancement, the same channels need to be used to fight back.

> *"Traffickers use Artificial Intelligence and technology to advance in their operations*

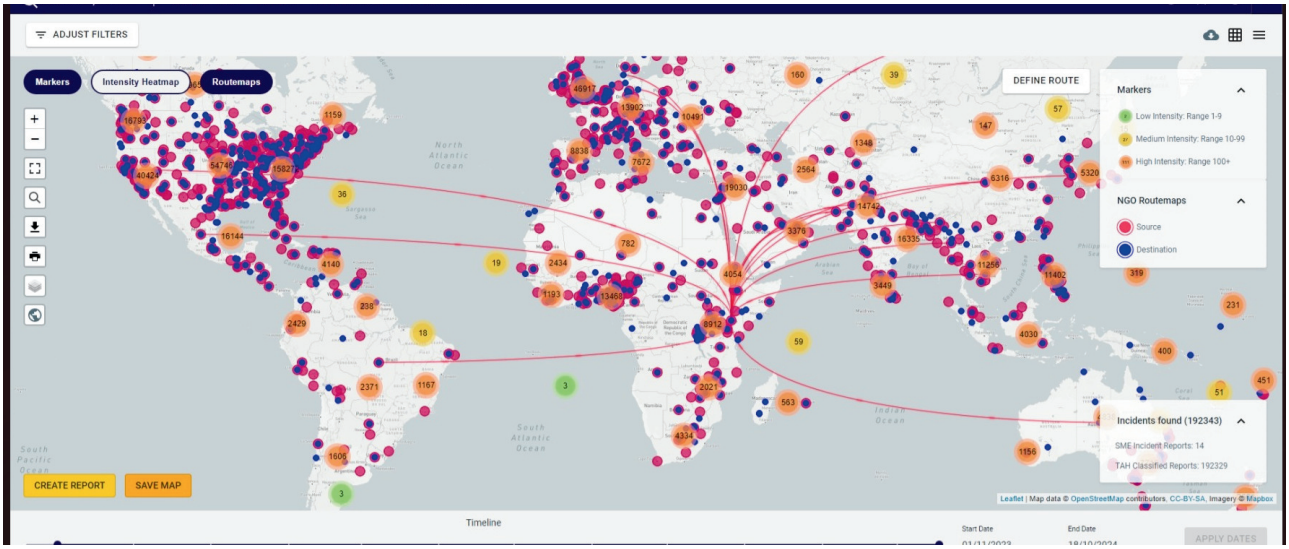
We can't fight what we can't see

The global data gap means legislators struggle to keep up with evolving MSHT trends, and organisations struggle to best allocate resources to effectively fight back against traffickers.

We will not stop trafficking alone

This can only be done together, through a network of actors working towards collaborative information sharing. Data is a tool that can be used to do this.

Another obstacle is that survivors are consistently left out of the narrative, despite them being the closest to the issue and those who best



Photograph: ©Stop the Traffik

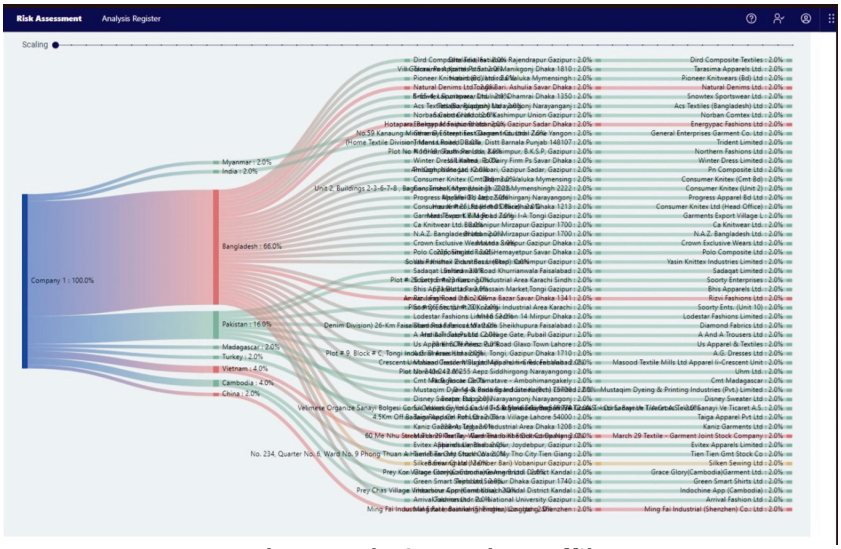
understand it. There needs to be an anonymous space for survivors who may want to share their stories into a safe, secure environment, where their voice can drive real action without having to be public facing. To stay one step ahead of the traffickers, there must be a leveraging of the latest developments in technology, including machine learning, large language models and generative AI, to uplift survivor stories, shine a light on the hidden criminal business of trafficking, to support those in or at-risk of exploitation, and ultimately prevent modern slavery and human trafficking (MSHT). At Stop The Traffik (STT), this is achieved through the Traffik Analysis Hub (TA Hub), an innovative technological tool designed to facilitate safe and anonymous data sharing, and to offer accurate, accessible and usable information for as many global actors as possible.

Traffik Analysis Hub

In 2017 STT, in collaboration with IBM, created the TA Hub, now the world's richest dataset on modern slavery and human trafficking incidents. The TA Hub leverages artificial intelligence, machine learning and natural language recognition to consolidate and aggregate unstructured data - mainly narratives pertaining to lived experience - from a range of different sources, into a single, consolidated dataset. The TA Hub collects its information from open-source web scraping, data-sharing initiatives, and subject matter expert reports, and ultimately turns survivor stories into data points, which illuminate hotspots, trends and routes of modern slavery and human trafficking, across a visualised map. With 500 users, 204 data-sharing actors and over 8 million data points, the TA Hub

> *"The TA Hub leverages artificial intelligence, machine learning and natural language recognition to consolidate and aggregate unstructured data*

is available for stakeholders around the world to make better data-driven decisions to effectively prevent and disrupt human trafficking. By sharing and collecting rich data across sectors into one central, secure hub, we can expose traffickers' criminal operations and stop them. The TA Hub is a powerful solution that empowers survivors in the fight to create a better world than the one in which they were exploited. Firstly, the TA Hub provides a pathway for those with lived



Photograph: ©Stop the Traffik

experience to safely share their stories, affording anonymity, whilst also uplifting these voices to drive change. Secondly, the TA Hub undoubtedly strengthens the ecosystem of providers by enhancing efficiencies in communication, data collection and sharing, and coordination. The TA Hub is critical in fighting the data siloes and gaps that allow trafficking to flourish undetected.

The impact of the TA Hub to date is remarkable, and it is growing. The Annual US State Department Trafficking in Persons Report has acknowledged the TA Hub as 'a global technological solution to fight trafficking' (U.S. State Department, 2024).

By utilising and enhancing the TA Hub dataset, legislators, frontline and secondary service providers, and NGOs can better understand and predict trends relevant to their region or field of work, better guide legislation to keep up with these trends, better deploy resources, and thus, ultimately, better support survivors, whilst simultaneously improving their systems. STT also run Intelligence Community Calls for the network of NGOs, legislators, law enforcement agencies, financial institutions, and businesses, so collaborative action is taken together as a data-driven, human-centred ecosystem for change. In the case of STT, the dataset is used to run Geo-Targeted Prevention Campaigns, and Exploitation Analytics & Intelligence services to their network.

> *"There needs to be an anonymous space for survivors who may want to share their stories*

Cyprus

To encourage data sharing, STT conducts different initiatives to encourage NGOs and frontline organisations to safely share the rich anonymised data they hold. Our Power of 10 initiatives (P10) bring together a group of organisations to share a collection of stories each, generating hundreds or even thousands of data points, which are more relevant and inciteful when analysed together. This data is cleaned, collated, analysed, and ingested by STT to create rich dashboards illuminating the dynamics of human trafficking and exploitation across different routes and hotspots - including, for example, victim and perpetrator nationalities or ages, as well as common methods of coercion and control. This information, in turn, allows for organisations, including NGOs, law enforcement and financial institutions, to take better preventative action against trafficking.

As part of the Aman Safety campaign at STT, which aims to protect refugees and asylum seekers from exploitation as they seek safety in Greece and Türkiye, the research and intelligence from partners began to suggest significant vulnerability of these groups also present in Cyprus. The programme was therefore

expanded to Cyprus as a key destination in the route that many refugees take in their journey to safety, and, as such, one that is frequently targeted by traffickers. However, there was still a significant data-gap related to this apparent hotspot that needed to be addressed, and STT therefore conducted a P10 initiative in Cyprus. In this instance, the STT initiative collaborated with 8 contributing organisations in both the Republic of Cyprus and Northern Cyprus, and more than 65 anonymised cases of human trafficking were shared. The initiative promoted conversation and collaboration across both sides of the political divide. STT was able to foster trust and establish key partnerships with a collective of organisations and governmental bodies in the Republic of Cyprus and Northern Cyprus. This allowed for an expansion of the network, covering the Mediterranean route that refugees take across Cyprus, Türkiye, and Greece.

Through this work and the different initiatives at STT, in 2023, 9.6 million people were reached with critical information and 3000 people were guided to safety, which were upstream interventions for those who would have otherwise been trafficked. Through increased collaboration and data sharing, this impact could be higher, eventually leading to a world where no one is bought or sold.



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Building a network to fight modern slavery

Modern slavery is an interconnected global crime. Fighting it effectively requires likeminded partners to form their own networks and, crucially, share information.



Lucrezia Bosio

Data Engagement Manager, Stop The Traffik



Photograph: ©ispyfriend via canva.com

Over 50 million people are enslaved and trapped in modern slavery globally. One in three are children, most are women and girls. Approximately 86% of cases of forced labour are found in the private sector (ILO, 2022). These victims are subjected to horrific abuse and exploitation. Alongside being a heinous human rights abuse, it is a criminal business ultimately driven by profit. Traffickers generate over $498 billion in revenue annually, which is greater than the annual GDP of 85% of countries. Yet Modern Slavery and Human Trafficking (MSHT) are often crimes hidden in plain sight, weaving undetected through every element of society, commerce and industry.

The scale of modern slavery is such that it requires a data-driven, preventative approach. The only way to fight this criminal business is to harness data and intelligence to understand how operations are

> *The only way to fight this criminal business is to harness data and intelligence... including trend information around hotspots such as regions, factories or individual suppliers*

> *Unless information is shared across sectors, everyone is holding separate pieces of the puzzle, and this data gap becomes increasingly dangerous*

running, including trend information around hotspots such as regions, factories or individual suppliers. Frontline organisations, law enforcement, health care services, businesses and banks all hold critical information about how traffickers operate. However, unless information is shared across sectors, everyone is holding separate pieces of the

puzzle, and this data gap becomes increasingly dangerous.

The Modern Slavery Intelligence Network (MSIN)

To highlight the importance of data sharing to fight of MSHT in the supply chain, the Modern Slavery Intelligence Network is a significant case study to investigate. MSIN is a pioneering collaboration in the UK food and agriculture sector, created in response to the findings of Operation Fort, the UK's largest ever modern slavery investigation. Operation Fort brought an organised crime to justice, after a human trafficking ring in the West Midlands was uncovered, that was found to have been enslaving over 400 victims (BBC, 2019). This monumental case exposed the extent that MSHT is present across all sectors of society, as well as the gravity of the issue, demonstrating the imperative need for this cross-sector collaboration.

> *"The Modern Slavery Intelligence Network is a pioneering collaboration in the UK food and agriculture sector*

The network is comprised of 16 leading food and agriculture companies in the UK, including Tesco, G's Fresh, Morrisons, Waitrose & Partners, Co-op and Marks & Spencer. Through sharing intelligence, MSIN collaborates to create an in-depth view of what is happening in relation to modern slavery, to generate new insights and take action to protect the vulnerable. This intelligence-sharing platform enhances the ability of members to detect, prevent and disrupt modern slavery and labour exploitation activity in their operations and supply chains. By achieving this, the network can protect workers and improve outcomes for those directly impacted. STT facilitate this network: strengthening trust across members, building and maintaining the technical platforms, developing data and intelligence to combat MSHT. In 2023, through STT's intelligence reports on the platform, the MSIN network reported 576 opportunities for preventative action. Through the power of collaboration and the power of data, the network can successfully identify activities of MSHT in their supply chain and act upon this, working collaboratively to disrupt human trafficking.

> *"This intelligence-sharing platform enhances the ability of members to detect, prevent and disrupt modern slavery and labour exploitation activity in their operations and supply chains*

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Collaborating with international institutions: UN Global Compact Network UK

International institutions can provide important support to parliamentarians in drafting legislation. This article looks at the support and insight UN Global Compact Network UK provides and how Parliamentarians can best engage with organisations like this.

Benafsha Delgado
Head of Social Sustainability, UN Global Compact Network UK



UN Global Compact Network UK's Benafsha Delgado (second left) speaking on a panel at CPA UK's Modern Slavery in Supply Chains Awareness Raising Workshop, Nairobi, November 2023.

Benefits of engaging with the UN Global Compact Network UK when developing legislation

International organisations can give parliamentarians exposure to a diversity of opinions and expertise on key issues. They can capture expertise in numerous geographical and topical scopes: global or local, and on informal labour or purchasing practices. In this way, they are key stakeholders in informing policy, through:

1. Determining public and expert opinion;
2. Collating key arguments;
3. Representing sectors, regions and groups of expertise.

The UN Global Compact Network UK can, for example, inform parliamentarians on the topic of modern slavery in supply chains through reports on business opinions and practice in the UK and abroad. Given our network of businesses, we can determine how and why companies act in certain ways, and thus parliamentarians can anticipate businesses' needs and attitudes while developing legislation.

What parliamentarians could ask of the UN Global Compact Network UK

In addition to seeking business-related insights, parliamentarians can request more active involvement from the UK Network. Key areas to explore include:

- **Best practice**: learning from successful legislative models in other jurisdictions.
- **Collaborative research**: partnering on reports or white papers to gather detailed insights.
- **Awareness campaigns**: engaging business communities through educational initiatives.
- **Event participation**: co-hosting workshops or conferences to discuss legislative approaches.

Such partnerships ensure that laws are informed by expertise and supported through public awareness and business collaboration.

Approaches to building alliances with international organisations and NGOs

To build alliances with NGOs and international organisations, parliamentarians can join events, establish ongoing dialogues and amplify advocacy efforts.

They can join conferences such as the UK Network's Annual Summit or engage with the network at international forums such as the UN Forum on Business and Human Rights, whether as an audience member or speaker. They can establish direct dialogues with employees of the UK Network during the legislative drafting process, ensuring a steady flow of expert advice. Finally, parliamentarians can amplify and support the advocacy efforts of organisations such as ours, whether internally to interested parties, or publicly. This way, they can further the positive impacts of such organisations' efforts, while enhancing the political credibility of related legislative initiatives.

By building these relationships, parliamentarians can create robust legislation that is grounded in international best practice and supported by a wide coalition of stakeholders.

How the UN Global Compact Network UK has previously engaged with parliamentarians

The UK Network has engaged with parliamentarians on the following Modern Slavery related projects:

- **The APPG on Sport, Modern Slavery and Human Rights**: provided administrative support in evidence sessions, incorporating business and human rights frameworks and encouraging stakeholder contributions.
- **The Modern Slavery Working Group**: engaged with Baroness Lola Young of Hornsey from the UK House of Lords, who offered updates on her Private Members' Bill on Modern Slavery and facilitated discussions allowing businesses to feedback on legislative developments.
- **Child Labour Roundtable**: attended event ensuring constructive discussions and knowledge sharing between high-level business and government stakeholders.
- **Business and Human Rights Summit**: brought together business representatives, United Nations, UK Government and civil society stakeholders, to progress, shape, and showcase how businesses are addressing salient human rights issues.
- **Business and the SDGs: A Guide for Parliamentarian Engagement**: contributed to a guide informing parliamentarians on how to foster strategic partnerships spread support for the Sustainable Development Goals and further sustainable progress.

