

# Key Drivers of Modern Slavery

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## Question

*What are the key drivers of modern slavery in the 21<sup>st</sup> century? What evidence is there of the role of serious organised crime? What evidence is there that transparency in supply chains can inhibit modern slavery?’*

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# 1. Summary

This rapid literature review provides evidence on key drivers of modern slavery. It draws on a mixture of academic and grey literature from multinational and bilateral institutions as well as non-government organisations (NGOs) and think tanks. Given the rapidly developing global context, it also draws on emerging opinion from blog posts and journalistic reports to provide evidence of current developments.

Modern slavery can take many different forms, including forced labour, debt bondage, human trafficking, forced sexual exploitation, descent-based slavery, child slavery and forced and early child marriage. Slavery is considered to be a hidden and diverse crime, and understanding vulnerability to slavery remains challenging, although a consensus about the broad factors that allow modern slavery to flourish is emerging. Five key drivers of modern slavery are identified in the literature (Walk Free, 2019; 2018), these include:

1. **Governance issues:** Which may include - Political Instability, Government Response, Women's Physical Security, Political Rights, Regulatory Quality, Disabled Rights, Weapons Access;
2. **Lack of basic needs:** Which may include - Undernourishment, Social Safety Net, Ability to Borrow Money, Tuberculosis, Access to Clean Water, Cell Phone Users;
3. **Inequality:** Which may include - Ability to Obtain Emergency Funds, Violent Crime, Gini Coefficient, Confidence in the Judicial System;
4. **Disenfranchised groups:** Which may include - Acceptance of Immigrants, Acceptance of Minorities, Same Sex Rights;
5. **Effects of conflict:** Which may include - Impact of Terrorism, Internal Conflicts Fought, Internally Displaced Persons.

Addressing modern slavery is a significant challenge for governments, businesses, non-government organisations (NGOs) and society. Efforts are hampered by a range of factors, including a lack of understanding of the drivers that increase the risk of enslavement and the extent of the practice at national and sub-national levels. It is also clear that periods of uncertainty politically, economically or socially can exacerbate risk factors for enslavement – the current COVID-19 pandemic is a case in point, rendering apparent deeply entrenched inequalities in society that may make individuals and groups more vulnerable to enslavement.

More broadly, vulnerability to modern slavery is affected by a complex interaction of factors related to the presence or absence of protection; respect for rights; physical safety and security; access to the necessities of life such as food, water, and health care; and patterns of migration, displacement, and conflict. These factors will also vary from context to context with a mix causal/driving factors involved being different for each context

Drivers of modern slavery rarely operate in isolation, often operating in concert, with drivers intersecting and exacerbating each other in complex ways. For example, risk of exploitation in times and places of conflict and displacement is also influenced by the availability of resources and institutions to assist vulnerable populations. Furthermore, refugees may be vulnerable to exploitation while en route to safer destinations, as a means of survival in refugee camps or as a feature of their employment in their destination country.

Evidence suggests that the following will likely exert an influence on the prevalence of modern slavery in a number of contexts and require a deeper level of understanding. When reviewing this report it is important to acknowledge that given the hidden nature of modern slavery, evidence remains mixed and patchy.

**Serious and Organised Crime:** Modern slavery is a complex crime, not only does there exist an enormous diversity in the landscape of organised criminal involvement in both trafficking and smuggling, but also there is an enormous diversity as to the different types of actors active in these markets. In the global private economy, forced labour generates \$150 billion each year, globally, employers and recruiters are increasingly exploiting gaps in international labour and migration law and enforcement. After drugs and arms, human trafficking is now the world's third biggest crime business. The internet presents a huge opportunity to criminals and with criminal networks increasingly using technology to perpetrate their crimes. Modern slavery victims are being recruited or advertised online and the growing speed with which criminal groups are using cyber techniques is of great concern to law enforcement and governments.

**Resilience of vulnerable groups:** Vulnerability to modern slavery manifests at international, domestic and individual levels. Groups that face discrimination, including ethnic and religious minorities, women and children, and migrants and refugees, are vulnerable to enslavement. At particular risk are those fleeing war and armed conflict. At the international level there exists a growing body of work on the links between climate change, environmental destruction and natural disasters and the increased risk of exploitation and trafficking. At the domestic levels, there are several regulatory and legislative frameworks that research suggests can contribute to increased vulnerability e.g. migration and visa systems can play a role in making people vulnerable to exploitation. At an individual level, circumstances identified as increasing a person's vulnerability are multifaceted.

**Transparency in supply chains:** In recent years, the issue of modern slavery and its use in supply chains has come increasingly under the spotlight including among investors and private sector companies. This has been driven by a greater understanding of the scale and scope of the issue, policy debates including national modern slavery legislation the inclusion of a target to end modern slavery in the UN Sustainable Development Goals, and heightened scrutiny from media and civil society. The issue of modern slavery presents a significant challenge for companies in a wide range of sectors, particularly in supply chain strategies. Companies operating in an increasingly competitive global market – with complex supply chains across different sectors, countries and business models – face multiple risks and challenges. They face commercial risks in bringing products to market at agreed quality, costs and timeframes, with the ability to respond quickly to changes in demand and the market

Finally, it is important to note that the most marginalised and at highest risk are those who are in more than one risk category, for instance uneducated women who are attempting to migrate. Thus compounding of factors can make tackling the root causes of modern slavery more challenging: for instance, the authorities and local communities have less interest in supporting efforts in tackling the issues in migrant communities, or in ethnic minorities.

## 2. Modern Slavery

### Definitions

Addressing modern slavery is a significant challenge for governments, businesses, non-government organisations (NGOs) and society. Efforts are hampered by a range of factors, including a lack of understanding of the issues that increase the risk of enslavement and the extent of the crime at national and sub-national levels (Larsen & Durgana, 2017). Modern slavery operates at all levels (local, national and international) involving a substantial number of source and transit countries. Empirical evidence suggests a connection between slavery and problems such as corruption, conflict, poverty, discrimination, and the impact of a weak rule of law, poor or declining economic conditions, and adverse environmental change (Walk Free, 2018; Home Office, 2014; Larsen & Durgana, 2017). Further to this, organised crime groups often systematically exploit large numbers of individuals by forcing and coercing them into a life of abuse and degradation (Home Office, 2014; Larsen & Durgana, 2017). Finally, periods of uncertainty politically, economically or socially can exacerbate risk factors for enslavement – the current COVID-19 pandemic is a case in point, rendering apparent deeply entrenched inequalities in society. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment (Home Office, 2014: 2).