UN GLOBAL COMPACT

Global Compact Network UK

SUB-CHAPTER 4

POST-LEGISLATIVE SCRUTINY



Photograph: ©CPA UK

Strengthening legislation to address modern slavery

Reviewing legislation provides an opportunity to strengthen existing laws; doing this effectively requires a broad consultation with all critical stakeholders.



Hon. Alvina Reynolds

President of the Senate, Saint Lucia



Hon. Alvina Reynolds in the Senate Chamber, photograph: Caribbean News Global (accessed via Facebook)

Perpetrators of modern slavery continue to explore new and innovative ways to engage in the exploitation of workers. Consequently, it is important for countries to review legislation with a view to strengthening the existing laws or developing new ones to adequately respond to protect workers and workers' rights throughout supply chains. Reviewing legislation helps to identify any gaps or loopholes within existing legislation.

The strengthening of laws in Saint Lucia and other jurisdictions and accompanying regulations can give increased powers to labour officers to investigate and intervene in cases of suspected forced labour. This process can also propose stronger penalties for individuals or companies found in violation of labour laws, thus serving as a deterrent to perpetrators.

In Saint Lucia, public sensitisation of modern slavery (forced labour and human trafficking) is carried out on various media platforms, and concerned citizens report suspected crimes to the relevant authorities. Strengthened legislation or new laws can provide more robust mechanisms for reporting violations by members of the public on modern slavery, and protection from retaliation by way of attacks on reporters of these crimes. The process of reviewing or developing new legislation must include broad consultation with people who are critical to the process. These can include legislators, labour officers, prosecutors, enforcers, Civil Society Organisations (CSOs), victims and the media. These stakeholders can indicate what aspect of the legislation works or does not work and what changes may be required. Businesses and supply chains are involved in the management of resources (human, financial, technological) across jurisdictions, cultures, and time zones.

> *"The process of reviewing or developing new legislation must include broad consultation*

The role of the Modern Slavery Committee

Strengthening policy and advocating for legislative change

The NSW Modern Slavery Committee highlights the need to align state and federal legislation, strengthen investigations, and centre survivors' voices.



Dr Joe McGirr

Chair of the New South Wales Modern Slavery Committee and Member, New South Wales Legislative Assembly

This contribution is on behalf of the New South Wales Modern Slavery Committee



The NSW Modern Slavery Committee (witnesses faces have been covered), photograph provided by Dr Joe McGirr

The Modern Slavery Committee is a joint committee established by the *Modern Slavery Act 2018* (NSW). The committee comprises eight members from both the upper and lower houses of the Parliament of New South Wales and is the first of its kind in the world. The first piece of work undertaken by the committee was a review of the *Modern Slavery Act 2018* (NSW). This review of modern slavery legislation was required as part of the Act itself. However, the review was also a timely exercise in light of a number of developments. These included a review of federal modern slavery legislation completed by the Australian Government; the appointment of the Anti-slavery Commissioner for New South Wales and his early practical experience in working with the legislation; and the recognition of the importance of hearing from those with lived experience expertise.

Federal legislation, also known as the Modern Slavery Act 2018 (Commonwealth Act), was introduced by the Australian Government in 2018. This legislation included obligations for some entities to 'report on the risks of modern slavery in their operations and supply chains and actions to address those risks' [1].

After the introduction of this legislation, a statutory review was undertaken by the Australian Government to assess its effectiveness. The government's report, tabled in May 2023, made several recommendations, including that there is a need to ensure alignment between Commonwealth, state and

territory responses to modern slavery, including reporting obligations, requirements and standards, to allow for meaningful change for victim-survivors of modern slavery. The Modern Slavery Committee considered these recommendations in its review and recognises the importance of alignment with the Australian Government when strengthening legislation on modern slavery in NSW. The committee will continue to consider these recommendations in its work.

One objective of the *Modern Slavery Act 2018* (NSW) is 'to provide for the detection and exposure of modern slavery that may have occurred or be occurring or that is likely to occur'[2]. However, during the committee's review of the Act, the NSW Anti-slavery Commissioner gave evidence that he is limited in his powers to directly investigate and take action against possible instances of modern slavery. The Commissioner therefore suggested several amendments to the Act, including strengthening his powers to investigate and request evidence related to modern slavery offences.

The importance of engaging with people with lived experience when designing or strengthening legislation

During the committee's review of the *Modern Slavery Act 2018* (NSW), the importance of centring people with lived experience of modern slavery was emphasised. In particular, the Anti-slavery Commissioner highlighted that modern slavery is about 'denying people their full personhood – their agency and self-determination', and that responses to modern slavery 'must be focused on people, on restoring their agency and self-determination'[3].

This evidence informed the first recommendation to come out of the inquiry – that before making further recommendations, the committee should continue its review of the Modern Slavery Act 2018 (NSW) seeking evidence from people with lived experience expertise.

From August 2024, the committee undertook this further review of the Modern Slavery Act 2018 (NSW), focusing on the experiences of witnesses with lived experience expertise. The committee heard from individuals who had experienced different forms of modern slavery about the impact of their experience and the challenges they faced in reporting, accessing support and seeking justice. We used the evidence gathered from these witnesses, and those who contributed to the first part of the review, to inform our recommendations to strengthen the Modern Slavery Act 2018 (NSW). Key recommendations included providing the Anti-slavery Commissioner with stronger information gathering and sanctioning powers, centring lived expertise in the Anti-slavery Commissioner's role and broader response to modern slavery, and regular reviews of the Modern Slavery Act 2018 (NSW) to ensure continued scrutiny of the policy and legislative response to modern slavery. The government is due to respond to the recommendations by March 2025.

1. Modern Slavery Act 2018 (Cth)
2. Modern Slavery Act 2018 (NSW) s 3.
3. Submission 8, NSW Anti-slavery Commissioner, p 17

Identifying gaps in legislation: the role of select committees

Baroness Butler-Sloss shares her findings of the House of Lords Select Committee on Modern Slavery's 2024 report, highlighting the gaps in enforcement, victim support, prosecutions, and corporate accountability, with recommendations for reform.



The Baroness Elizabeth Butler-Sloss GBE
Member, House of Lords, UK Parliament



Photograph: ©Cretex via canva.com

Both UK Houses of Parliament have select committees. Some are permanent, such as the Home Affairs and Justice Committees of the House of Commons and the European Committee of the House of Lords. All select committees are all-party, appointed by each House and often chaired by opposition members. There are also select committees specially selected for a particular subject.

The House of Commons Select Committee on Home Affairs considered human trafficking and published a report in December 2023. It concluded that, in practice, the fight against human trafficking was no longer a priority for the former Government.

There was also a review by two MPs and a peer of the UK Modern Slavery Act (MSA) in 2019, which made many recommendations, some of which were accepted by the then Government, but not implemented.

The Select Committee on Modern Slavery was appointed by the members of the House of Lords on 24th January 2024 as a post legislative scrutiny committee, to consider whether the MSA had fulfilled its aspirations; how well it had been implemented by public bodies; whether it contained deficiencies or loopholes; whether any part should be repealed or updated or needed to respond to new challenges relating to the policy areas it addresses.

> *"Most men were victims of forced labour; most women of sexual exploitation. The main nationalities were UK, Albanian and Vietnamese*

The Committee was to report by November 2024. With the onset of a general election in June 2024 it gave limited time to the

Committee to study issues in depth.

The Committee published its report on 16th October 2024 entitled "The Modern Slavery Act 2015: becoming world-leading again".

The Committee had the advice of a senior barrister and received extensive written and oral evidence. It did not cover the issues considered by the House of Commons Select Committee.

It looked at the working of the system of identifying victims, the National Referral Mechanism (NRM). Most men were victims of forced labour; most women of sexual exploitation. The main nationalities were UK, Albanian and Vietnamese.

Most UK nationals were children, exposed to what is called 'County Lines', groomed to carry drugs around the country.

The Committee focussed on several issues which were prominent in the evidence it received.

Among other issues, it looked at the following:

- The Committee was concerned about the impact of subsequent immigration legislation.
- In the care sector, there was inadequate resourcing of the bodies charged with its regulation and insufficient safeguards. The recommendations were based on how these bodies should be more effective. They included the setting up of a single enforcement body with adequate capacity, resourcing and powers to manage several sectors, including care.
- The Committee underlined the value of Slavery and Trafficking Risk Orders and Prevention Orders which should be more frequently applied for in the courts.
- The Committee considered the defence (only a limited defence) which can be raised by defendants that the crime was committed while victims were being exploited. The Committee found it was not sufficiently raised. Children who come within the MSA cannot be guilty of many offences.
- The Committee was very concerned about the lack of prosecutions and consequently convictions of perpetrators, and made a number of recommendations.
- Transparency of supply chains was introduced in the MSA for companies with a turnover of £36 million, to require them to provide statements as to checking on modern slavery. It was not accompanied by effective implementation. The Committee recommended mandatory reporting on a modern slavery register. So far, there is no enforcement and no sanctions on companies which do not comply. The Committee recommended the introduction of proportionate sanctions on such companies.
- The MSA created an independent Anti-Slavery Commissioner. After the appointment, but not the renewal of two successive Commissioners, the former Government did not fill the vacancy for 18 months. There has been no independent scrutiny of the appointment made by the Home Secretary. The Committee recommended that The House of Commons Select Committee on Home Affairs should provide such independent scrutiny of the appointment.

> *Most UK nationals were children, exposed to what is called 'County Lines', groomed to carry drugs round the country*

The power of inquiries: gathering evidence and making recommendations

NSW's Modern Slavery Committee reviewed the 2005 Ethical Clothing Extended Responsibility Scheme, focusing on outworker exploitation.



Dr Joe McGirr

Chair of the New South Wales Modern Slavery Committee and Member, New South Wales Legislative Assembly

This contribution is on behalf of the New South Wales Modern Slavery Committee



The Committee's inquiry focused on the textile industry, photograph: ©irynakhabliuk via canva.com

The inquiry into the Ethical Clothing Extended Responsibility Scheme 2005 can be seen as an example of post-legislative scrutiny through the lens of modern slavery. The inquiry marked a significant milestone for the New South Wales (NSW) Parliament's Modern Slavery Committee, as it was the first time a committee examined existing regulation, enacted before the *Modern Slavery Act 2018* (NSW), through the lens of addressing and preventing modern slavery risks.

The inquiry process

The Ethical Clothing Extended Responsibility Scheme 2005 was established to improve the visibility of outworkers in the clothing manufacturing industry, and impose obligations across the textiles clothing and footwear (TCF) supply chain to ensure outworkers receive their workplace entitlements[1].

> *"Outworkers in the TCF industry are at significant risk of workplace exploitation due to a number of vulnerability factors*

In August 2023, the Modern Slavery Committee established an inquiry into the Scheme and its potential to mitigate risks of modern slavery in the clothing manufacturing industry, the broader industry and other industries with similar supply chain characteristics and risks of modern slavery in New South Wales. The inquiry provided an important opportunity for the committee to examine a Scheme which had fallen into disuse in recent times.

The committee received evidence from government bodies, the NSW Anti-Slavery Commissioner, unions, academics, and legal professionals. Notably, an Outwork Outreach Officer at a clothing and manufacturer union provided valuable evidence, based on her

experience engaging with outworkers directly, having been an outworker herself previously. The committee learned about the valuable role that those with lived experience and cultural understanding play in engaging with outworkers.

The committee's learnings

Overall, the committee learned that outworkers in the TCF industry are at significant risk of workplace exploitation due to a number of vulnerability factors. We found that there is ongoing utility in the Scheme given its potential to mitigate risks of exploitation.

The Scheme was novel at the time of establishment, because it provided transparency throughout a previously opaque supply chain, capturing retailers, suppliers and subcontractors, to ensure outworkers received their legal work entitlements. This type of regulation, conceived well before Modern Slavery legislation was on the agenda in any jurisdiction, nonetheless is relevant to continuing efforts to end exploitation of vulnerable workers. In the context of increased understanding about modern slavery, the committee recommended that the NSW Government revive the Scheme and, in doing so, consider various factors, including the evidence received by the committee about the Scheme's potential to mitigate modern slavery. In addition, the committee recommended that, following the Scheme's revival, the NSW Government assess its potential to be expanded into other industries with similar characteristics and risks of modern slavery.





Dr Joe McGirr (top) takes part in a 'mock' committee exercise alongside fellow parliamentarians during CPA UK's workshop 'Strengthening Parliamentary Action to Address Modern Slavery in Supply Chains'. Photograph: ©CPA UK.

1. Outworkers refer to individuals who perform work for others at home.

Advocating for government action

As the world continues its search for green technology, we must have robust legislation to ensure the supply chains for these critical materials are free from human exploitation - to do this we must update and strengthen our laws.



Sarah Champion MP

Member, House of Commons, UK Parliament



Sarah Champion MP on the floor of the House of Commons, photograph: House of Commons via flcikr

The UK is falling behind in its modern slavery legislation. We were once a global leader, with the introduction of the UK Modern Slavery Act in 2015 being the first of its kind. But a decade on, and with no updates to the Act, we face mounting evidence that the UK is becoming a dumping ground for goods tainted with forced labour.

In Parliament, I have been campaigning on the particular risks we face within the supply chains of renewable energy. Wind turbines, solar panels, electric vehicles and battery storage all require large quantities of critical minerals. There is conclusive evidence of forced labour and human rights abuses associated with these transition minerals.

The abuse is most severe and systemic in the Xinjiang Uyghur Autonomous Region of China, where the Chinese Government is systematically persecuting millions of Uyghur, Turkic and Muslim-majority peoples on the basis of their religion and ethnicity. It is well documented that the lower tiers of renewable supply chains are concentrated in China, and have a sinister dependency on state-imposed Uyghur forced labour programmes[1]. There are also allegations of child labour in DRC cobalt mining for EV batteries, and evidence of labour exploitation in nickel processing in Indonesia.

> *A decade on, and with no updates to the Act, we face mounting evidence that the UK is becoming a dumping ground for goods tainted with forced labour*

Without proper supply chain legislation in place to meet the scale of this problem, we find ourselves in a sad reality where the push for net zero is coming at the expense of our human rights commitments. These two things should never be at odds.



Critical materials used in the renewable energy sector have a high risk of being produced using modern slavery, photograph: ©sciencephoto via canva.com

> *We find ourselves in a sad reality where the push for net zero is coming at the expense of our human rights commitments. These two things should never be at odds*

For too many years, tackling modern slavery has received a siloed, disjointed response from Government. Unless this is addressed, we will never see it eradicated. Each time we raise modern slavery, whether in the Chamber or in public, it's vital that we call for cross-departmental collaboration, and consistently demonstrate the value of legislative change to those at the top.

My campaign has led to me calling on the UK Government to implement a ban on imports produced with forced labour, as well as the introduction of mandatory human rights due diligence legislation and transparent product labelling. This approach would address our renewable energy challenges by preventing renewables produced with forced labour from ever entering our domestic market. It would also drive positive change across all sectors, by sending a powerful message: as a country, we expect, and demand, no modern slavery in any part of the supply chain.

Parliament has always been at its best when we work cross party to tackle the big issues of national importance. This is one of those issues. I am proud that, with the support of parliamentarians from all sides, and the backing of survivors, civil society, businesses, and trade unions, I have been able to push for these vital legislative changes at every opportunity. We are not there yet, but it's starting to feel as though the government is finally listening.