Slavery is considered to be a hidden and diverse crime, and understanding vulnerability to slavery remains challenging, although a consensus about the broad factors that allow modern slavery flourish is emerging (Larsen & Durgana, 2017). The UK's Modern Slavery Act defines modern slavery as "holding a person in slavery or servitude or requiring a person to perform forced or compulsory labour" as defined by Article 4 of the Human Rights Convention<sup>1</sup>. Modern slavery can take many different forms, including forced labour, debt bondage, human trafficking, forced sexual exploitation, descent-based slavery, child slavery and forced and early child marriage. According to the U.S. State Department, slavery exists any time a person has been recruited, transported, or compelled to work by "force, fraud, or coercion"<sup>2</sup>. In such instances, victims do not have the means to leave of their own will. Slavery most often occurs in industries that are labour intensive, low skilled, and under-regulated (Council on Foreign Relations - CFR, ND.).

See: *Table 1: Defining Modern Slavery (CDC Group, 2018: 15)*,

<https://assets.cdcgroup.com/wp-content/uploads/2018/12/03105819/Managing-Risks-Associated-with-Modern-Slavery.pdf>

Though slavery is universally prohibited, with protections for individual rights enshrined in national and international laws, it persists. Slavery is most prevalent in impoverished countries and those with vulnerable minority communities, though it also exists in countries of the global north (CFR, ND). Slavery tends to be more evident in certain sectors with significant numbers working in slave-like conditions in industries such as mining, farming, and factories, producing goods for domestic consumption or export to more prosperous nations.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

<sup>2</sup> <https://www.state.gov/what-is-modern-slavery/>

It is broadly accepted that there is no single type of victim or pathway into modern slavery. The Home Office's (2014) guidance identifies certain groups as particularly vulnerable to being exploited through modern slavery in the UK (Home Office, 2014). In countries of the global south poverty, marginalisation and those exposed to insecurity of conflict may be more important:

- unaccompanied, internally displaced children;
- children accompanied by an adult who is not their relative or legal guardian;
- young girls and women;
- former victims of modern slavery or trafficking.

Traffickers or modern slavery facilitators are also known to target vulnerable men, such as those with substance misuse issues, debts (in their country of origin or as a result of their illegal migration) mental health problems or learning disabilities (Home Office, 2014)

More broadly, vulnerability to modern slavery is affected by a complex interaction of factors related to the presence or absence of protection; respect for rights; physical safety and security; access to the necessities of life such as food, water, and health care; and patterns of migration, displacement, and conflict. Understanding vulnerability is a critical component to estimating prevalence of human trafficking. Vulnerability assessments allow the determination of countries with similar risk profiles more objectively by looking at a wide array of risk factors that help to better understand the drivers causing human trafficking to flourish (Larsen & Durgana, 2017).

## Scale and distribution

There is no exact data on the prevalence of modern slavery, a term used to encompass exploitative practices including forced labour, bonded labour, human trafficking and child labour. According to the ILO (2017), an estimated 40.3 million people were victims of modern slavery in 2016. Of this, an estimated 24.9 million people were in forced labour and 15.4 million people were living in a forced marriage. Over 71% of victims were women and girls. Although these are the most reliable estimates of modern slavery, they are considered to be conservative estimates as significant gaps exist in the data for specific regions and forms of modern slavery e.g. organ trafficking, child soldiers, or child marriage that could also constitute forced marriage (ILO, 2017).

Boyle and Shields (2018: 7) continue that when broken down into different forms of modern slavery, females are overrepresented in forced labour (59%), forced marriage (84%), and forced sexual exploitation (99%). At any given time, some 16 million people around the world are victims of forced and bonded labour and trafficking in the private sector, affecting nearly 9.5 million women. Nearly half of victims are in sectors of particular concern to international business: the construction sector (18%), manufacturing (including garments) (15%), and agriculture and fishing (11%) sectors. The 2018 Global Slavery Index (GSI) (Walk Free, 2019) highlight those countries that record the highest prevalence, vulnerability and absolute numbers of people experiencing modern slavery.

Table 2: *Top 10 countries for modern slavery (Walk Free, 2018)*

The 10 countries with highest prevalence of modern slavery (Victims per 1,000 population)		The 10 countries with highest average vulnerability score (as a percentage 100% = Highest level of vulnerability)		The 10 countries with the largest estimated absolute numbers of people in modern slavery
North Korea	104.6	The Central African Republic	100%	India
Eritrea	93	South Sudan	94.7%	China
Burundi	40	Afghanistan	93.9%	Pakistan
Central African Republic	22.3	Syria	92.3%	North Korea
Afghanistan	22.2	Democratic Republic of Congo	91.7%	Nigeria
Mauritania	21.4	Somalia	89.5%	Iran
South Sudan	20.5	Sudan	87.4%	Indonesia
Pakistan	16.8	Yemen	86.4%	Democratic Republic of Congo
Cambodia	16.8	Iraq	85.7%	Russia
Iran	16.2	Chad	74.9%	Philippines

Source: Global Slavery Index [2018] Dataset, Walk Free Foundation, available from: [www.globalslaveryindex.org](http://www.globalslaveryindex.org)

Three main trends are discernible from the GSI national estimates of modern slavery (Walk Free, 2018: 30):

- Many of the countries with the highest estimated levels of prevalence are marked by conflict (Eritrea, Burundi, Central African Republic, Afghanistan, South Sudan, and Pakistan). This is not surprising given the disruption to, and often complete dismantling of, the rule of law, as well as damage to critical infrastructure and limited access to education, health care, and food and water as a result of conflict.
- The improved measurement of state-imposed forced labour reveals the substantial impact this form of slavery has on populations. The three countries with highest prevalence of modern slavery - North Korea, Eritrea, and Burundi - stand out as having a very high prevalence of state-imposed forced labour. State-imposed forced labour includes citizens recruited by state authorities to participate in agriculture or construction work for purposes of economic development, young military conscripts forced to perform

work that is not of military nature, those forced to perform communal services that were not decided upon at the community level and do not benefit them, or prisoners forced to work against their will.