1. https://commonslibrary.parliament.uk/research-briefings/cdp-2024-0142/
https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/in-broad-daylight
https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/over-exposed
https://www.antislavery.org/reports/uyghur-forced-labour-green-technology/

Key points for parliamentarians

- Commonwealth countries have **similar legal systems**, creating an opportunity for member nations to implement similar changes in unison.
- There are three potential approaches: drafting a **punitive law**, drafting a **transparency law** or **amending an existing law**. Amending an existing law is usually a **faster** approach and an **easy 'win'** if the amendment is effective.
- Most Commonwealth countries could add around **50 words** to parts of their **company law** to **introduce a transparency requirement**. This would set obligations on the directors of public companies to inform the public, consumers and shareholders in each annual report about the measures it is taking to tackle modern slavery.
- A **political balancing act** is required to identify the measures that will have the greatest impact against those that can pass.
- Adopting **stand-alone legislation** can be part of a wider **political decision to signal** that the responsibility for combatting forced labour lies with the state - with the backing of its enforcement agencies and punitive powers - rather than companies.
- Effective legislation demands extensive **awareness, cooperation** and **behavioural change**.
- **Parliamentarians** have a pivotal role in initiating **inquiries, passing modern slavery laws**, and **raising awareness** among businesses and the public.
- Maintaining comprehensive campaign records and **engaging diverse voices** such as parliamentarians, NGOs, businesses, and survivors, helps **gather continued support** for stronger reforms. Multi-stakeholder collaboration is crucial to developing effective and **evidence-based** legislation.
- **All-Party Parliamentary Groups** are an effective way to **unite diverse stakeholders**, **raise awareness**, and **shape legislation** to combat modern slavery.
- Parliamentarians' persistent **questions** and **debates** have prompted significant reforms, notably **shifting the focus** towards corporate accountability and supply chain transparency.
- **Scandals** over forced labour in some countries have brought the issue into the public eye and **heightened pressure** for legislative reform. Lawmakers can use these events to **spotlight gaps** in countries' approaches and push for stronger legislation.
- In leveraging **real-world data** and worker perspectives, parliamentarians can develop policies that **avoid unintended harm** and drive meaningful change in global supply chains.
- Involving **survivor voices** at every stage of policymaking ensures that anti-trafficking measures **reflect lived experiences** and result in more effective, survivor-centred legislation. By directly engaging with survivors and being mindful of their well-being, parliamentarians can develop transformative and evidence-based solutions.
- **Investors** play a pivotal role in **driving companies** to acknowledge and eradicate forced labour. Collaboration among the financial sector, progressive businesses, and policymakers creates accountability, and fuels efforts to end modern slavery in supply chains.
- **Parliamentary committees** are a powerful instrument by which legislation is **reviewed and re-considered**. Committees **report** back to parliaments and provide **recommendations** to strengthen the law.
- Committees provide an **opportunity** for parliamentarians to **hear first-hand evidence** from survivors with unique insights into the problem.
- There is a need to consider how **well-aligned** responses between **national** and **devolved governments** are.



3 CHAPTER

In this chapter, we explore two crucial elements to fighting modern slavery in supply chains: effective law enforcement and community engagement. You will discover several innovative approaches to enforce your modern slavery laws and raise awareness among constituents so that your people are better protected against these heinous crimes.



ENFORCING THE LAW AND ENGAGING THE COMMUNITY

Photoraph: ©Seventyfour - stock.adobe.com

SUB-CHAPTER 1

APPROACHES TO ENFORCEMENT



Photograph: ©Chalabalaphotos via canva.com

The role of law enforcement

Prevention, prosecution & protection

How do law enforcement agencies and the judiciary exercise their role in preventing modern slavery, protecting survivors and prosecuting perpetrators?



Innocentia Apovo Monteiro

Director of Cooperation and Mutual Legal Assistance, Ministry of Justice, Benin; Senior Police Officer and international expert in combating trafficking in persons.



Photograph: ©Photospirit via canva.com

Law enforcement plays significant roles in implementing laws in general and particularly, the ones related to forced labour in supply chains. They are engaged in the investigation and disruption of trafficking networks and also in the protection of the victims and witnesses. Their core mission could be described as: prevention, protection and prosecution. My development will focus on these three areas.

Prevention

Law enforcement agencies, in their prevention missions, conduct many sensitisation activities, raise awareness on existing legislation and regulations, and ensure that the community they are serving is engaged in their mission, allowing them to better understand their needs. This community outreach encourages the reporting of suspicious activities, builds trust and leads to more effective policing strategies against forced labour in supply chains. On the other hand, law enforcement bodies collaborate with private companies to foster their responses to modern challenges and threats.

Therefore, they take appropriate measures to reduce or eradicate forced labour in supply chain. Another pillar of the prevention is intelligence gathering and analysis, as law enforcement entities compile and analyse lots of information for the purpose of new policies and strategies to consolidate the legal framework. These proactive actions reduce crime rates and improve public safety. Furthermore, law enforcement take part to many capacity building activities ranging from basic, specialised and train-the trainer. Given the complexity of trafficking in person, especially forced labour in supply chains, it is crucial to build on periodic and continuous capacity building activities. The training approach should be holistic taking into consideration financial investigation, online investigation, open sources intelligences gathering and international cooperation.

Protection

Regarding protection, both specialised and non specialised

> *Given the complexity of trafficking in person, especially forced labour in supply chains, it is crucial to build on periodic and continuous capacity building activities. The training approach should be holistic taking into consideration financial investigation, online investigation, open sources intelligences gathering and international cooperation*

officers in their duty, pay attention to victims and suspects. They take some proactive actions such as patrols, raids of suspected areas, identity control in specific zones, oriented border control, targeted operations to dismantle criminal groups, identify and rescue victims. All actions are based on a victim-centred approach taking into consideration the specific needs of each rescued victim. As most of the law enforcement units do not have the capacity to provide adequate support to the rescued victims, they connect them with social services, NGOs, international organisations, legal aid and rehabilitation agencies for appropriate care. In the meantime, law enforcement bodies influence or advocate for new policies and change in laws in order to strengthen the legal framework to improve their responses to the issue. This contributes to the protection of the people's rights and safeguards individual freedom.

Prosecution

Prosecution is related to law enforcement responses to criminal activities and subsequent legal proceedings. It is a key component in the process of countering organised crimes in general and trafficking in persons in particular. When it comes to forced labour in supply chains, prosecution has a deterrent effect on other potential perpetrators.
Prosecution starts with the police or 'gendarmerie' through to the court. Law enforcement agencies work hard to guarantee that traffickers and accomplices face justice and get convicted as required by law. It also provides justice for the victims and protects their rights. It is crucial that parliamentarians strengthen legislation, by developing severe punishment clauses to protect victims from this devastating crime. Considering the current global context and the emerging threats that the global law enforcement community is facing, it is crucial to consider international police cooperation as well as judicial cooperation as pillars for effective prosecution to end the impunity of perpetrators of exploitation and forced labour in supply chains. The exchange of information in real time among countries should be much easier as well as all international cooperation mechanisms (extradition, criminals transfers, mutual legal assistance, criminal assets transfers... etc). Taking into consideration the rise of technology and the abuse of the internet by criminal groups, the laws must take into consideration online and financial investigation, and provide appropriate protection to the victims.

In conclusion, law enforcement agencies ensure the effective implementation of laws on the ground. They play multifaced roles to make the world a safer place. As the world is facing rapid changes in many fields, traffickers are also changing their modus operandi. Legislation needs to be modernised and law enforcement should rapidly adapt.

The role and importance of an independent Anti-Slavery Commissioner

How can independent agencies, such as the UK's Independent Anti-Slavery Commissioner, help to eliminate modern slavery in supply chains?



Eleanor Lyons

UK Independent Anti-Slavery Commissioner



Eleanor Lyons, the Independent Anti-Slavery Commissioner (IASC), giving evidence to the UK's Parliament's Business and Trade Committee in January 2025 on its inquiry on the Employment Rights Bill. Photograph provided by IASC.

In the UK, the role of an Independent Anti-Slavery Commissioner is critical to ensuring the UK Modern Slavery Act 2015 is fully implemented as well as assessing the overall effectiveness of the UK's response to modern slavery and human trafficking. The Commissioner's independence enables them to hold the government, law enforcement, and businesses to account and aims to embed best practice by ensuring that tackling modern slavery is everyone's business.

The Commissioner works across these stakeholders to maintain a bird's eye view and to assess and ensure that the diverse strategies needed to tackle human trafficking are evolving to match an ever-changing threat picture. This has been critical in understanding and improving the effectiveness of the Transparency in Supply Chains clause (s54) of the Modern Slavery Act.

When the Modern Slavery Act was first passed, the lack of a government-run central repository for business' Modern Slavery Statements and broad guidance on their structure and content made it challenging to analyse which companies were compliant. In response, the then Anti-Slavery Commissioner convened private, public and third sector parties to successfully design and lobby for a central repository for statements and improved guidance. The UK experience was used by other countries as they developed their own legislation. In Australia for example, the repository elements were included from the outset as well as also extending their legislation to cover public sector bodies too.

Now, nearly ten years on from the Modern Slavery Act 2015, the current UK Independent Anti-Slavery Commissioner is calling for change in the UK with the introduction of Mandatory Human Rights Due

Diligence to further strengthen s54 and the UK's response to eradicating modern slavery in supply chains.

Beyond holding government to account, the Commissioner works directly with businesses. The Commissioner can provide expert guidance and recommendations, monitor compliance for accountability, convene stakeholders and facilitate capacity building programmes, and work to drive public awareness of modern slavery in supply chains. As a core part of this, the Commissioner regularly engages with businesses in scope of the UK Modern Slavery Act, to encourage meaningful compliance with s54 and the timely publication of their Modern Slavery Statements to outline the steps they are taking to prevent and eliminate slavery in their supply chains.

> *"First and foremost the Commissioner's role is to support victims and survivors of modern slavery and ensure their voices are being heard and listened to and inform an effective and nationwide response*



Eleanor Lyons meeting Baroness Young in 2024 to discuss Baroness Young's Private Members Bill: Commercial Organisations and Public Authorities Duty (Human Rights and Environment) Bill. Photograph provided by the IASC.

While the Commissioner has an important role in engaging public and private sector stakeholders, first and foremost the Commissioner's role is to support victims and survivors of modern slavery and ensure their voices are being heard and listened to. The current UK Anti-Slavery Commissioner is calling for the government to establish a UK Survivor Advisory Council which would empower those with lived experience to share their expertise and have their voices heard at the heart of policy development. This would help to shape future legislation - to ensure the real-life impact of human rights abuses and labour exploitation are not forgotten as companies and government discuss technicalities of due diligence protocols.

About the Independent Anti-Slavery Commissioner:

The role of the Independent Anti-Slavery Commissioner was created in the Modern Slavery Act 2015 to encourage good practice in the prevention, detection, investigation and prosecution of modern slavery and the identification of victims. The Commissioner's office functions as an independent watchdog and advisor, driving both government and corporate accountability - monitoring and ensuring the effectiveness of measures designed to eradicate modern slavery.

Independent Anti-Slavery Commissioner

Case studies: sanctions with impact

These case studies illustrate the powerful impacts sanctions can have in changing corporate practices and securing victim remediation.



Nathanael Foo

Principal, Business and Human Rights, Walk Free Initiative, Minderoo Foundation



Photograph: ©Oko_SwanOmurphy via canva.com

Australia New Zealand Banking Group - Downstream value chain case

In 2014, a complaint was lodged with the Australian Organisation for Economic Co-operation and Development (OECD) National Contact Point (NCP) regarding Australia and New Zealand Banking Group (ANZ). The complaint alleged ANZ had contravened the OECD Guidelines on Multinational Enterprises by financing Phnom Penh Sugar Co. Ltd (PPS), a company known for forced labour and exploitative harms. Some of these involved child labour, unsafe labour conditions resulting in death of workers, and dispossession of land of hundreds of Cambodian families.

The Australian OECD NCP concluded in 2018 that **ANZ's decision to finance PPS was not in line with its human rights policy** and highlighted flaws in its compliance and due diligence policies and procedures. The provision of effective remedy was not included as one of NCP's recommendations, so a group consisting of civil society organisations and company shareholders intervened. All of **ANZ's profits from financing PPS was provided to remedy the negative impacts on victims and their communities**.

In 2021, in addressing an NCP recommendation[1] and a first for the global banking sector, ANZ launched its human rights grievance mechanism. The mechanism is accessible to individuals and communities in circumstances where their human rights may have been impacted through ANZ's corporate customers. **Through investigating and resolving these complaints, ANZ promotes communication between all parties while also continuously improving its due diligence system**[2].

Felda Global Ventures - Palm oil forced labour import ban

Felda Global Ventures (FGV) is a Malaysian palm oil producer that was investigated for allegations of human rights abuses, which were originally published by Wall Street Journal in 2015. The investigations uncovered indicators of forced labour in FGV's operations, including document retention, poor living and working conditions, and restrictions on movement[3].

Despite FGV implementing some measures addressing the investigation's findings, the United States Customs and Border Protection issued a Withhold Release Order on FGV's palm oil products. This meant that these **products were detained and were denied entry into the United States**. During this time, **key customers such as Unilever and Nestle ceased their business relationships with FGV, and its stock price crashed by over two-thirds**[4].

In 2023, FGV announced it would provide remedy to affected previous and current workers, including **reimbursing almost US$25 million of recruitment fees** and other reparations totalling an additional US$25 million[5].



A worker collects fruits from a palm tree; palm oil is commonly identified as a product most 'at risk' of using forced labour, photograph: ©Wirachai via canva.com

1. https://www.oecdwatch.org/complaint/ec-and-idi-vs-australia-and-new-zealand-banking-group/
2. https://www.anz.com.au/content/dam/anzcomau/documents/pdf/aboutus/anz-grievance-mechanism-framework-nov2021.pdf
3. https://rspo.my.site.com/Complaint/s/case/50090000028Es0aAAC/detail
4. https://chainreactionresearch.com/the-chain-sime-darby-fgv-see-reputational-hits-from-u-s-stop-orders/
5. https://www.remedyproject.co/remediation-of-forced-labour-under-the-tariff-act-1930#6._Palm_Oil:_Malaysia

The 'dirty list' and other enforcement tools

What is Brazil doing to enforce forced labour laws and what challenges still remain?



Fernanda de Castro Carvalho

Country Director, Global Fund to End Modern Slavery



Natalia Suzuki

Educational and Public Policies Manager, NGO Reporter Brasil



Workers trapped in forced labour often face terrible living conditions, photograph: ©Segio Carvalho/Ministry of Labor and Employment (Brazil)

In 1995, Brazil recognised the existence of forced labour in its territory, after civil society organisations and unions persistently denounced several cases for more than four decades. Since then, more than 63,000 workers have been found exploited under demeaning work conditions, and rescued from this violation in the country. Despite the formal abolition in 1888, vulnerable groups – such as black, indigenous and riverside people - remained as a legacy of structural racism and poverty that kept them as outsiders in society, devoid of social policies. Nowadays, they are the most susceptible individuals to be exploited in labour activities.

To face this reality, Brazil created tools and mechanisms that structured a national policy to fight forced labour, beginning with the creation of the Special Mobile Inspection Groups by the Labour Inspection, which provided a specialised workforce to tackle forced labour, through the inspection of private properties, especially those located in hard-to-reach places in the Amazonia region, to rescue workers under forced labour.

One of the key achievements in this process was the recognition of this practice as a crime in the Penal Code. In 2003, Article 149 was revised by the Congress to include forced labour, debt bondage, degrading conditions and exhausting journeys, as the elements that characterise forced labour in Brazil. The insertion of these elements was commended by the United Nations and the International Labour Organisation as an international legislative reference[3]. By enabling the protection of human dignity at the core of the legislation (not only freedom of movement), Brazil introduced an advanced concept that synthesises the phenomenon in line with its modern manifestation.

The law was the starting point to build and develop other

measures to hold the guilty parties accountable, claiming their responsibility for the infraction in the criminal, labour and administrative spheres, such as the “Dirty List”. This innovative mechanism of transparency, enacted by the government, discloses the names of employers and companies that were proven to have exploited workers, after facing an administrative process conducted by the Ministry of Labour.

The list is maintained by this Ministry and published semesterly with the updated information. Within the country’s ecosystem to fight forced labour, the list is being used by companies and financial institutions to monitor suppliers’ and clients’ potential involvement with this human rights violation. As a consequence, in many cases, contracts are suspended or terminated due to a supplier disclosure in the ‘Dirty List’.

Brazil also developed national plans for the eradication of forced labour, which consolidated its commitment to the cause and designated roles and responsibilities for multiple stakeholders (from government, legislators, academia, and private sector to civil society) and created a permanent National Commission for the Eradication of Slave Labour, composed by State institutions and civil society entities. Embraced by the Ministry of Human Rights, the commission assures the participation of civil society in the formulation, implementation and evaluation of the public policy dedicated to eradicating forced labour in the country.