- The prevalence of modern slavery in high income countries is higher than previously understood. In the five-year reference period for the estimates, while surveys were conducted in 48 countries, men, women, and children were reported to have been exploited in 79 countries suggesting the internationalisation of modern slavery and the risk of being multiply exploited in numerous countries.

Despite progress made in recent years in estimating the scale and extent of modern slavery, measurement remains a challenge. Walk Free (2019) comment that at the individual level, demographic factors such as age, gender and employment status, as well as socio-economic and psychographic risk factors, such as feelings about household income, life evaluation scores and negative experienced affect, help predict risk, as well as country-level vulnerability factors. It is broadly accepted that this research is not without its limitations, for example, the direction of causality cannot be determined on the present data alone, nor can it be certain that the risk factors identified will behave in the same way in different types of countries due to data gaps (Walk Free, 2018; Larsen & Durgana, 2017)<sup>3</sup>.

Finally, it is important to note that modern slavery lies at one extreme of a continuum of exploitation and there is often no clear boundary between modern slavery and other serious labour abuses (CDC Group, 2019). Poor labour practices, that do not themselves constitute modern slavery, can push workers into conditions of modern slavery if combined with other indicators. For instance, delayed payment of wages, excessive working hours or verbal threats may not lead to modern slavery on their own, but the presence of multiple abuses together may reach the level of modern slavery. When addressing these underlying risks and issues it is crucial to understand whether or not they translate into a situation of modern slavery (CDC Group, 2018).

### 3. Drivers of Modern Slavery

Many contextual factors contribute to modern slavery including: poverty and inequality, discrimination (including against women), conflict and humanitarian crises, criminality and corruption, and relentless cost pressures through supply chains (CDC Group, 2018). Vulnerability to modern slavery is affected by a complex interaction of factors related to the presence or absence of protection and respect for rights, physical safety and security, access to the necessities of life such as food, water and health care, and patterns of migration, displacement and conflict (Walk Free, 2019).

Refining knowledge of risk factors in low- and high-risk countries improves understanding of the size and scope of modern slavery, and the most effective and efficient means to tackle it. Poverty, limited opportunities at home, lack of education, unstable social and political conditions, economic imbalances and war are the key driving forces that contribute to the trafficking of victims (Home Office, 2014: 2). Findings from the 2018 GSI highlight the connection between modern slavery and two major external drivers (Walk Free, 2018):

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<sup>3</sup> <https://www.globallslaveryindex.org/>

- highly repressive regimes, in which populations are put to work to prop up the government,
- conflict situations which result in the breakdown of rule of law, social structures, and existing systems of protection.

More broadly, Larsen and Durgano's (2017) assessment of vulnerability to modern slavery at a national level, which is guided by the human security framework and crime prevention theories identifies five key drivers of modern slavery (listed in order of impact) (Walk Free, 2018: 10):

1. **Governance issues:** Political Instability, GSI Government Response, Women's Physical Security, Political Rights, Regulatory Quality, Disabled Rights, Weapons Access;
2. **Lack of basic needs:** Undernourishment, Social Safety Net, Ability to Borrow Money, Tuberculosis, Access to Clean Water, Cell Phone Users;
3. **Inequality:** Ability to Obtain Emergency Funds, Violent Crime, Gini Coefficient, Confidence in the Judicial System;
4. **Disenfranchised groups:** Acceptance of Immigrants, Acceptance of Minorities, Same Sex Rights;
5. **Effects of conflict:** Impact of Terrorism, Internal Conflicts Fought, Internally Displaced Persons.

As noted above, drivers of modern slavery rarely operate in isolation, often working in concert with drivers intersecting and exacerbating each other in complex ways. For example, Walk Free (2019) comment that the risk of exploitation in times and places of conflict and displacement is also influenced by the availability of resources and institutions to assist vulnerable populations. For example, the "refugee crisis" of vulnerable men, women and children fleeing conflicts in the Middle East and Sub-Saharan Africa, and more recently, Central and South Americans fleeing poverty and violence, have overwhelmed the capacity of the global humanitarian response. Further, research has found that many refugees are vulnerable to exploitation while en route to safer destinations, as a means of survival in refugee camps and as a feature of their employment in their destination country. Walk Free (2019) conclude that in a context of a global economy which is still dealing with the impact of the so-called "refugee crisis", an already strained pool of resources will not be sufficient to protect growing disenfranchised and displaced groups.

Climate change is also considered a driver of migration and impacts practices in many sectors, including fishing and agriculture through reduction of fishing stock and arable land. Changing climates make at-risk migrant populations travel further and take greater risks to secure employment (Walk Free, 2019). Climate change can increase exploitative practices; for example overfishing has led to squeezed profit margins which in turn increases vulnerability of workers to meet the global demand for fish. Further, climate change limits the availability of basic needs such as food, water and shelter for vulnerable populations. In effect, unchecked climate change will mean that the risk of exploitation will become more likely than ever before.

When considering that risk factors such as climate change and political instability are increasing globally, together with the present-day problem of endemic data gaps, Walk Free (2018; 2019) conclude that tomorrow's slavery will likely be on an even larger scale than previously known.



## Serious and Organised Crime

Modern slavery is a complex crime. It is this complexity that serves as a camouflage for crime groups, allowing them to operate with impunity and with little fear of being pursued. It is an organised crime and commentators consistently highlight that it should be policed with the same tools used to target other forms of organised crime, for example drug trafficking (Centre for Social Justice, 2015: 18). Analysis by Vermeulen et al (2010) concluded that “not only does there exist an enormous diversity in the landscape of organized criminal involvement in both [trafficking and smuggling], but also there is an enormous diversity as to the different types of actors active in these markets”.

The Centre for Social Justice (2015) reports that a significant amount of modern slavery in Europe is driven by Organised Crime Groups (OCGs) who profit from the exploitation of vulnerable people. They continue that these highly sophisticated illegal businesses show a detailed understanding of how to avoid detection and prosecution by law enforcement agencies. The kind of modern slavery that is driven by OCGs involves men, women and children being moved across international borders and within countries through various means of transportation and deception. Criminals will exploit victims in the most profitable of ways and by the easiest of means.

According to Jespersen (2018), when organised crime is involved, modern slavery is more dangerous for victims and more difficult for authorities to detect and address. Despite this acknowledgment, it is noted that a nuanced understanding of how organised criminal networks facilitate trafficking is lacking. It is also clear that as the movement of people across borders has significantly increased, law enforcement agencies and governments often struggle to respond to the new opportunities for organised crime that this has opened up.

The Centre for Social Justice (2015) report that OCGs are taking advantage of families living in poverty and persuading them to allow their children and relatives to travel abroad for work and a better life, only for them to be exploited by organised criminals. This exploitation takes many forms: there are numerous reports (stories?) of girls being sold into sham marriages, and men and women being trapped in forced labour.

In the global private economy, the ILO (2014: 9) calculates forced labour generates US\$150 billion each year, acknowledging that this figure could be an underestimate. Globally, employers and recruiters are increasingly exploiting gaps in international labour and migration law and enforcement. After drugs and arms, human trafficking is now the world's third biggest crime business.

Commentators have highlighted that OCGs are increasingly identifying the internet as a huge opportunity and are becoming increasingly technologically aware. The Centre for Social Justice (2015) comments that modern slavery victims are being duped or advertised online and the growing speed with which OCGs are using cyber techniques should be of great concern to law enforcement and governments all over the world. Cyber slavery targets victims in four ways (Centre for Social Justice, 2015: 13):

- Recruitment – victims are duped by job advertisements.
  - OCGs lure victims for sexual exploitation through adverts for child care, cleaning and administrative jobs.

- Victims recruited for forced labour are targeted through adverts for jobs in agriculture, construction, the transportation sector and delivering charity bags.
- Transportation – trafficking victims internally or internationally.
  - Criminals use stolen credit cards to purchase travel so that neither the tickets nor the victims can be easily linked back to the traffickers.
- Control – keeping victims trapped and in fear with little hope of escape.
  - Close surveillance of the victim by imposing a system of daily email exchanges and chat sessions to prove their presence.
  - Victims monitored using live cameras.
  - Victims blackmailed.
  - Clients blackmailed.
- Exploitation – victims used as a never ending revenue stream through exploitation.
  - Victims repeatedly sold for sex and often moved across borders.
  - Victims forced to work for free or little money.

The responses of countries to migration may also exacerbate the problem of modern slavery. Walk Free (2019) comment that many nations have tightened migration avenues without attempts to address the root causes of migration. In turn, this drives people to use informal channels which heightens the risk of exploitation such as by having travel documents withheld, being trafficked into other fields of employment (such as the sex industry) or into exploitative labour conditions, or in the context of labour migration, debt bondage. As regular migration pathways around the world have closed during the COVID-19 pandemic, Walk Free (2020) suggest that this will likely result in higher rates of irregular migration, thereby fuelling people smuggling and trafficking activities (Walk Free, 2020).

It is important to note that the networks facilitating human trafficking and modern slavery are fluid and adaptive. A detailed understanding of the structures of organised crime groups involved in human trafficking and other modern slavery practices is needed in order to tailor political, law enforcement and other strategies to effectively undermine criminal involvement.