Besides those important Brazilian practices, challenges remain to overcome the structural and underlying conditions that lead to forced labour. There is an imperative need to rethink productive models that contribute to the existence of such practice and affects different supply chains. In this sense, besides enforcement actions, the State must create conditions to change this dynamic. However, at the same time, it must enhance prevention and offer correct and appropriate remediation to survivors. Urgent structural changes are needed, but while they are on course, we cannot leave a generation of workers subjected to exploitation behind.

Disclaimer: The text was produced independently in 2024 and at the time of its publication in 2025, one of the authors took on a contract with the ILO Office for Brazil. The opinions and views expressed in the text are the sole responsibility of the authors and do not necessarily reflect the opinions, views or policies of the ILO. Reference or non-reference to names of companies, products or commercial procedures does not imply any favourable or unfavourable assessment by the International Labour Organisation and does not imply the expression of any value judgment on the part of the ILO regarding the legal status of any country, area or territory or of its authorities, or the delimitation of its frontiers.

1. Slave labour is the literal translation for “trabalho escravo”, which is the term used in Brazil to designate situations in which workers have their freedom and dignity affected by degrading conditions and extreme labour exploitation. The concept is a category used historically by civil society and social movements. It is also compatible with the ILO's indicators of forced labor.
2. https://www.anz.com.au/content/dam/anzcomau/documents/pdf/aboutus/anz-grievance-mechanism-framework-nov2021.pdf
3. https://rspo.my.site.com/Complaint/s/case/50090000028Es0aAAC/detail

The Brazilian term "slave labor" was chosen by Brazilian state and civil society organizations to better define what is internationally designated as "forced labour" in order to highlight social and political elements of Brazilian history.

Inter-agency and international collaboration: the role of a task force

St Lucia has strengthened its fight against modern slavery by partnering with other countries and bringing together government departments and various law enforcement agencies under one task force.



Hon. Alvina Reynolds

President of the Senate, St Lucia



St Lucia has brought together government departments and law enforcement agencies to streamline its fight against modern slavery, image: created using Canva's AI

A factory in Saint Lucia with branches in a neighbouring country may source raw materials from within the Caribbean region and/or from further regions like Asia. It can become very easy for exploitation to occur undetected along their supply chain. While legislation can force companies and businesses to monitor what happens throughout supply chains to ensure that their products or services are not tainted by forced labour, this may be a challenge for many businesses and companies to undertake successfully. These and other such challenges can be addressed through inter-agency collaboration (nationally, regionally, or internationally) which can increase efficiency in identifying and sharing information on suspected criminals and criminal activity across agencies and jurisdictions. This also helps inform data of prevalent crimes and criminal networks and also informs best practice being undertaken by companies and jurisdictions.

In Saint Lucia, the prevention of Trafficking in Persons Task Force comprises of officers from various law enforcement agencies, such as the Vulnerable Persons Unit,

> *Such challenges can be addressed through inter-agency collaboration (nationally, regionally, or internationally) which can increase efficiency in identifying and sharing information on suspected criminals and criminal activity across agencies and jurisdictions*



Outlining Saint Lucia's existing legislative framework to address modern slavery in supply chains at CPA UK's 'Legislative Strengthening Seminar', October 2024, Westminster

Major Crime Unit, Immigration Unit, Labour Department, Office of the Director of Prosecution and the Department of Home Affairs. This task force collaborates with similar agencies across the Caribbean Community (CARICOM) jurisdictions. The Regional Security System (RSS) and the Caribbean Community Implementation Agency for Crime and Security (CARICOM IMPACS) are regional agencies which collaborate with all law enforcement agencies in all CARICOM countries as well as international law enforcement agencies. Robust monitoring systems and coordinated responses are in place within these countries. Government agencies should also work with companies to help develop new capabilities within their human resource departments to exercise more vigilance in their supply chains.

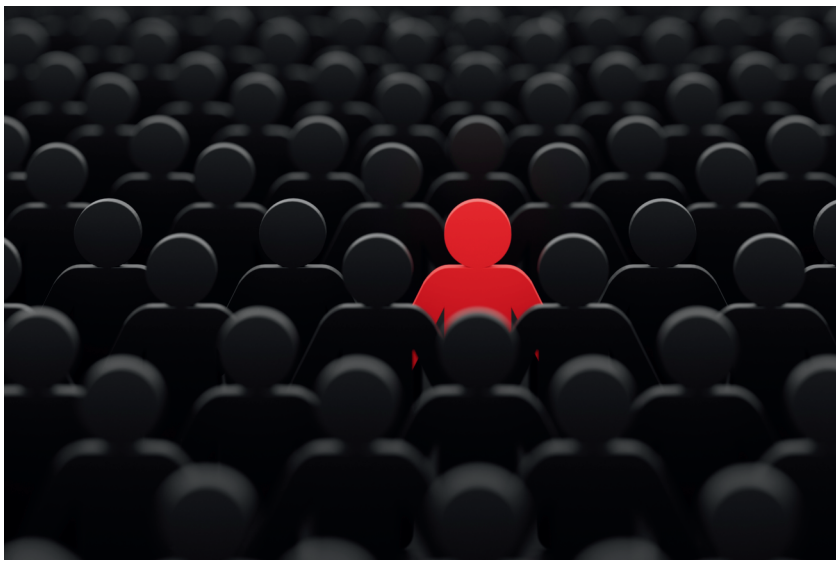
> *"[These are] regional agencies which collaborate with all law enforcement agencies in all CARICOM countries as well as international law enforcement agencies*

Fighting modern slavery needs a new multilateral approach

Modern slavery is a hidden epidemic concealed within global supply chains. This article uncovers the journey of vulnerable individuals - from the promise of employment to the reality of exploitation - and what legislatures can do to address this.



Hon. Madi MK Ceesay
Member, National Assembly of the Republic of the Gambia



Modern slavery is hidden in plain sight, photograph: ©Shutter2U via canva.com

In The Gambia, where I live, people are enticed by the promise of work opportunities in Europe, but more particularly in the Asian countries.

The media contributes a lot, sharing information as to the availability of such jobs in the west or Asia, by way of advertisements. Often, the package looks so attractive that the targeted victim is easily enticed, and they will do all it takes to follow the application process until they are fully trapped.

Once they succeed in their applications and find themselves in the said country going through an agent, they will be handed over to an employer and all their travel documents will be seized from the individual or individuals, and she or he (more often it is a 'she'), will be left at the mercy of the employer.

Work will be enforced with horrible conditions, and, in most cases, if the employee is a female, she will be subjected to sexual services against her will. In some cases, this person will be subjected to rape by friends of the new employer.

> *Often, the package looks so attractive that the targeted victim is easily enticed, and they will do all it takes to follow the application process until they are fully trapped*

They will then find it very difficult to get back to the agent or, even if the person escapes, they will have no travel documents.



Hon. Madi Ceesay participating in CPA UK's workshop 'Strengthening Parliamentary Action to Address Modern Slavery in Supply Chains', November 2023

> *Modern slavery is an international phenomenon, it requires a coordinated multilateral strategy to address it*

To address this:

1. Countries should come up with legislation and have strong mechanisms in its implementations.

2. Supported by the United Nations, an organisation should be created that is solely and wholly responsible for the upholding and implementing such laws.

International bodies like the UN, Africa Union and some sub-regional organisations have a huge role to play. As almost all member countries belong to one of these bodies, an organisation responsible for upholding and implementing modern slavery laws (as mentioned above) could have a large impact. Its objective would be to coordinate the fight against modern slavery and could support member countries in developing their own national legislation. Modern slavery is an international phenomenon, it requires a coordinated multilateral strategy to address it.

SUB-CHAPTER 2

COMMUNITY ENGAGEMENT



Photograph: ©SolStock via canva.com

Building knowledge and raising awareness

How can parliamentarians take action to tackle modern slavery in supply chains? In particular how can they engage with civil society and what types of awareness campaigns can they champion?



Photograph: ©Matej Kastelic/EyeEm via canva.com

Neill Wilkins
Head of Migrant Worker Programme, IHRB

The role for parliamentarians is to ensure that they understand the reality of modern slavery themselves and are then able to communicate that effectively to others. They need to ensure that particularly vulnerable populations (usually the most economically challenged) are better informed and protected. They need to raise awareness with businesses about how they might inadvertently be connected to modern slavery. They need to ensure that laws to prevent modern slavery are clearly written, communicated and then consistently, transparently, and effectively enforced.

Enforcement operations, as well as preventing exploitation, provide an opportunity to raise awareness. The Gangmaster and Labour Abuse Authority in the UK, for instance, regularly uses publicity generated from enforcement activities as a way of highlighting risks and making perpetrators aware of the likelihood of arrest or other sanctions.

Government engagement with civil society organisations is also a way that additional insight and support can be acquired, and information shared. Other useful ways to disseminate information may be via trade unions, trade associations, worker committees, faith groups etc.

Advocacy and engagement with vulnerable groups is also likely to be most effective where potential victims may congregate. Organisations working to prevent exploitation in some countries, for instance, target workers and young people who may be considering work abroad, with risk awareness campaigns at bus stops, train stations and other places where they might congregate.

This may be as simple as placing posters or having teams handing out cards or leaflets in these places. In the world of mobile phones, web links and QR codes can be used to send people to appropriate sites for further information.

Key points for parliamentarians:

- Understand modern slavery yourself - make sure you know what it is - and what it isn't.
- Identify at-risk populations and sectors.
- Develop appropriate legislation to prevent modern slavery.
- Prohibit recruitment fees, bonds or deposits being charged to workers, including migrant workers.
- Protect migrant workers - nationals leaving to work abroad or those coming to work.
- Ensure that legislation is consistently and transparently enforced.
- Ensure that those awarding Government contracts are aware of the due diligence they should undertake to prevent slavery in government purchasing and activities.
- Develop a limited number of easy-to-understand clear messages regarding modern slavery. Use these same messages consistently.
- Establish a hot line for anyone to report instances of modern slavery.
- Develop communications campaigns targeted at businesses and vulnerable workers.



Image created using Canva's AI

Different ways to raise awareness

As elected members, Parliamentarians have a unique responsibility to not only raise awareness of modern day slavery amongst constituents but understand the issue for themselves. In doing this they will be better able to take action.



Hon. Rebecca Yei Kamara

Member, Parliament of Sierra Leone



Photograph: ©vegefox.com - stock.adobe.com

Building awareness is the keystone of anti-trafficking work. Nothing will ever change until we are aware that there is a problem and equally aware that there is an achievable solution. Without realising the existence of modern-day slavery, no individual would ever join the fight against it. The public plays a vital role in identifying human exploitation. It is important for the public to understand this is a crime happening in their communities. To stop or minimise modern slavery and save young people from being trafficked, community members need to know the signs and, most importantly, where to channel complaints relating to human trafficking, seek further advice or ask for help.

Members of parliament are representatives of the people to make laws, conduct oversight and ensure public awareness on issues happening locally, nationally, and globally. Activities carried out by parliamentarians will lead to changes and improve working practices in various agencies when responding to potential cases of exploitation. Securing an evidence-based approach, through constant evaluation and monitoring of actions taken and progress made, is critical to ensure the success and growth of the involvement of members of parliament in the campaign to stop or minimise modern slavery in communities. Knowledge building is crucial to debunking this myth and, consequently, building a large movement of people that can begin to effect real change.

> *“Building awareness is the keystone of anti-trafficking work. Nothing will ever change until we are aware that there is a problem and equally aware that there is an achievable solution*

Finally, parliamentarians can be self-aware of their roles in both causing and ending modern enslavement. They can become conscious of their personal relationship to the practice of slavery, and begin to transform understanding into action.

As members of parliament, raising awareness on modern slavery and its connection to the supply chain is crucial for several reasons:

- **Legislation and Policy Development:** By raising awareness, parliamentarians can push for the development of laws and policies aimed at combating modern slavery in the supply chain. This can include regulations that hold businesses accountable for human rights abuses and exploitation within their supply chains.

- **Ethical Consumption:** Increasing public awareness can empower consumers to make more informed choices about the products they buy. By understanding the implications of modern slavery in the supply chain, consumers can choose to support businesses that uphold ethical labour practices.



Hon. Kamara at CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains in October 2024, sharing insights into Sierra Leone's current modern slavery legislation and any potential gaps.

- **Corporate Responsibility:** Parliamentarians can encourage businesses to take responsibility for their supply chains and ensure that human rights are respected throughout their operations. Raising awareness can lead to more transparency and accountability from companies in relation to modern slavery.

- **Victim Support and Rehabilitation:** Raising awareness can also lead to increased support for victims of modern slavery, including access to rehabilitation services, legal assistance, and support for their reintegration into society. MPs can advocate for resources to be allocated for these crucial services.

- **Public Engagement and Advocacy:** Parliamentarians have a platform to engage with the public, civil society organisations, businesses, and other stakeholders to advocate for action against modern slavery in the supply chain. Raising awareness can mobilise support for initiatives to combat modern slavery and promote ethical supply chains.

In conclusion, as a member of parliament, raising awareness on modern slavery and its connection to the supply chain is essential for driving legislative changes.

Engaging the community with local media and events

Hon. Okelo discusses ways to engage with his constituents and raise awareness of modern slavery in supply chains, in particular in the context of sport and mega sporting events.



Hon. Jared Okelo MP

Member, Parliament of Kenya



Sport has become a prime target for traffickers, parliamentarians must raise awareness of this in the constituency. Photograph provided by Hon. Okelo.

Human trafficking percolates various sectors of the economy, including the world of sport, which brings urgent and complex challenge. The sports industry is a massive business, generating hundreds of billions of dollars annually, while captivating over 3 billion fans globally. This sector has increasingly become a prime target for traffickers, as they exploit both the young and adults alike. This is through using deceptive and manipulate tactics to prey on them.

The supply chains in sport are varied in nature. Think about mega sporting events and the infrastructure required: many people are trafficked to work on building stadiums and providing services during mega sport events.

A sizable amount of sporting talent is trafficked, deceived by "sports agents" promising them jobs abroad. Many have been left stranded, highlighting the vulnerabilities exploited by traffickers. Other opportunities for labour exploitation include manufacture of sports products, garments and other memorabilia, the construction of buildings for hosting sports activities, recruitment of athletes, and entertainment of athletes and fans, amongst others.

The example of football as a main attraction

Football, also known as soccer in other quarters, is the most common sport globally. This informs the dream of any young and upcoming player to be discovered for international assignments abroad.
Due to the visibility of this discipline, and the quest to be enrolled in reputable clubs, mostly in Europe, the young players become gullible to the advances of unscrupulous sporting agents. They pay huge sums of money to these talent scouts with the hope of getting trials in big football clubs.

Many players have been left abandoned abroad, plugged into low level sports clubs, or their travel documents confiscated. Some ultimately resort to menial jobs abroad for survival.

With this information in mind, and representing a constituency where football is a household game, I started raising awareness about the dangers involved in trafficking through sports.

My introduction to the dangers faced is Article 19 of FIFA's Regulations on the Status and Transfer of players. "The International transfer of players is only permitted if the athlete is over the age of 18." This is the baseline, before going deep into the intricacies surrounding the topic.

I have personally been involved in carrying out background checks on some agents (on behalf of players) and advising appropriately. Through such actions, we have averted the abandonment of young players abroad and the entrapment of young people in slave labour and sex trafficking.

Raising awareness of sport trafficking

In my constituency, I organise annual football competitions from the grassroots. Small clubs begin to play knockouts at all levels. The extravaganza takes a whole month before the finals are played. Winners are gifted with incentives for motivation.

I dedicate my time to attend all the games, preaching about the difficulties young people face in the hands of crooks posing as agents, and how easily a blessing can quickly become a curse.

In the days preceding the events, I organise talk shows in vernacular radio stations, creating publicity for the events, while focusing primarily on trafficking through sports. This gives me a wider audience beyond my constituency.

Due to high levels of poverty, young players are willing to run away from their homes, even without any formal invitation, to become professional athletes abroad. The contributing factors are ignorance, greed and impatience. A few who have been fortunate to be signed by clubs abroad have had their monies taken by traffickers.