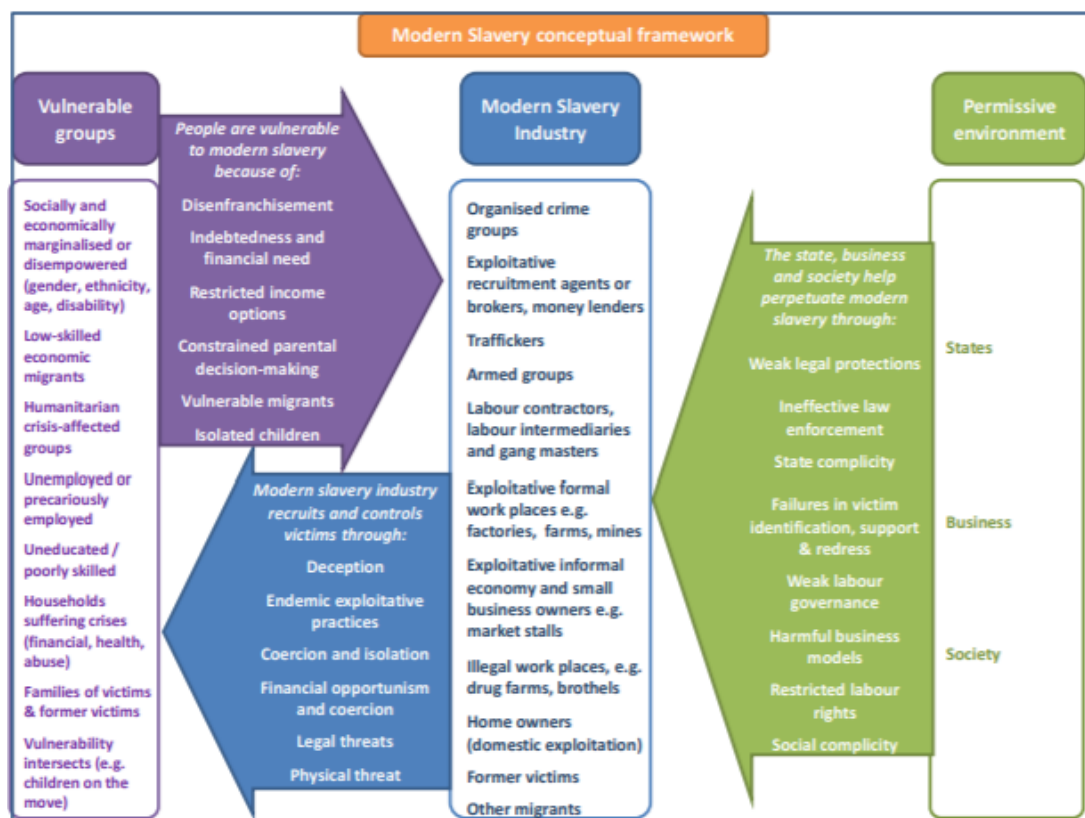
## 4. Vulnerability to Modern Slavery

Vulnerability to modern slavery manifests at international, domestic and individual levels. Groups that face discrimination, including ethnic and religious minorities, women and children, and migrants and refugees, are vulnerable to enslavement. At particular risk are those fleeing war and armed conflict.

To contextualise how resilience and vulnerability may affect the likelihood of being enslaved, DFID have developed a modern slavery conceptual framework. Within this framework a number of vulnerable groups are identified including: socially and economically marginalised groups, low skilled migrants, crisis affected groups, unemployed/precariously employed, uneducated/low skilled, those with a past history of modern slavery etc. Amongst these groups a number of factors are identified that are seen to exacerbate risk. Vulnerability has also been discussed in the context of belief systems. The Office of the Independent Anti-Slavery Commissioner (2017) argues that there are specific belief systems that can play a role in the control of trafficked victims. Belief and religious systems may also be relevant to forced (including child) marriage.

Understanding the way in which these practices manifest and the experience of victims is important for formulating effective responses.

Figure 2: **DIFD Modern Slavery Conceptual Framework**



Source: Boyle & Shields, 2018, p.10, licensed under the [Open Government License v3.0](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/726283/modern-slavery-womens-economic-empowerment.pdf), [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/726283/modern-slavery-womens-economic-empowerment.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/726283/modern-slavery-womens-economic-empowerment.pdf)

## Women and Girls

The prevalence of women and girls as victims of modern slavery is intrinsically linked to the prevalence of women and girls in many vulnerable groups (Boyle & Shields, 2018). Whilst a range of factors lead to marginalisation and disempowerment, it is clear that gender is a particularly strong factor: of the 750 million people living in extreme poverty, girls and women are disproportionately affected. Access to services, for example secondary and higher education, remains highly unequal. Global indicators mask significant regional disparities, particularly in fragile and conflict affected states. Improvements in laws to promote gender equality often do not translate into change on the ground, where deep-rooted discrimination persists; and there is evidence of reversals in women's rights in some cases (Boyle & Shields, 2018).

Evidence suggest that women make up a disproportionately high number of victims of modern slavery. Of the 16 million victims of forced labour in the private sector, 9.5 million are estimated to be women. The specific vulnerabilities to exploitation and abuse faced by women are often overlooked (ILO & Walk Free, 2017). For example, CDC Group (2018) comment that while alarming reports of fishermen working in conditions of modern slavery in South East Asia have been widely reported, far less attention has been paid to the abusive conditions faced by women

working in the seafood-processing sector. A study by Oxfam (2018) reported that women in the sector are overwhelmingly concentrated in the worst jobs, work in poor conditions, and are far more likely to be food insecure than men as a result of low wages and debt. For instance, 68% of women working in Thai seafood processing were found to be severely food insecure compared with 47% of men (Oxfam, 2018).

Boyle & Shields (2018) found that many of the drivers of modern slavery are similar to the obstacles preventing economic empowerment of women (e.g. socially and economically marginalised, low skilled economic migrants, households suffering crises, humanitarian crisis-affected groups). They suggests that women's economic empowerment may help to prevent or reduce the risks of modern slavery.

Boyle and Shields (2018) suggest that by using the lens of women's economic empowerment business will be better able to identify necessary actions across their entire value chain to reduce the risk of modern slavery and at the same time create positive impact for women (Boyle & Shields, 2018). In what follows I draw on Boyle and Shields (2018) who outline a number of factors that contribute to vulnerability to modern slavery.

### **Low-skilled economic migrants**

At the domestic levels, there are several regulatory and legislative frameworks that research suggests can contribute to increased vulnerability e.g. migration and visa systems can play a role in making people vulnerable to exploitation. The role that citizenship and migration status play as both a risk and protective factor is a particularly important focus given the continual growth in complex migration patterns globally (Office of the Independent Anti-Slavery Commissioner, 2017). Linked to this is the way in which labour migration systems and processes can exacerbate vulnerability. This is raised in relation to the exploitation of domestic workers and temporary migrant workers, with research suggesting that there is a disconnect between the need to strengthen migration systems and prevent the exploitation of migrant workers.

Marginalisation and lack of opportunity is a key driver of migration as individuals search for income, and may thus push individuals into the hands of traffickers. Migrants moving to a new environment may face language barriers, poor or dangerous work and housing conditions, violence and harassment, and may be unable or unwilling to access health and social services because of government restrictions and discriminatory attitudes and behaviours of staff. They may also face loneliness and depression. All of these vulnerabilities are heightened if a migrant is illegal or unauthorised. Within a precarious legal situation, they are vulnerable to abuse by employers (Boyle & Shields, 2018).

## Unemployed or precariously employed

The UN High Level Panel on Women's Economic Empowerment (2016) estimates that globally, only one in two women aged 15 and over is in paid employment compared with about three in four men. This equates to about 700 million fewer women than men of working age being in paid employment in 2016. Women are much more likely to work informally: for instance, in India, around 95 percent of women in paid work, work informally.

### *Box 1: COVID-19 and Modern Slavery (Walk Free, 2020)*

Walk Free (2020) comment that millions of vulnerable workers do not have access to COVID-19 testing, health care, sick leave or the physical or financial ability to isolate. Many have lost jobs and are stranded overseas, unable to support themselves or return home due to lockdowns and travel restrictions. The combination of these health, safety and economic risks creates the perfect storm for exploitation forced labour and other forms of modern slavery to flourish.