Families have been put into debt while looking for money to process travel documents like passports, visas, agents' fees and airline tickets, with the hope that as soon as they land and receive their first pay cheque, the debts will be offset. Many families have been left poorer than they were before.

While carrying out the yearly sporting events in my constituency, Nyando, I encourage teachers, students, parents, football club officials, the media, religious leaders, government representatives and Non-Governmental Organisations (NGOs) to attend. This helps in keeping the message alive beyond the sporting events.



Hon. Okelo organises annual football competitions to help raise awareness of sports trafficking. Photograph provided by Hon. Okelo

The intersection of modern slavery, housing and labour at a local level

What is the relationship between unsafe and insecure workplaces and housing and modern slavery?



Hon. Jenny Leong

Member for Newtown, New South Wales Legislative Assembly



Image made using Canva's AI.

Addressing modern slavery within workplace supply chains is crucial, but it cannot be contained to just this sphere. Modern slavery thrives in conditions where workplaces and living circumstances are unsafe and insecure, with labour rights and housing (in)security being two very significant factors.

Abusive and exploitative workplace practices exist on a scale, ranging from poor working conditions, to acts that constitute 'modern slavery'. While a worker may endure unfavourable working conditions, including low wages or violations of labour rights, this may not in itself be 'modern slavery'[1]. Despite this, the existence of unsafe and dire conditions, such as forced labour, perpetuates a climate of exploitation that creates the potential for more serious human rights abuses.

Such conditions exist on a spectrum of exploitation, with conditions that change or worsen overtime, ultimately resulting in 'modern slavery'[2]. This is exacerbated for outworkers who work in the private sphere and are often "invisible" and reluctant to report instances of labour exploitation, due to the power their employer exerts over them. This power often takes the form of insecure visas, or visas being sponsored by an employer.

In addition to unstable labour conditions, modern slavery risks are significant when an individual faces housing precarity. In the midst of a housing crisis, governments of all political stripes continue to steer money away from public, social and community housing and towards the pockets of

> *"The existence of unsafe and dire conditions, such as forced labour, perpetuates a climate of exploitation that creates the potential for more serious human rights abuses*

property developers and massive corporations, which is having unparalleled impacts for so many.

On any given night in Australia, it is estimated that at least 116,000 are not in a safe, secure and sustainable home. The flow-on effect of this crisis is real and palpable: as renters get priced out of the housing market, more and more people turn to public, social and community housing.

And as the public housing waitlist continues to grow (now at over 57,000 people in New South Wales alone, with wait times of up to 10 or more years) short-term and crisis accommodation increasingly feel the pressure.



Jenny Leong MP campaigns for more rights for renters and protections for social housing, March 2023, photograph: Mark Dickson

> *Safe, secure and sustainable housing provides individuals with a sense of stability and security in their lives, while a lack of safe housing exposes survivors to potential re-exploitation and victimisation*

Victim-survivors of modern slavery face additional barriers to accessing appropriate housing due to a lack of availability, accessibility, eligibility and suitability of accommodation.

Safe, secure and sustainable housing provides individuals with a sense of stability and security in their lives, while a lack of safe housing exposes survivors to potential re-exploitation and victimisation[3].

For many accommodation providers that provide support to modern slavery survivors, a lack of ongoing income and the insecure visa status of victim-survivors act as an impediment to receiving crucial ongoing support.

Modern slavery affects an individual's public and private life. Addressing labour rights violations and housing insecurity in New South Wales and across the globe are critical to ensuring that victim-survivors are provided the support they need, and we can work towards a slavery-free world.

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Building knowledge through constituency work

In order to understand the threats faced by vulnerable communities, parliamentarians must engage with them - constituency works is often the most effective way to facilitate this.



Deputy Beatriz Porée

Deputy, St Helier South, States of Jersey



Detailing the challenges facing Jersey's fight against modern slavery at CPA UK's Legislative Strengthening Seminar, October 2024

My understanding of modern slavery and forced labour in supply chains has been gained through the work I have been doing with migrant workers, as my constituents, for the past 3 years. By being willing to support migrant workers with their calls for help and by listening to their stories and work-related negative experiences, I have gained a deep insight of the workplace unfairness and lack of protection that some permit workers find themselves under, once they have accepted a job position in Jersey.

As a politician, I have always placed a great deal of importance on doing constituency work. In fact, constituency work was and is one of my main priorities as a Deputy. Constituency work allows me to gain a deeper understand of the challenges and barriers affecting minority groups in our society. In many ways, due to its geographic smallness, Jersey is a jurisdiction that facilitates the creation of new connections through public engagement.

Engaging with migrant workers and listening to their stories and experiences is fundamental and the best way to understand their predicament. As an African migrant worker myself, with deep understanding of the barriers and challenges affecting those who migrate to other countries for economic reasons, I felt a natural call to support them. Our similarities and shared experiences make it easier for victims of modern slavery to trust me with their work-related abuse. Listening without preconceived ideas or stereotypical concepts is key to engaging with all constituents, but especially those who have experienced the negative aspects of migrant work.

> *"Constituency work allows me to gain a deeper understand of the challenges and barriers affecting minority groups in our society*

Through work with my constituents, I became aware that the Jersey Work Permit

> *Engaging with migrant workers and listening to their stories and experiences is fundamental and the best way to understand their predicament*

Policy (WPP) lacked fundamentally in protection for the welfare and wellbeing of migrant workers. This prompted the establishment of a scrutiny review panel into the WPP and whether it provides adequate protection from exploitation and modern-day slavery. Submissions provided by permit holders as part of the review supported re-iterated the stories I had heard from constituents:

- *'My boss treats African workers differently from others.'*
- *'My boss said if I don't like the job and the pay, I should go home as there are many others wanting to come and work here.'*
- *'My work colleagues talk and laugh behind my back. They say I am slow and have a big African bum. When I complain to my manager, she tells me I am being paranoid and racist.'*
- *'I have to work even when I am sick.'*
- *'I share a room with another worker, I have no privacy or personal space when I am off work.'*
- *'My boss has not paid me for 2 months. When I ask for my salary, she just says that she will pay me when she can.'*
- *'My working hours are never the same. I was told that I will only have 30hours this week, but my contract says that I would be working 45 hours per week.'*

> *Listening without preconceived ideas or stereotypical concepts is key to engaging with all constituents*

Most migrant workers I support come from African countries, Caribbean islands, The Philippines and Thailand. The great majority of the island's established population are white British or white European. One of my main challenges, to date, has been to deal with the issue of modern slavery and forced labour in supply chains as a present worldwide phenomenon that seeks exploitation of human labour to benefit companies and businesses through profit and as a separate issue from race. The use of recruitment services remains the most dangerous link in the supply chain of labour – targeting the vulnerable or uninformed for financial gain.

Being able to separate the recruitment services from the local work permit issues has been instrumental in allowing me to make connections and build alliances with independent and private stakeholders, the local businesses and organisations that benefit from the imported workforce.

> *The use of recruitment services remains the most dangerous link in the supply chain of labour – targeting the vulnerable or uninformed for financial gain*

Engaging with victims and advocating on their behalf

Parliamentarians must seek victims out within their communities and constituencies to find out what is really going on. They must then use their power to advocate on behalf of victims in parliament and to government.



Deputy Beatriz Porée

Deputy, St Helier South, States of Jersey



Image created using Canva's AI

Before becoming a Deputy, I did not see the issue of modern slavery in Jersey society. It has been through the desperate calls of migrant workers and the sharing of their stories with me that I have begun to develop a real insight into what some workers have been suffering.

> *This is why raising awareness for both parliamentarians and the public is so important. To educate and help them to understand what is wrong in our society – things that we may not see or not want to see*

It is undoubtedly important to listen to the issues migrant workers are facing, but it is even more important to actually do something and raise awareness – to keep trying to make a difference. This is why raising awareness for both parliamentarians and the public is so important. To educate and help them to understand what is wrong in our society – things that we may not see or not want to see. To identify what we believe to be wrong and to keep striving to improve things for everyone.

I have attended CPA UK programmes on modern slavery in supply chains because I needed to understand this abusive phenomenon - how it started, who benefits from modern slavery, who are the victims of modern slavery? Most importantly, how can we combat modern slavery? What countries are leading the way on this fight? What measures can we adopt to eradicate modern slavery in Jersey? I have taken an educational journey by listening to victims' accounts and being available for those in need. This has not been easy – in fact it is at times heart breaking, but it is so very important.

It is also important that we share these experiences, and

the learning generated from them, with parliamentarian colleagues.

The past few years have made me determined to advocate on behalf of migrant workers to share that determination with my fellow States Members - to make them aware that Jersey is no different from anywhere else; modern slavery in supply chains affects countries worldwide, and, despite what we would like to believe, our small island is no different. It is through accepting and understanding the dangers of exploitation faced by migrant workers that we can change what it is wrong and address abuse to other human beings.

> *It is also important that we share these experiences, and the learning generated from them, with parliamentarian colleagues*

To finish, I would like to highlight a few of the actions I have taken, which other parliamentarians may wish to consider:

- Meeting with constituents and providing them with a safe space to share their stories; providing them with support and information on how to move forward.
- Engaging on behalf of migrant workers with government departments, mainly the immigration departments, and other third parties including, lawyers, private businesses, charity organisations and union organisations.
- Approaching my fellow parliamentarians relentlessly to discuss these issues and to raise awareness of modern-day slavery, and to discuss how we, as politicians, can best change our work permit policy in order to offer greater protection to migrant workers.
- Sharing my first-hand experiences engaging with victims of modern slavery to Ministers and their respective departments, to collaborate and find ways States Members can get involved in the process of updating the work permit policy.
- Insisting that I am heard and allowed to share my own experiences of supporting migrant workers in Jersey, working towards updating our work permit policy and being included in decision making relating to this policy.
- Engaging with CPA UK and asking for help and guidance on how I can bring awareness to the island; asking for potential options or courses on the island for politicians to improve awareness and make it clear in no uncertain terms that modern day slavery is a worldwide phenomenon – and that Jersey is not an island that is free from such horrible things.

> *Modern slavery in supply chains affects countries worldwide, and, despite what we would like to believe, our small island is no different*

I believe that only through understanding of the current problems and the unacceptable practices can we move forward and make a safer, supportive working world for all.

Using local insights to raise awareness and protect workers

By engaging with communities, parliamentarians can raise awareness of crime, encourage survivors to speak out and prevent others from falling into exploitative traps.

Eunice M. Waweru
Executive Director and Programmes Director, Workers Rights Watch, Kenya



Workers Rights Watch conducting a roundtable, photograph: Workers Rights Watch

Fighting Domestic Exploitation

Engaging with constituents and communities is a vital source of information for parliamentarians in their fight against modern slavery in supply chains. Communities with strong connections to industry, such as those that live close to farms, factories and industrial sites that typically rely upon manual, low-paid or migrant labour, are especially important to engage with. These communities often have connections, either directly or indirectly, to vulnerable workers with sources of information that are difficult to find elsewhere.

One challenge in exposing modern slavery is that many workers do not speak out because they are not aware that they are being exploited. For instance, many workers are forced to work overtime without ever being consulted or are forced to accept wage reductions for illegitimate reasons. Often this has knock-on effects on the worker's dependents, such as children left in day-care centres or school, which has longer-term social and community impacts.

Although such practices are expected to be exposed by audits, regrettably, labour inspectors often lack the capacity and power to consolidate evidence and generate new findings. Management selects the workers to be interviewed by the inspectors, making it impossible to know if workers have been threatened not to mention any malpractices. Senior workers may also be planted into the wider group being interviewed to control the flow of conversation and questioning by the auditor.

> *"Many workers do not speak out because they are not aware that they are being exploited.*

By directly engaging with workers in the community, parliamentarians can help raise awareness of crimes and encourage workers to share information about their experiences. This can provide key evidence for law enforcement, and for parliamentarians to identify gaps in legislation and advocate for legislative change.

> *Parliamentarians can help raise awareness of crimes and encourage workers to share information about their experiences*

Meanwhile, some sectors like farming offer certain jobs to men only, such as spraying, irrigation, etc. This amounts to discrimination. Often, employers will not have considered the adverse impacts measures like this have on workers' rights and empowerment.

By engaging with businesses and employers, parliamentarians can raise awareness of wider discrimination and encourage best practices and a gendered approach to hiring policy.

Preventing International Exploitation

As well as protecting workers in their own country, parliamentarians must also consider the threat posed to populations by promises of overseas employment. Populations in countries with a challenging job market and high unemployment often seek financial solutions through migration. In Kenya, traffickers exploit this vulnerability by pretending to offer secure work abroad. However, when they arrive, workers face devastating treatment and employment conditions with limited access to justice.

Workers will be expected to work without payment for extended periods, the reasons given are often that deductions account for visas, travel and job agent costs. Physical violence is also common, and in the worst instances, workers have also been murdered.

> *As well as protecting workers in their own country, parliamentarians must also consider the threat posed to populations by promises of overseas employment*

> *Parliamentarians can be among the first to hear of [trafficking routes] them, making them a vital conduit between survivors, crime agencies and the broader community*

Sadly, we are often unaware of trafficking routes until a survivor or victim's family comes forward. As community representatives, parliamentarians can be among the first to hear of them, making them a vital conduit between survivors, crime agencies and the broader community. As public representatives, parliamentarians can safeguard the community by raising awareness of known trafficking routes and encouraging survivors to report to the police.

Key points for parliamentarians

- Understand modern slavery yourself – make sure you know **what it is and what it is not**.
- Ask yourself: **who benefits** from modern slavery in supply chains; who are the **victims**; how can we combat it; and which countries are **leading the way** in this fight?
- **Identify** at-risk populations and sectors.
- **Share your knowledge** and insights with other parliamentarian colleagues. Discuss these issues and **raise awareness in parliament**.
- **Listen to survivor**s and be available for those in need. Meet with constituents and provide them with a safe space to speak and share their stories. **Provide them with support** and information on how to move forward.
- Develop communications campaigns targeted at businesses and vulnerable workers. Create a limited number of **easy-to-understand clear message**s regarding modern slavery in supply chains. Use these same messages consistently.
- **Community awareness raising** and **knowledge building** are paramount – if constituents do not know the signs or where to report complaints, then they cannot help to stop it or seek help if they are exploited.
- Establish a **hotline** for anyone to report instances of modern slavery.
- Create **cross-department** and **inter-government agencies** that **share information** on suspected criminals and criminal activity across agencies and jurisdictions, to support the successful implementation of existing laws.
- Ensure that those awarding government contracts are aware of the **due diligence** they should undertake to prevent slavery and exploitation in government purchasing and activities.
- **Prohibit recruitment fees, bonds or deposits** being charged to workers, including migrant workers.
- Work with an **independent Anti-Slavery Commissioner**. If your legislature does not have one, consider creating this position.
- Develop and implement legislation with strong **prevention mechanisms**. Ensure that legislation is consistently and transparently enforced.
- **Support law enforcement** in their **intelligence gathering** and analysis. This will strengthen the development of new policies and strategies to consolidate the legal framework.
- To promote transparency, consider introducing something similar to Brazil's '**Dirty List**', a list of employers and companies proven to exploit workers. The list is constantly updated and published regularly.
- Be aware of the **intersection** between unsafe **workplaces, living conditions** and modern slavery.
- Engage **on behalf of workers** with government departments, mainly the immigration departments, and other third parties, including lawyers, private businesses, charity organisations and union organisations.

APPENDICES





I: Modern slavery references in company law across the Commonwealth

Prepared by Peter Talibart

In this annex, Peter Talibart and his team at Seyfarth Shaw provide examples of 50-word amendments to some Commonwealth countries' company laws. These amendments would lead to stronger transparency and reporting requirements. This was prepared ahead of CPA UK's Legislative Strengthening Seminar to Address Modern Slavery in Supply Chains, held in October 2024.

Country	Legislation	Potential modern slavery clause reference	Comments
 Australia (NSW)	Corporations Act 2001	**Section 299:** The directors' report for a financial year must: (a) contain a review of operations during the year of the entity reported on and the results of those operations; and (b) give details of any significant changes in the entity's state of affairs during the year; and (c) state the entity's principal activities during the year and any significant changes in the nature of those activities during the year; and (d) give details of any matter or circumstance that has arisen since the end of the year that has significantly affected, or may significantly affect: (i)the entity's operations in future financial years; or (ii)the results of those operations in future financial years; or (iii)the entity's state of affairs in future financial years; and (e) refer to likely developments in the entity's operations in future financial years and the expected results of those operations; (f) if the entity's operations are subject to any particular and significant environmental regulation under a law of the Commonwealth or of a State or Territory--give details of the entity's performance in relation to environmental regulation; and (g) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words).	Note: the Corporations Act is a federal legislation, so this could apply to all States and Territories and not just NSW.
 Cyprus	The Companies Law 2012	**Section 151:** (1)(a) There shall be attached to the financial statements a report by the directors in relation to the status and the foreseeable development of the affairs of the company or the group. (b) The directors' report shall provide information in relation to, at least, the following: (i) any change during the financial year in the nature of the business of the company or in its subsidiaries or in the classes of business in which the company has an interest, whether as a member of another company or otherwise, and especially in any takeover or merger which has been realized or intended, whether active or passive; (ii) any change to the share capital; (iii) any significant change to the structure, the allocation of responsibilities, or the compensation of the board of directors; (iv) any activities in the area of research and development to the extent that the relevant data do not already arise from the financial statements;	

Country	Legislation	Potential modern slavery clause reference	Comments
		financial statements; (v) any important event that occurred after the expiry of usage; (vi) the foreseeable development of the company, (vii) the existence of branches of the company; (viii) a fair review of the development and progress of the activities of the company and its position, as well a description of the main risks and uncertainties it is facing; (viv) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words). bA) The review mentioned in subparagraph (viii) of paragraph (b) shall give a balanced and comprehensive analysis of the development and progress of the activities of the company and its position, which shall be proportionate to the size and complexity of its activities. (bB) (i) To the extent necessary for an understanding of the company's development, progress or position, the analysis mentioned in paragraph (bA) above, shall include financial and economic, as well as, where appropriate, non financial and economic basic indications of progression related to the specific field of activities, including information relating to environmental and employee matters;	The Cyprus legislation does not require company reports to include as much information as in other jurisdictions (such as information on employee health and safety), so there may be more pushback here and it doesn't fit as easily as some of the other legislation.
 The Gambia	Companies Act 2013	**327. Directors' report** (1) The directors shall, in the case of a company, prepare in respect of each year, a report – (a) containing a fair view of the development of the business of the company and Companies Act, 2013 287 its subsidiaries during the year and of their position at the end of the year; and (b) stating the amount, if any, which they recommend should be paid as dividend and the amount, if any, which they propose to carry to reserves. (2) The directors' report shall state- (a) the names of the persons who, at any time during the year, were directors of the company; and (b) the principal activities of the company and its subsidiaries in the course of the year and any significant change in those activities in the year. (3) The directors' report shall also state the matters, and give the particulars, required by Part I of the Fifth Schedule to this Act. (4) Part II of the Fifth Schedule to this Act applies as regards the matters to be stated in the directors' report the directors in the circumstances specified in the Schedule. (5) Part III of the Fifth Schedule to this Act applies as regards the matters to be stated in the directors' report relative to the employment, training and advancement of disabled persons, the health, safety and welfare at work of the employees of the company and the involvement of employees in	

Country	Legislation	Potential modern slavery clause reference	Comments
		the affairs, policy and performance of the company. (5A) The directors report must state the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (55 words). (6) Where there is a failure to comply with the requirements of this Act as to the matters to be stated, and the particulars to be given, in the directors' report, every person who was a director of the company immediately before the end of the period prescribed for laying and delivering financial statements commits an offence and is liable on conviction to a fine of five hundred thousand dalasis or imprisonment for a term of not more than two years. Companies Act, 2013 288 (7) In proceedings for an offence under sub-section (6), it is a defence for the person to prove that he or she took all reasonable steps for securing compliance with the requirements in question. (8) The directors' report shall be approved by the board of directors and signed on behalf of the board by a director or the secretary of the company. (9) Every copy of the directors' report which is laid before the company in general meeting, or which is otherwise circulated, published or issued, shall state the name of the person who signed it on behalf of the board. (10) The copy of the directors' report which is delivered to the Registrar shall be signed on behalf of the board by a director or the secretary of the company. (11) If a copy of the directors' report- (a) is laid before the company, or otherwise circulated, published or issued, without the report having been signed as required by this section or without the required statement of the signatory's name being included; or (b) is delivered to the Registrar without being signed as required by this section, the company, and every officers of the company in default, commits an offence and is liable on conviction to a fine of three hundred thousand dalasis.	
 Isle of Man	Companies Act 2006	**S80 Companies to keep accounting records** (1) A company shall keep reliable accounting records which — (a) correctly explain the transactions of the company; and (b) enable the financial position of the company to be determined with reasonable accuracy at any time; and (c) allow financial statements to be prepared. (2) [Repealed] (3) In this section "financial statements" means written accounts of the company which have been approved by the directors as financial statements for the purposes of this Act and which	

Country	Legislation	Potential modern slavery clause reference	Comments
		include — (a) a written statement recording the assets and liabilities of the company on a specific date; (b) a written statement recording the receipts, payments and other financial transactions undertaken by the company in respect of the period ending on the date of the statement referred to in paragraph (a); and (c) such notes as are necessary for a reasonable understanding of the statements referred to in paragraphs (a) and (b). (d) a written statement recording the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (55 words) **S80B Additional provisions concerning presentation of financial statements** (1) Whenever financial statements are prepared— (a) the statement referred to in section 80(3)(a) must give a true and fair view of the state of affairs of the company at the end of the financial period to which it relates; and (b) the statement referred to in section 80(3)(b) must give a true and fair view of the receipts, payments and other financial transactions undertaken by the company for the financial period to which it relates.	There are no specific requirements for directors reports, only financial statements
Jersey	Companies (Jersey) Law 1991	**Section 105- Accounts** (1) Except as provided by paragraph (11), the directors of a company must prepare accounts for a period of not more than 18 months – (a) beginning on the date the company was incorporated; or (b) if the company has previously prepared a profit and loss account, beginning at the end of the period covered by the most recent accounts. (2) The accounts must be prepared – (a) in the case of a market traded company, in accordance with generally accepted accounting principles prescribed for the purposes of this provision; or (b) in any other case, in accordance with any generally accepted accounting principles. (3) The accounts of a company must specify the generally accepted accounting principles that have been adopted in their preparation. (4) The accounts of a company that is required by Article 113(1) to appoint an auditor must give a true and fair view of, or be presented fairly in all material respects so as to show – (a) the company's profit or loss for the period covered by the accounts; and	

Country	Legislation	Potential modern slavery clause reference	Comments
		(b) the state of its affairs at the end of the period, and must otherwise comply with any other requirements of this Law. In addition, the Company's accounts must include a written statement recording the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (61 words) (5) A company's accounts must be – (a) approved by the directors; and (b) signed on their behalf by one of them. (6) The accounts for a financial period of a company must – (a) be prepared, and, if required under this Part, be examined and reported upon by an auditor; and (b) subject to paragraph (8), be laid before a general meeting of the company together with a copy of any auditor's report on them. (7) The actions mentioned in paragraph (6) must be taken – (a) in the case of a public company, within 7 months; or (b) in the case of a private company, within 10 months, after the end of the financial period of the company covered by the accounts. (8) Paragraph (9) applies if, at the end of a financial period of a company – (a) the company is a private company that is not a relevant private company within the meaning given by Article 87(2A); or (b) an agreement under Article 87(4) dispensing with the holding of an annual general meeting has effect in the case of the company.[291] (9) The company is not obliged to lay the accounts for the financial period or a copy of any auditor's report on them before a general meeting of the company unless a member of the company, not later than 11 months after the end of the financial period covered by the accounts, by written notice given to the company, requires the company to do so. (10) In such a case the general meeting of the company must be held within 28 days after – (a) the receipt of the notice by the company; or (b) the approval of the accounts by the directors, whichever last occurs. (11) For the purposes of this Article, the directors of a holding company need not prepare separate accounts under paragraph (1) if consolidated accounts for the company are prepared, unless required to do so by the members of the company by ordinary resolution.	The Jersey legislation does not require companies to submit an annual director's report, and only financial returns, so there may be more pushback here and it doesn't fit as easily as some of the other legislation.

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 Kenya	Companies Act 2015	**Division 5- Director's Report** **654**. (1) The directors shall include in their report for a financial year— (a) the names of the persons who, at any time during the financial year, were directors of the company; and (b) the principal activities of the company during the course of the year. Option 1: (c) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words). (2) In relation to a group directors' report, subsection (1)(b) has effect as if the reference to the company were a reference to the undertakings to which the relevant group financial statement relates. (3) Except in the case of a company that is subject to the small companies regime, the directors shall specify in the report amount (if any) that the directors recommend should be paid as a dividend. (4) The regulations may specify other matters that are required to be disclosed in a directors' report. (5) If the directors of a company fail to comply with subsection (1) or (3), each director of the company who is in default commits an offence and on conviction is liable to a fine not exceeding five hundred thousand shillings. **655.** (1) Unless the company is subject to the small companies regime, the directors shall include in their report a business review that complies with subsection (3), so far as relevant to the company. (2) The purpose of the business review is to inform members of the company and assist them to assess how the directors have performed their duty under section 144. (3) The business review complies with this subsection if— (a) it contains— (i) a fair review under subsection (1) of the company's business; and (ii) a description of the principal risks and uncertainties facing the company; and (b) is a balanced and comprehensive analysis of— (i) the development and performance of the business of the company during the company's financial year; and (ii) the position of the company's at the end of that year, consistent with size and complexity of the business. (4) In the case of a quoted company, the directors shall specify in the business review (to the extent necessary for an understanding of the development, performance or position of the company)—	Option 1 would apply to all companies who are required to file director's reports (which is all companies).

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		(a) the main trends and factors likely to affect the future development, performance and position of the business of the company; (b) information about— (i) environmental matters (including the impact of the business of the company on the environment); (ii) the employees of the company; and (iii) social and community issues, including information on any policies of the company in relation to those matters and the effectiveness of those policies; and Option 2: (iv) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words). (c) information about persons with whom the company has contractual or other arrangements that are essential to the business of the company. (5) If the business review does not contain information of each kind mentioned in subsection (4)(b)(i), (ii) and (iii) and (c), the directors shall specify in the review which of those kinds of information it does not contain. (6) The directors shall include in the business review (to the extent necessary for an understanding of the development, performance or position of the company's business)— (a) an analysis using financial key performance indicators; (b) if appropriate, an analysis using other key performance indicators (including information relating to environmental matters and employee matters); and (c) references to, and additional explanations of, amounts included in the company's annual financial statement. (7) The directors shall also include in the business review references to, and additional explanations of, amounts included in the company's annual financial statement. (8) In relation to a group directors' report, this section has effect as if a reference to a company were a reference to an undertaking to which the report relates. (9) If directors of a company fail to comply with a requirement of this section, each director of the company who is in default commits an offence and on conviction is liable to a fine not exceeding five hundred thousand shillings	Option 2 would only apply to listed companies (or 'quoted' companies as they are referred to in section 655- see below). This is because listed companies are required to specify certain information in the business review section of the directors' report.

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 Malawi	Companies Act Chapter 46:03	**189. Directors' report** (1) The report of the directors referred to in section 182 shall consist of a report by the directors on the state of the company's affairs and, if the company is a holding company, on the state of affairs of the company and its subsidiaries as a group, and the amount, if any, which they recommend should be paid by way of dividend. (2) The report shall be approved by the board of directors and signed on behalf of the board by two directors. (3) The report shall deal, so far as is material for the appreciation of the state of the company's affairs, with any change during the financial year in the nature of the business of the company or of the company's group companies, or in the classes of business in which the company has an interest, whether as member of another company or otherwise. The report shall deal with the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (55 words) (4) The report shall contain a list of bodies corporate in relation to which either of the following conditions is fulfilled at the end of the company's financial year— (a) the body corporate is a subsidiary of the company; or (b) although the body corporate is not a subsidiary of the company, the company is beneficially entitled to equity shares of the body corporate conferring the right to exercise more than twenty-five per cent of the votes exercisable at a general meeting of the body corporate. (5) The list referred to in subsection (4) shall distinguish between bodies corporate falling within paragraph (a) and paragraph (b) thereof and shall state as regards each such company— (a) its name; (b) its country of incorporation; and (c) the nature of the business carried on by it. (6) If the company is, at the end of its financial year, the subsidiary of another, the report shall also state the name and country of incorporation of its holding company, and of the company which the directors understand to be its ultimate holding company. (7) If, on application by the directors, the Minister is satisfied that mention of any of the matters referred to in subsections (3), (4), (5) and (6) would be harmful to the business of the company or any of its group companies or to the national interest he may direct that such matter need not be mentioned in the report of a financial year. (8) Subject to section 190 (2), any information which is required by this Act to be given in the profit and loss account or balance	The Malawi legislation does not require company reports to include as much information as in other jurisdictions (such as information on employee health and safety), so there may be more pushback here and it doesn't fit as easily as some of the other legislation.

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		sheet of a company or in group accounts may be given in the report, in which case the report shall be deemed to form part of the accounts and this Act shall apply thereto accordingly. (9) If any director fails to take all reasonable steps to comply with the provisions of this section he shall be liable to a fine of two hundred Kwacha.	
 Malaysia	Companies Act 2016	**Fifth Schedule- Contents of Directors Report** **Part I - Contents of Director's Report** 1. Each report to which section 252 relates, shall state the following details: (a)the net amount of the profit or loss of the company for the financial year after provision for income tax; (b)the amounts and particulars of any material transfers to or from reserves or provisions; (c)where, during the financial year, the company has issued any shares or debentures—(i) the purposes of the issue, the classes of shares or debentures issued; (ii) the number of shares of each class and the amount of debentures of each class; and (iii) the terms of issue of the shares and debentures of each class; (d)whether at the end of that financial year—(i) there is a subsist arrangements to which the company is a party, being arrangements with the objects of enabling directors of the company to acquire benefits by means of the acquisition of shares in, or debentures of, the company or any other body corporate; or(ii)there have, at any time in that year, subsisted such arrangements as aforesaid to which the company was a party, and if so, the report shall contain a statement explaining the effect of the arrangements and giving the names of the persons who at any time in that year were directors of the company and held, or whose nominees held, shares or debentures acquired under the arrangements; (e)in respect of each person who, at the end of the financial year, was a director of the company— (i) whether or not, according to the register kept by the company for the purposes of section 59 relating to the obligation of a director of a company to notify such company of his interests in shares in, or debentures of, the company and of every other body corporate, being the company's subsidiary or holding company or a subsidiary of the company's holding company, he was at the end of that year, interested in shares in, or debentures of the company or any other body corporate and, if he was so interested, the number and amount of shares in, and debentures of, each body in which, according to that register, he was then interested; (ii)whether or not, according to that register, he was, at the	

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		the beginning of that year or, if he was not then a director, when he became a director, interested in shares in, or debentures of, the company or any other such body corporate and, if he was so interested, the number and amount of shares in, and debentures of, each body in which according to that register, he was interested at the beginning of that year or, as the case may be, when he became a director; and (iii) the total number of shares in or debentures of the company or any other such body corporate bought and sold by him during that financial year; (f)the amount, if any, which the directors recommended should be paid by way of dividend, and any amount which have been paid or declared by way of dividend since the end of the previous financial year, indicating which of those amounts, if any, have been shown in a previous report under section 252 or under any corresponding previous written law; (g)whether the directors, before the financial statements were prepared, took reasonable steps to ascertain what action had been taken in relation to the writing off of bad debts and the making of provision for doubtful debts, and satisfied themselves that all known bad debts had been written off and that adequate provision had been made for doubtful debts; (h) whether at the date of the report the directors are aware of any circumstances which would render the amount written off for bad debts or the amount of the provision for doubtful debts inadequate to any substantial extent and, if so, giving particulars of the circumstances; (i) whether the directors, before the financial statements were prepared, have taken reasonable steps to ensure that any current assets which were unlikely to be realized in the ordinary course of business including the value of current assets as shown in the accounting records of the company have been written down to an amount which the current assets might be expected so to realize; (j) whether at the date of the report the directors are aware of any circumstances— (i) which would render the values attributed to current assets in the accounts misleading; and(ii) which have arisen which would render adherence to the existing method of valuation of assets or liabilities of the company misleading or inappropriate, and, if so, giving particulars of the circumstances; (k) whether there exists at the date of the report— (i) any charge on the assets of the company which has arisen since the end of the financial year which secures the liabilities of any other person and, if so, giving particulars of any such charge and, so far as practicable, of the amount secured; and(ii) any contingent liability which has arisen since the end of the financial year and, if so, stating the general nature of the liability and,	