- **Workers are stranded without means to support themselves:** Lockdowns have affected demand for casual and temporary labour in industries such as apparel, retail, hospitality and other services. Many workers are left with limited access to food, accommodation and health care. This increases vulnerability to human trafficking and modern slavery.
- **Living and working conditions pose health risks:** Many industries, including construction, manufacturing and agriculture are continuing operations during lockdown, without adequate social distancing measures or personal protective equipment for workers.
- **Restricted access to testing healthcare and sick leave:** The pandemic is exacerbating significant challenges that vulnerable workers already face in accessing health care and sick leave entitlements.
- **Increased vulnerability as economic downturn fuels irregular migration:** Vulnerability to modern slavery is affected by a complex interaction of factors related to protection and respect for rights, physical safety and security, access to necessities such as food, water and health care, and patterns of migration, displacement and conflict. The chronic and social impacts of COVID-19 will exacerbate the 'push factors' that lead to both increased migration and increased vulnerability to modern slavery such as poverty, inequality and lack of opportunities for decent work.
- **Reduced government and private sector scrutiny:** Social distancing and travel restrictions have made it harder to conduct human rights due diligence and audits.
- **Xenophobia and discrimination against migrant workers:** Migrant workers are being excluded from social security and welfare benefit packages available to citizen workers.
- **Remittances and welfare of families in countries of origin:** The families of millions of migrant workers are reliant on remittances to cover the cost of daily living. These families may have no means to support themselves for indefinite periods and will be highly vulnerable to human trafficking and modern slavery.
- **Impact on women workers and the gender implications of the crisis:** Women experience particular forms of marginalisation, exploitation and discrimination. As gender-based violence is likely to increase during the crisis, many vulnerable women workers will be facing threats to their safety in addition to the health and economic risks posed by the pandemic.

## Households suffering crises (financial, health, abuse)

People living in poverty are vulnerable to shocks which can place them in extreme distress, leading them to take desperate measures which then open them to the risk of trafficking. Crises exacerbate the pressures that already exist on the poor and marginalised and therefore addressing the overall drivers of trafficking will also support those who are tipped into the most vulnerable and marginalised groups by household crises (Boyle & Shields, 2018). The COVID

crisis impacting on society globally is a case in point, threatening to make household and individuals more vulnerable to enslavement.

At an individual level, circumstances identified as increasing a person's vulnerability include the experience of homelessness. In early 2017, the Office of the Independent Anti-Slavery Commissioner released a report that found that homeless people are at risk of being exploited and victims of modern slavery are conversely at risk of becoming homeless (The Passage, 2017).

### **Families of victims & former victims**

Those closest to the people suffering modern slavery are subject to very similar risks and a compounding effect from the disempowerment wrought on the victims of modern slavery. The need to look closely at those around the victims to reduce their risks is clear, as is the need to ensure that those "rescued" from Modern Slavery are given pathways to secure economic well-being which will overcome the risk factors which have previously led to their being victims (Boyle & Shields, 2018).

### **Fragile and conflict affected states**

Instability associated with war or conflict can expose besieged communities to forced labour networks. Slavery has been shown to thrive in the absence of a properly functioning law enforcement system. Without adequate enforcement of existing laws and the strengthening of legal frameworks, human traffickers operate with impunity.

According to the CDC Group (2018), investors and companies with activities in fragile and conflict-affected states face greater challenges in managing modern slavery risks. Key challenges that investors and companies face include:

- highly informal economies where business partners have underdeveloped management systems in place to manage risks – or none at all;
- heightened vulnerability of workers who may be displaced and/or desperate to secure any form of work;
- weak rule of law and limited capacity for state actors to implement and enforce social and labour regulations and legislation;
- hard-to-access/inaccessible worksites as a result of armed conflict or failing infrastructure, reducing oversight or scrutiny of practices;
- limited in-country experts who can support thorough due diligence on the risk of modern slavery (often exacerbated by restrictions on international experts to travel to conflict-affected areas).

Modern slavery is a particular concern in regions bordering fragile and conflict-affected states since people may have been displaced and may seek to migrate to surrounding countries or regions for work. In many cases, groups that are already vulnerable such as women and children become even more vulnerable to human trafficking and forced labour.

## **Humanitarian crisis-affected groups**

The Freedom Fund (2016: 3) has noted that “violent conflict greatly increases the vulnerability of civilian populations to human trafficking and slavery. Refugees and other migrants displaced by conflict are particularly vulnerable to this extreme form of exploitation”. Further to this, IOM (2017) notes that “Migrants who reported war, conflict or natural disasters as the main reason for leaving their places of origin are predicted to be more vulnerable to exploitation and human trafficking on the journey than migrants who left for other reasons”. Slavery is a particular risk in contexts where the rule of law is absent or where there is a lack of state capacity to legislate for, and then implement, effective steps to tackle those subordinating others into slavery conditions.

## **Climate Change**

It is broadly acknowledged that weather patterns are increasingly unpredictable, and climate catastrophes, such as monsoons and earthquakes, have become more common. Extreme weather, as well as resulting pandemics, can ravage a country’s physical infrastructure, displace communities, and increase the desperation of already marginalized groups thereby rendering them more vulnerable to enslavement (IOM, 2015).

**At the international level**, research has highlighted how factors such as climate change can contribute to the risk of exploitation, and human trafficking. Bales (2016) highlights that exploitation of people via modern slavery and environmental destruction are inextricably linked. There exists a growing body of work on the links between climate change, environmental destruction and natural disasters and the increased risk of exploitation and trafficking in grey literature (IOM, 2015). More research is, however, needed to understand the links between these issues.

## **Population growth**

The world’s population rose from 2.5 billion in 1950 to nearly 7.4 billion in 2015. The world is also in a state of historic flux: a record-setting 65.6 million people were displaced at the end of 2016 by war and persecution, and still more by economic uncertainty and environmental destruction. China and India, the two most populous nations, have lifted millions out of poverty, yet millions more in both countries remain marginalized and are susceptible to abuse. In such contexts, displaced people seek employment and are vulnerable to false offers.