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		so far as practicable, the maximum amount, or an estimate of the maximum amount, for which the company could become liable in respect of the liability; (l) whether any contingent or other liability has become enforceable, or is likely to become enforceable, within the period of twelve months after the end of the financial year which, in the opinion of the directors, will or may affect the ability of the company to meet its obligations when they fall due and, if so, giving particulars of any such liability; (m) whether at the date of the report the directors are aware of any circumstances not otherwise dealt with in the report or accounts which would render any amount stated in the accounts misleading and, if so, giving particulars of the circumstances; (n) whether the results of the company's operations during the financial year were, in the opinion of the directors, substantially affected by any item, transaction or event of a material and unusual nature and, if so, giving particulars of that item, transaction or event and the amount or the effect of the item, transaction or event, if known or reasonably ascertainable; and (o) whether there has arisen in the interval between the end of the financial year and the date of the report any item, transaction or event of a material and unusual nature likely, in the opinion of the directors, to affect substantially the results of the company's operations for the financial year in which the report is made and, if so, giving particulars of the item, transaction or event; Option 1: (p) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words). (p) any other details as determined by the Registrar; and **Part II- Contents of Business Review** 1. Each report prepared under section 252 may include a business review. 2. The business review may, to the extent necessary for an understanding of the development, performance or position of the company's business, contain— (a) a fair review of the company's business; (b) a description of the principal risks and uncertainties facing the company; (c) a balanced and comprehensive analysis of—(i) the development and performance of the company's business during the financial year; (ii) the position of the company's business at the end of that year, consistent with the size and	Have included some different options – as it would make more sense if the modern slavery reference is in the business review but is not clear from the legislation if all companies are required to file a business review.

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		and complexity of the business; and(iii) the key performance indicators of the company; (d) information about— (i) environmental matters, including the impact of the company's business on the environment; (ii) the company's employees; and (iii) social and community issues, including information about any policies of the company in relation to those matters and the effectiveness of those policies; and (iv) Option 2; the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (50 words). (e) subject to paragraph 7 of this Part, information about persons with whom the company has contractual or other arrangements which are essential to the business of the company.	
 Namibia	Companies Act 2004	**307. Report of directors** (1) Except in the case of a company which is a wholly-owned subsidiary of any other company incorporated in Namibia, every company must, as part of its annual financial statements, present before the annual general meeting a report by the directors with respect to the state of affairs, the business and the profit or loss of the company or of the company and its subsidiaries, if any. (2)The directors' report must deal with every matter which is material for the appreciation by the members of the company of the state of affairs, the business and the profit or loss of the company or of the company and its subsidiaries, if any, and must for that purpose be in accordance with and include at least the matters prescribed by Schedule 4, in so far as these are applicable, and comply with any other requirements of this Act. (3) Any director of a company who fails to take all reasonable steps to ensure compliance with this section, commits an offence and is liable to a fine which does not exceed N$2 000 or to be imprisoned for a period which does not exceed six months or to both the fine and imprisonment. **Schedule 4 – Part III, section 68** **Specific matters** **68**. Unless such information is already given in any document annexed to the annual financial statements, the directors' report shall state - (a) the nature of the business of the company and of its subsidiaries, if any, and any major change therein during the	

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		accounting period; (b) in aggregate figures the amounts and particulars of any shares, convertible instruments and debentures issued during the accounting period and the purposes for and circumstances in which such shares, convertible instruments and debentures have been issued; (c) any major change in the nature of the fixed assets of the company and of its subsidiaries, if any, during the accounting period or any change in policy relating to the use of fixed assets; (d) the amount, if any, already paid or declared or proposed to be paid by way of dividends in respect of each class of shares; (e) the fact that the business of the company or any part thereof or of a subsidiary has been managed by a third person or a company in which a director has an interest, under any agreement during the accounting period (if it has been so managed) and the names of such third person or company and the director's interest in such company, if material; (f) the names of the directors and the secretary, the secretary's business and postal address, and any changes during the accounting period; and (g) the name of the company's holding company and its ultimate holding company, if any, and if any such holding company has been incorporated in a foreign country, the name of that country. (h) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (50 words).	
 Nigeria	The Companies and Allied Matters Act 2020	**S385. Directors' Reports** (1) In the case of every company, there shall be prepared in respect of each year, a report by the directors— (a) containing a fair view of the development of the business of the company and its subsidiaries during the year and of their position at the end of it; and (b) stating the amount, if any, which they recommend should be paid as dividend and the amount (if any) which they propose to carry to reserves; and (c) stating the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (53 words). (2) The directors' report shall state the names of the persons who, at any time during the year, were directors of the company,	

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		and the financial activities of the company and its subsidiaries in the course of the year and any significant change in those activities in the year. (3) The report shall also state the matters, and give the particulars, required by Part I of the Fourth Schedule to this Act. (4) Part II of the Fourth Schedule to this Act applies as regards the matters to be stated in the report of the directors in the circumstances specified therein. (5) Part III of the Fourth Schedule to this Act applies as regards the matters to be stated in the directors' report relative to the employment, training and advancement of disabled persons, the health, safety and welfare at work of the employees of the company and the involvement of employees in the affairs, policy and performance of the company. (6) In respect of any failure to comply with the requirements of this Act as to the matters to be stated and the particulars to be given in the directors' report, every person who was a director of the company immediately before the end of the period prescribed for laying and delivering financial statements commits an offence and is liable on conviction to a penalty as the Commission shall specify in its regulations. (7) In proceedings for ascertaining guilt under subsection (6), it is a defence for the person to prove that he took all reasonable steps for securing compliance with the requirements in question.	
Pakistan		**227. Contents of directors' report and statement of compliance** (1) The directors shall make out and attach to the financial statements, a report with respect to the state of the company's affairs and a fair review of its business, the amount (if any), that the directors recommend should be paid by way of dividend and the amount (if any), they propose to carry to the Reserve Fund, General Reserve or Reserve Account. (2) In the case of a public company or a private company which is a subsidiary of a public company, the directors report, in addition to the matters specified in sub-section (1) must state— a) the names of the persons who, at any time during the financial year, were directors of the company; (b) the principal activities and the development and performance of the company's business during the financial year; (c) a description of the principal risks and uncertainties facing the company; (d) any changes that have occurred during the financial year concerning the nature of the business of the company or of its subsidiaries, or any other company in which the company has interest;	

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		(e) the information and explanation in regard to any contents of modification in the auditor's report (f) information about the pattern of holding of the shares in the form specified; (g) the name and country of origin of the holding company, if such company is a foreign company; (h) the earning per share; (i) the reasons for loss if incurred during the year and future prospects of profit, if any; (j) information about defaults in payment of any debts and reasons thereof; (k) comments in respect of adequacy internal financial controls; (l) any material changes and commitments affecting the financial position of the company which have occurred between the end of the financial year of the company to which the financial statement relates and the date of the report; Option 1: (m) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (50 words); and (m) any other information as may be specified. (3) In the case of a listed company, the business review must, to the extent necessary for understanding the development, performance or position of the company's business, include— (a) the main trends and factors likely to affect the future development, performance and position of the company's business; (b) the impact of the company's business on the environment; (c) the activities undertaken by the company with regard to corporate social responsibility during the year; and (d) directors' responsibility in respect of adequacy of internal financial controls as may be specified; and Option 2: (e) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words). (4) The board shall make out and attach to the financial statement such statement of compliance as may be specified. (5) The directors' report and statement of compliance must be approved by the board and signed by the chief executive and a director of the company. (6) Whoever contravenes any of the provisions of this section shall (a) in respect of a listed company, be punishable with	Option 1 would apply to all companies who are required to file director's reports (which is all companies). Option 2 would only apply to listed companies. This is because listed companies are required to specify certain information in the business review section of the directors' report.

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		imprisonment for a term which may extend to two years and with fine may extend to five hundred thousand rupees and with a further fine which may extend to ten thousand rupees for every day after the first during which the default continues; and (b) in respect of any other company, be punishable with imprisonment for a term which may extend to one year and with fine which may extend to one hundred thousand rupees.	
 Sierra Leone	The Companies Act 2009	**FOURTH SCHEDULE (Section 293)- MATTERS TO BE DEALT WITH IN DIRECTORS' REPORT** **Part III- Employment and Employees** Employment of disabled persons 9. The directors' report shall contain a statement showing how many disabled persons were employed during the year and describing the policy which the company has applied during the year– (a) for giving full and fair consideration to applications for employment by the company made by disabled persons, having regard to their particular aptitudes and abilities; (b) for continuing the employment of, and for arranging appropriate training for, employees of the company who have become disabled persons during the period when they were employed by the company; and (c) otherwise for the training, career development and promotion of disabled persons employed by the company. Health, safety and welfare at work of company's employees 10. The directors' report shall contain a statement as to the arrangement in force in the year for securing the health, safety and welfare at work of employees of the company and its subsidiaries, and in their supply chains and for protecting other persons against risks to health or safety arising out of or in connection with the activities at work of those employees, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (30 words). **<u>Employee involvement and training</u>** 11. The directors' report shall contain a statement describing the action that has been taken during the year to introduce, maintain or develop arrangements aimed at- (i) providing employees systematically with information on matters of concern to them as employees; (ii) consulting employees or their representatives on a regular basis so that the views of employees can be taken into account in making decisions which are likely to affect their interests; (iii) encouraging the involvement of employees in the company's performance through an employees' share scheme or by some	We could just leave it as "and in their supply chain" 5 words?

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		other means; and (iv) achieving a common awareness on the part of all employees of the financial and economic factors affecting the performance of the company. 12. The directors' report shall contain a statement showing the arrangements made or facilities provided by the company for the training of employees during the year.	
Sri Lanka	Companies Act No. 07 of 2007	**168**. (1) The annual report of the board shall be in writing and be dated, and subject to subsection (2), shall— (a) describe so far as the board believes is material for the shareholders to have an appreciation of the state of the company's affairs and will not be harmful to the business of the company or of any of its subsidiaries, any change during the accounting period in— (i) the nature of the business of the company or any of its subsidiaries; or (ii) the classes of business in which the company has an interest, whether as a shareholder of another company or otherwise; (b) include financial statements for the accounting period completed and signed in accordance with section 151, and any group financial statements for the accounting period completed and signed in accordance with section 152; (c) where an auditor has been appointed by the company, include that auditor's report on the financial statements and any group financial statements; (d) describe any change in accounting policies made during the accounting period; (e) state particulars of entries in the interests register made during the accounting period; (f) state the remuneration and other benefits of directors during the accounting period; (g) state the total amount of donations made by the company during the accounting period; (h) state the names of the persons holding office as directors of the company as at the end of the accounting period and the names of any persons who ceased to hold office as directors of the company during the accounting period; (i) state the amounts payable by the company to the person or firm holding office as auditor of the company as audit fees and as a separate item, fees payable by the company for other services provided by that person or firm; (j) state the particulars of any relationship (other than that of auditor) which the auditor has with or any interests which the auditor has in, the company or any of its subsidiaries; and (k) be signed on behalf of the board by-	

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		(i) two directors of the company or if the company has only one director, by that director; and (ii) the secretary of the company. (l) state the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (51 words) (2) A company that is required to include group financial statements in its annual report shall include in relation to its subsidiaries, the information specified in paragraphs (b) to (j) of subsection (1). (3) The annual report of a company need not comply with of paragraph (a) and paragraphs (d) to (j) of subsection (1), if all shareholders agree in writing that it need not do so. Any such agreement shall be noted in the annual report	
 St Lucia		**149. ANNUAL FINANCIAL RETURNS** (1) Subject to this section and to section 150, the directors of a company shall place before the shareholders at every annual meeting of the shareholders of the company (a) comparative financial statements, as prescribed, relating separately to— (i) the period that began on the date the company came into existence and ended not more than 12 months after that date, or, if the company has completed a financial year, the period that began immediately after the end of the last period for which financial statements were prepared and ended not more than 12 months after the beginning of that period, and (ii) the immediately preceding financial year; (b) the report of the auditor, if any; and (c) any further information respecting the financial position of the company and the results of its operations required by the articles of the company, its bye-laws, or any unanimous shareholder agreement. Including, the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring (51 words). (2) The financial statements required by subsection (1)(a)(ii) may be omitted if the reason for the omission is set out in the financial statements, or in a note thereto, to be placed before the shareholders at an annual meeting. (3) The Registrar may in any particular case adjust the period relating to which comparable financial statements are to be	The St Lucia legislation does not require companies to submit an annual director's report, and only financial returns, so there may be more pushback here and it doesn't fit as easily as some of the other legislation.

Country	Legislation	Potential modern slavery clause reference	Comments
		placed before the shareholders at any annual meeting.	
 United Kingdom	Companies Act 2006	**Section 414c (7):** In the case of a quoted company the strategic report must, to the extent necessary for an understanding of the development, performance or position of the company's business, include— (a) the main trends and factors likely to affect the future development, performance and position of the company's business, and (b) information about— (i) environmental matters (including the impact of the company's business on the environment), (ii) the company's employees, and (iii) social, community and human rights issues, (including in its supply chain) (5 words) including information about any policies of the company in relation to those matters and the effectiveness of those policies. If the report does not contain information of each kind mentioned in paragraphs (b)(i), (ii) and (iii), it must state which of those kinds of information it does not contain.	
 Zambia	The Companies Act 2017	**277.** (1) An annual report shall be in writing, dated and shall— (a) contain information describing— (i) the company's affairs, so far as is reasonable for the members to have an appreciation of such affairs, being information which is not harmful to the business of the company or a subsidiary; and (ii) any change in the nature of the business of the company or its subsidiary and the classes of business in which the company has an interest, whether as a member of another company or otherwise, during the accounting period; and (iii) the measures the company takes to ensure that modern slavery and human trafficking is not taking place in its business or in its supply chain, including its due diligence processes, policies, internal training and the areas of the business or supply chain where there are risks of modern slavery occurring. (50 words); and (b) include the financial statements and any group financial statements for the accounting period completed and signed in accordance with this Act; (c) include an auditor's report, where an auditor's report is required to be included in relation to the financial statements or group financial statements; (d) include updated beneficial ownership information in respect of shares;	The Zambia legislation does not require company reports to include as much information as in other jurisdictions (such as information on employee health and safety), so there may be more pushback here.

Country	Legislation	Potential modern slavery clause reference	Comments
		(e) state particulars of entries in the interests register made during the accounting period; (f) state the amount which represents the total of the remuneration and benefits due or received by the company and any related company, corporation or institution by— (i) executive directors engaged full-time by the company and related companies, corporations, or institutions, including all bonuses and commissions received by the executive directors; and (ii) non-executive directors; (g) state the total amount of donations made by the company and any subsidiary during the accounting period; (h) state the names of the persons— (i) holding office as directors at the end of the accounting period; and (ii) who ceased to hold office as directors during the accounting period; (i) state the amounts payable as audit fees by the company to an auditor of the company and, as a separate item, fees payable by the company for other services provided by the auditor; and (j) be signed on behalf of the company by not less than two directors or, where the company has only one director at the completion of the annual financial statements, by the director.	

II: Leaflet - Human Trafficking & Modern Slavery in Supply Chains

This leaflet provides you with information to understand modern slavery in supply chains and how to use your role as parliamentarian, to address the issue in your constituency and legislature. We encourage you to print out the leaflet, and share it with your peers and colleagues to further raise awareness of the issue. You can download the leaflet in the link below.

SCAN ME

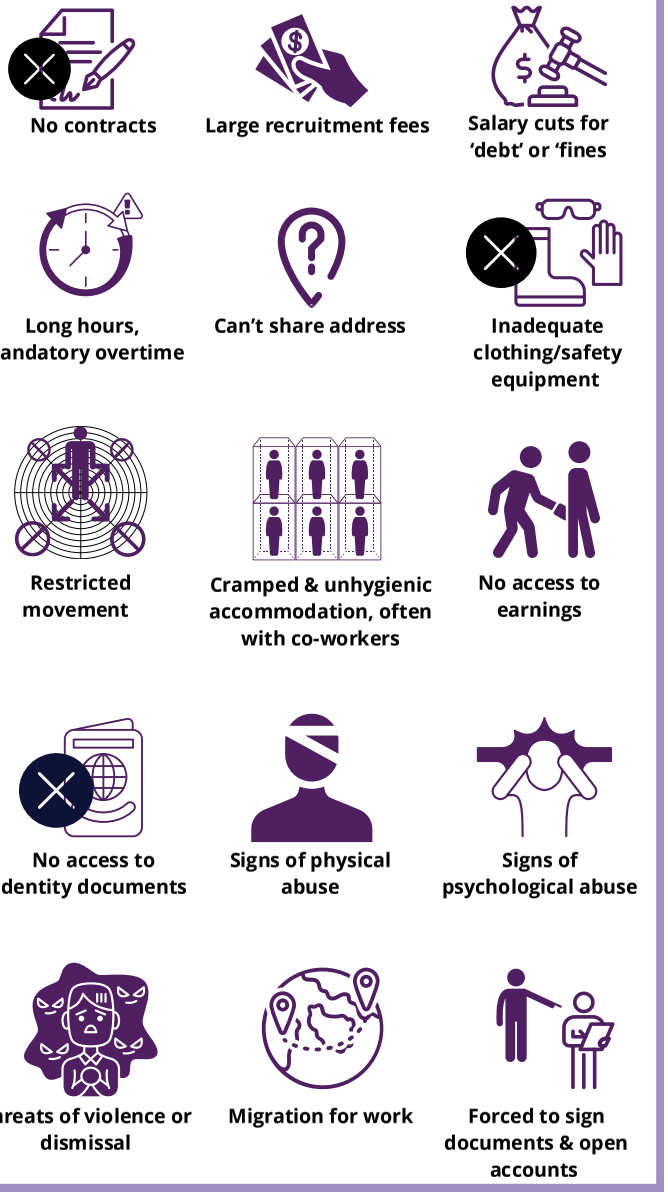


UK Representation to the Commonwealth

COMMONWEALTH PARLIAMENTARY ASSOCIATION UK

Human Trafficking & Modern Slavery in Supply Chains

SPOT THE SIGNS



What is Human Trafficking and Modern Slavery?

Human Trafficking is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

An internationally accepted definition adopted by the UN in 2000 under the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children.

50 MILLION
People are living in modern slavery

Modern Slavery is everywhere, in every region and every country.

It touches every sector.

10 MILLION
More people since 2016

Provided by Walk Free's Global Slavery Index

Other Key Definitions

Forced Labour is a situation in which an individual involuntarily performs any type of work or service. The involuntary nature of the situation means that the person is required to work under some sort of threat. The threat can be real or implied but has such an implication that the individual feels unable to refuse. The two key elements of forced labour are the exercise of coercion and the denial of freedom.

Debt Bondage is also known as 'bonded labour' or 'debt slavery'. It occurs when a person is required to perform work or services in order to pay off a debt. Most or all 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.

Modern Slavery has many forms but is identifiable through its common traits:



The personal or commercial gain of an individual/organisation through the exploitation of a human being

who cannot leave, due to threats, violence, coercion, abduction, fraud, deception or abuse of power

resulting in the victim's loss of freedom

What is Modern Slavery in Supply Chains?

Every product and service we encounter undergoes a journey from raw materials and resources to its final purchased form. A **supply chain** represents this journey, tracing the various suppliers and sub-contractors which contribute to any component of the product.

Human Trafficking or Modern Slavery in Supply Chains refers to instances of labour exploitation occurring at any stage in a product's development.



During each link, the product encounters a different workforce. Each link, therefore, presents a risk for human exploitation.

Generally, as the supply chain goes down, the visibility over workers and their conditions decreases.

The Impact of Globalisation



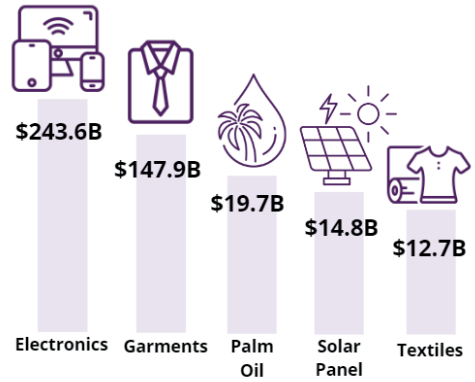
Globalisation has enabled businesses to access materials, production methods and labour from around the world. As a result, supply chains have become increasingly complex - it is more challenging to trace the path from raw materials to finished products.

It is more difficult to know who has worked on a product. And under what conditions.

The scale of global supply chains means that many products and services are tainted by cases of labour exploitation.

Most recently, G20 countries are estimated to have imported US$468 billion worth of goods at risk of modern slavery, the top five are listed below.

Other products and sectors at particular risk are cattle; coffee; fish; gold; sugarcane; timber; cocoa; coal; and rice but there are many more.



Provided by Walk Free's Global Slavery Index

The Importance of Legislation

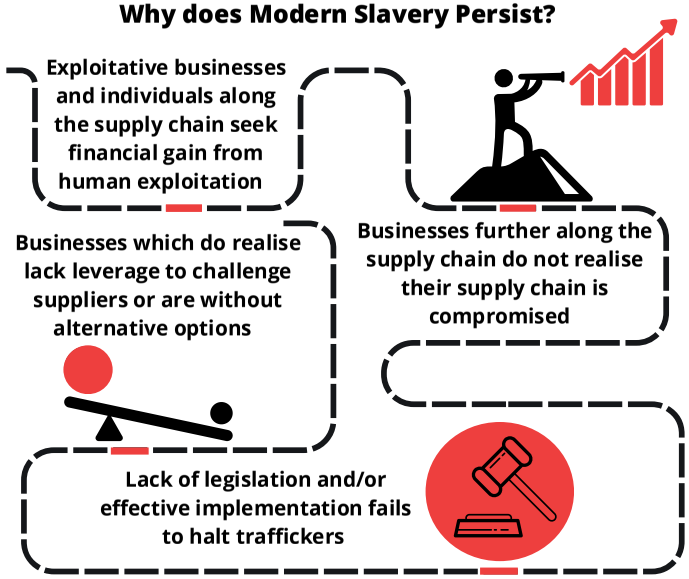
Strengthening legislation is the first and most crucial step to protect workers from exploitation. Nations around the world recognise this.

In September 2015, the United Nations General Assembly voted to adopt the 2030 Agenda for Sustainable Development.

In SDG Target 8.7, nations agree to "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and…by 2025 end child labour in all its forms".

Many governments around the world are working to achieve this shared goal. However, legislation is failing to protect workers from exploitation.

Why does Modern Slavery Persist?



To identify and remove risks of worker exploitation, the supply chain must become fully transparent.

Yet, the majority of legislation does not set the legal requirements which are necessary to achieve fully transparent supply chains.

A **transparent supply chain** is one in which the labour conditions of workers – working hours, pay, treatment, workers' age, and freedom to end employment – are fully known and accessible to any business further along in the supply chain.

Challenges for Legislators

The enormous scale and complexity of global supply chains pose challenges for legislators - regulation requiring greater due diligence and transparency in supply chains may be perceived to place pressure on businesses and have economic consequences which may prove difficult to win support for.

It is the duty of legislators to work with businesses and civil society to overcome such challenges.

Effective legislation requires a cross-sector approach.

Who Are The Most Vulnerable?

Anyone can become a victim of modern slavery.

The most vulnerable groups are women, children and migrants.

People escaping poverty, conflict, natural disasters, and marginalisation are also at greater risk.

54% of modern slavery victims are **WOMEN**

25% of modern slavery victims are **CHILDREN**

Provided by Walk Free's Global Slavery Index

Migrant workers are particularly vulnerable to:

- **Debt bondage** - through recruitment fees.
- **Forced labour** - Traffickers often exploit migrant workers' uncertainties about their rights and status, holding and removing documents to force labour under terrible conditions.

Migrant workers are **3X** more likely to be a victim of **FORCED LABOUR**

How to Expose Trafficking in Supply Chains

Businesses, organisations and governments must conduct a complete risk assessment of their entire supply chains. Each link must be assessed for its risk of worker exploitation and remediation provided for any abuses found. This exercise is often called supply chain mapping.

At each stage, suppliers, sub-contractors, workplace locations and the conditions of workers must be identified and published.

When conducting this exercise, careful attention should be paid where key risk factors are present:

1. Location

Where are the work sites located? Are they isolated? Are they subject to labour inspections?

2. Vulnerable population

Are any vulnerable groups working in this industry?

3. At risk products

Which products in the chain are known to be at risk?

Businesses and governments must prioritise actions that deliver workers' protection. They must respond to identified risks through action plans and specific strategies, including continuous engagement with suppliers.

Sometimes businesses may have to use their economic leverage over suppliers to seek greater transparency over working conditions.

Businesses should regularly engage and monitor suppliers, encouraging transparency and the reporting and remediation of any risks. Strong relationships between suppliers and buyers are essential.

Tackling Trafficking in Supply Chains…

As a legislator

Parliamentarians are uniquely placed to address this issue by passing or strengthening legislation. This requires an effective campaign.

Before tabling legislation:

- **Build common ground with cross-sector organisations** - relevant businesses, NGOs, CSOs, Trade Unions, Voluntary Sector Bodies.
- **Seek cross-party support** – parliamentarians and local/regional government.
- **Engage** with relevant **ministers** and **civil servants**.
- Galvanise **support** from the **Media** to raise awareness.

Legislators can use unique parliamentary instruments to raise awareness, identify points of consensus, and introduce early ideas and solutions. Legislators can:

Table a motion | **Organise a debate** | **Organise a Conference** | **Introduce a Private Member's Bill** | **Work with an All-Party Parliamentary Group (APPG)**

As a constituency representative

Protect victims

- **Support** victims - knowing where to **direct** them is especially important.
- Work closely with **law enforcement** and relevant **agencies** to build **knowledge** and bring traffickers to **justice**.

Prevent new victims

- **Raise awareness** to your **constituents**, teach them how to **spot the signs** of modern slavery.
- Encourage **constituents** to **engage** with **representatives**, **law enforcement** and **civil society** on these matters.
- Organise **social activities** to engage constituents and **raise awareness**, which can be strengthened with **media** support.

As a committee member

Parliamentary committees are an important and high-profile means to scrutinise the work of government and hold ministers and officials to account.

Effective committees:

- Work **across party lines** to **inform policy** and legislation.
- **Engage** and **draw evidence** from a wide range of **stakeholders** before reporting on their findings and making **recommendations**.
- Identify **gaps** in existing **legislation** and **scrutinise government** action.
- Recommend measures to **streamline** the **implementation** of supply chain transparency, **bolster human rights** due-diligence, and **close** the **loopholes** that traffickers exploit.

Resources

https://www.gla.gov.uk/who-we-are/modern-slavery/who-we-are-modern-slavery-spot-the-signs
https://www.walkfree.org/global-slavery-index/
https://www.ilo.org/global/topics/forced-labour/publications/WCMS_854733/lang--en/index.htm
https://www.osce.org/files/f/documents/3/1/536001.pdf
https://www.uk-cpa.org/media/2376/e-handbook-modern-slavery_webpdf.pdf

III: Poster - Human Trafficking in Supply Chains - Spot the Signs

This poster shows you some of the most common 'signs' of modern slavery. We encourage you to print out the material and display it in your parliamentary and constituency offices. This will help you to engage your peers, colleagues and constituents in further discussions about the issue.

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COMMONWEALTH PARLIAMENTARY ASSOCIATION UK

HUMAN TRAFFICKING IN SUPPLY CHAINS

SPOT THE SIGNS



No contracts



Large recruitment fees



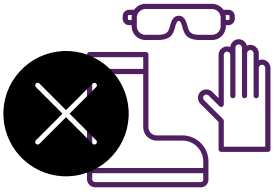
Salary cuts for ‘debt’ or ‘fines



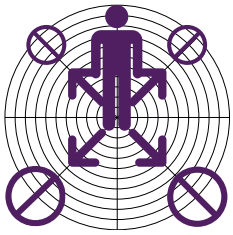
Long hours, mandatory overtime



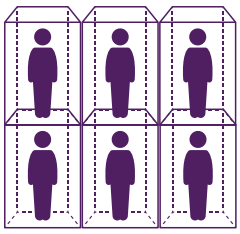
Can’t share address



Inadequate clothing or safety equipment



Restricted movement



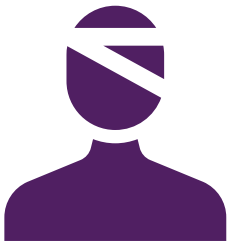
Cramped & unhygienic accommodation with co-workers



No access to earnings



No access to identity documents



Signs of physical abuse



Signs of psychological abuse



Threats of violence or dismissal



Forced to sign documents & open accounts



Migration for work

IV: Poster - Parliamentary Action to Address Modern Slavery in Supply Chains

This poster shows you some parliamentary actions you can take as a legislator, constituency representative and committee member to address modern slavery in supply chains. We encourage you to print out the material and display it in your parliamentary and constituency offices. This will help you to engage your peers, colleagues and constituents in further discussions about the issue.

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UK Representation to the Commonwealth

COMMONWEALTH PARLIAMENTARY ASSOCIATION UK

PARLIAMENTARY ACTION TO ADDRESS MODERN SLAVERY IN SUPPLY CHAINS

1. AS A LEGISLATOR:

CROSS SECTORS AND AISLES



Build support: Media, NGOs, Ministers & MPs

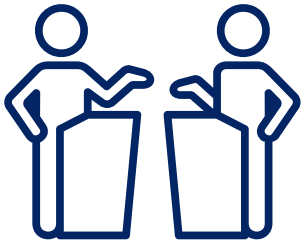
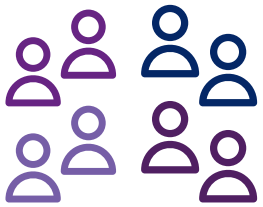


Table motions & debates



Introduce a Private Member's Bill



Join an All-Party Parliamentary Group (APPG)

2. AS A CONSTITUENCY REPRESENTATIVE:

PROTECT & PREVENT



Support victims



Work with law enforcement and agencies



Encourage constituent engagement



Raise awareness

3. AS A COMMITTEE MEMBER:

INFORM POLICY, ENGAGE EXPERTS



Work across party lines



Engage a range of stakeholders



Identify policy gaps and make recommendations



Scrutinise government action

V: Animation - Modern Slavery in Supply Chains

This is a link to a short animated film that CPA UK produced in 2023-2024. This film tells the story of three people experiencing modern slavery, based on real-life anonymised examples, to explore what is modern slavery in supply chains. The animation explores how modern slavery manifests, who are the most vulnerable to exploitation in supply chains and what action you can take as a parliamentarian to address it.





SCAN TO WATCH NOW

bitly

VI: Guidance for policy makers: survivor involvement in anti-slavery policy making

Published by the Survivor Alliance and the University of Nottingham Rights Lab in March 2020, 'this guidance is intended to support local and national policy makers in government, business and public services who wish to involve survivors of modern slavery in their work, whether that be in developing policy, legislation and guidance, or shaping and delivering services'.

Access the report here:
https://static1.squarespace.com/static/5ee517995ce62276749898ed/t/5f215611a49b295221978a72/1596020247172/briefing_nothing_about_us_without_us.pdf



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