## **Vulnerability intersects**

Finally, the most marginalised and at highest risk are those who are in more than one risk category, for instance uneducated women who are attempting to migrate. This compounding of factors can make tackling the root causes of modern slavery more challenging: for instance, the authorities and local communities have less interest in supporting efforts in tackling the issues in migrant communities, or in ethnic minorities (Boyle & Shields, 2018).

## 5. Transparency in supply chains

### Prevalence

According to the ILO, 80% of those affected by forced labour work in the private sector, with poverty and lack of access to decent work commonly cited as key underlying causes. However, corporate practices can also contribute to the problem. The constant search for low input prices linked to profit; the drive for ever lower prices and shorter lead times; and the move to sub-contracted rather than directly employed labour are all factors that increase the risk of worker exploitation and modern slavery (Anti-Slavery International, 2018). Complex supply chains with multiple tiers stretching across continents and jurisdictions make it a challenge to ensure decent working conditions for all workers along the supply chain. The risk of forced labour is highest in lower tiers where there is little visibility and where there is the most vulnerable and socially excluded workforce. However, abuses can occur in any part of the supply chain and in any country (Anti-Slavery International, 2018).

In recent years, the issue of modern slavery and its use in supply chains has come increasingly under the spotlight including among investors and private sector companies. This has been driven by a greater understanding of the scale and scope of the issue, policy debates including national modern slavery legislation the inclusion of a target to end modern slavery in the UN Sustainable Development Goals, and heightened scrutiny from media and civil society. The private sector is also more aware of the business implications of failing to manage modern slavery risks, as well as the positive effects around reduced business risk, continuity of operations, access to markets and increased worker productivity (CDC Group, 2018).

### Challenges

A number of challenges are faced by the private sector in tackling modern slavery in its supply chains (Global Business Coalition Against Trafficking)<sup>4</sup>:

- Lack of Transparency
  - Low visibility into Tier 2+ recruitment practices
  - Trafficking often found in the informal economy
- Lack of Disclosure
  - Suppliers not forthcoming or don't know what to report on
  - Audits are inaccurate
- Lack of capacity
  - Lack of expertise or resources from suppliers to address issue
  - Businesses lack access to resources to help address the issue
- Lack of incentives
  - Limited legislative pressure on companies and their suppliers
  - Few commercial incentives for suppliers to improve
  - Suppliers and brands may not understand the business case

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<sup>4</sup> <https://www.gbcat.org/modern-slavery>



- Business Models
  - Brand procurement practices
  - Seasonality drives need for short-term labour generally from abroad
  - Lack of requirement for direct contracting
- Systemic challenges
  - Modern slavery is often present in countries that maintain a weak rule of law
  - Corruption is an enabler of all forms of modern slavery
  - Lack of unions to help provide protection

The issue of modern slavery presents a significant challenge for companies in a wide range of sectors, particularly in supply chain strategies. Companies operating in an increasingly competitive global market – with complex supply chains across different sectors, countries and business models – face multiple risks and challenges. They face commercial risks in bringing products to market at agreed quality, costs and timeframes, with the ability to respond quickly to changes in demand and the market (ETI, 2015: 8). ETI (2015: 8) continue that of the companies that they interview, 71% believe there is a likelihood of modern slavery occurring at some stage in their supply chains. This tends to be more likely in complex multi-tiered supply chains where the end product producers or sellers engage with multiple actors e.g.

- End product producer / Seller
- Tier 1: Modules or system suppliers
- Tier 2: Component supplier
- Tier 3: Parts supplier

In the globalised economy, supply chains may operate in a number of countries and at different scales. There are two important factors to understanding the transfer of risk from source countries to consumer countries with regards to modern slavery.

- First, to identify which globally-traded products are likely to be at risk of being produced using modern slavery;
- Second to match them with their trade value.

According to analysis undertaken by Walk Free (2018), the realities of global trade and commerce make it inevitable the products and proceeds of modern slavery will cross borders. They note that G20 countries are importing the risks of supply chains involving modern slavery on a massive scale. Collectively, G20 countries import US\$354 billion worth of at-risk products annually. This ranges from a minimum of US\$739 million for Argentina, to a maximum of US\$144 billion for the United States. While the strength of the supporting evidence of modern slavery in various products varies, for most products the evidence is clear and compelling. In these cases, it is almost certain that governments and businesses are effectively importing and trading the proceeds of crime.

**Table 3: List of products at risk of forced labour by source countries (Walk Free, 2018: 103)**

<b>Products</b>	<b>Countries</b>
Cotton	Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan
Bricks	Afghanistan, India, Myanmar, Nepal, Pakistan
Garments – Apparel & Clothing Accessories	Argentina, Brazil, China, India, Malaysia, Thailand, Vietnam
Cattle	Bolivia, Brazil, Niger, Paraguay
Sugarcane	Brazil, Dominican Republic
Gold	Democratic Republic of the Congo, North Korea, Peru
Carpets	India, Pakistan
Coal	North Korea, Pakistan
Fish	Ghana, Indonesia, Thailand, Taiwan, South Korea, China, Japan, Russia
Rice	India, Myanmar
Timber	Brazil, North Korea, Peru
Brazil Nuts / Chestnuts	Bolivia
Cocoa	Côte d'Ivoire, Ghana
Diamonds	Angola
Electronics – Laptops, Computers & Mobile Phones	China, Malaysia

Source: Global Slavery Index [2018] Dataset, Walk Free Foundation, available from: [www.globalslaveryindex.org](http://www.globalslaveryindex.org)

According to ETI (2015), whilst there is a high likelihood of modern slavery at various stages of their supply chains – it is more likely in high-risk countries or sectors and at the lower stages of the supply chain. The complexity and demands of supply chains, together with the often hidden nature of the issues, makes it difficult to identify and address. This presents reputational and strategic risks for the business.

ETI (2015) continue that identifying if and where modern slavery occurs is challenging. Of the companies they engaged with, few had vertical integration in a relatively narrow part of their supply chain thus contributing to a lack of transparency in how labour is used in supply chains. Where supply chains were integrated, companies had significantly greater confidence in their ability to identify any abuse and be in a position to address it. Where supply chains aren't integrated, ETI (2015) stress that relationships with suppliers and supporting their awareness of the issues, as well as the role they have to play in addressing them, are essential.

The nature of supply chains and the multi-tiered realities of these also makes transparency more challenging. CDC Group (2018) comment that most companies will know their immediate or first-tier suppliers; however, risks of modern slavery are often further down a supply chain since there is less visibility over working practices. To effectively conduct due diligence and understand where modern slavery risks reside, companies should aim to progressively improve their understanding and oversight of all tiers of their supply chains. As a first step, companies should undertake an assessment of supply chain models and governance structures (i.e. vertical integration or horizontal integration under contracts or by the market). Based on this assessment companies may be able to identify areas where they have higher leverage and where the capacity to influence practices is limited.

### **State-imposed forced labour**

The CDC Group (2018) note that investors and companies face unique challenges when investing in or sourcing from a country where there are risks of state-imposed forced labour. In a supply chain context an example might include forced prison labour, where prisoners are forced to produce goods or made to carry out services without receiving pay in accordance with legal minimums. This can be particularly hard to detect if a company's supplier is outsourcing or subcontracting work to a prison without the company's permission or knowledge. There are also risks of state-imposed forced labour in centrally planned economies due to the state's ability to control and direct work, along with restrictions on both civil society and commercial parties from monitoring working conditions. The state may also control the market in goods produced by forced labour, further reducing transparency. In both cases there is a need for greater collaboration and action, particularly as the involvement of the state may make unilateral action more difficult and put workers at heightened risk.

### **Recommendations**

CDC Group (2018) acknowledge that where a company sits at the top of a supply chain, perhaps several tiers removed from the production of raw materials or ingredients, it will be harder to map all suppliers immediately. To address this, companies should, where practical, work systematically and progressively to build a complete picture of their supply chain. Here, it is important to acknowledge that supply chain mapping can be a resource and time-intensive process for individual companies and may not be possible to complete in its entirety. In most sectors, companies will share common suppliers, which should incentivise them to map supply chains collaboratively.

Due diligence and transparency is considered key to ending modern slavery in supply chains. Where corporations take responsibility for due diligence and consequently make their supply chains transparent then it is possible to establish grievance procedures that can facilitate remedy of any violations of rights at work from forced labour to paying below the minimum wage (ITUC, 2017). Some companies said they were looking for innovations in either shortening or

restructuring their supply chains to remove some of the layers, or using technology to increase visibility.

In turn, CDC Group (2018) comment that during the early stages of due diligence, it is essential that an investor or company undertakes a risk assessment to identify where risks of modern slavery are highest in its activities and supply chains. This sphere of influence will depend on the nature of the investor or company. The line between a situation that may or may not fall within the definition of modern slavery can be difficult to draw and is laden with subjectivity. One helpful initial step, according to the CDC Groups (2018) can be to focus on contextual factors of risk that can suggest where modern slavery risks are highest. One final concern that CDC Group note, is the prevalence of modern slavery in centrally planned economies where the state may mobilise its citizenry in a manner which raises modern slavery concerns. In such countries, alternative approaches to supply chain mapping are needed.

See: *Figure 1: Company supply chain mapping process (CDC Group, 2018: 34)*, <https://assets.cdcgroup.com/wp-content/uploads/2018/12/03105819/Managing-Risks-Associated-with-Modern-Slavery.pdf>

While CDC Group (2018) acknowledge that such approaches outlined above are effective in identifying many issues on a worksite, modern slavery, by its nature, is often hidden and difficult to detect through traditional labour or social audits. Traditional audits often face time constraints, only offer a snapshot of workplace conditions, and can be manipulated. Additionally, vulnerable workers are unlikely to report concerns for fear of subsequent retribution. These limitations should be acknowledged and understood by those commissioning and carrying out workplace assessments so that they understand what evidence is being collected and what level of assurance is being provided. If risks are suspected, the CDC group suggest that it may be useful to conduct interviews with workers of-site (e.g. in communities) or engage with a local NGO or trade union that has the trust of workers and can ask sensitive questions and verify the accuracy of information.

CDC Group (2018) conclude that there exist a number of types of activities that companies can take to mitigate risks associated with the activities of their contractors and suppliers, at different stages of a commercial relationship. While there is overlap in some activities for each set of business partners, some activities are different and hence are called out separately.

- **Pre-selection:** Companies need to ensure that the terms and conditions of their commercial relationships enable responsible behaviour and encourage respect for labour standards. The cost of labour and systems to ensure safe and decent working conditions should be factored into price, timescales and expectations for volume, quality and so on. This applies to both a company's contractors and suppliers.
- **Contract controls:** Including relevant provisions in contracts and legal documents is important for ensuring control and leverage over modern slavery risks. Legal provisions may be related to identified risks or preventive measures to manage general risks that might emerge through monitoring or reporting obligations.
- **Build capacity and awareness:** This can include training of key personnel, contractors and suppliers on modern slavery risks, or working with management to improve HR practices such as recruitment processes, hours and wage-recording systems. These measures will ideally stem from a capacity assessment. When engaging in capacity building, consider.

- **Grievance management systems:** Establishing an effective and trusted independent mechanism for raising grievances gives a company the opportunity to identify issues and to develop mitigation measures in a proactive manner.
- **Collaboration:** Companies should aim to collaborate with multi-stakeholder initiatives, trade unions or civil society, particularly in situations where leverage and visibility are low, as these are effective means of mitigating risks. Where modern slavery risks are endemic in a sector, industry, supply chain or geographical jurisdiction, collaborating with other companies, industry bodies, national governments and stakeholders helps tackle common problems, mitigate risks and improve practices in the longer term.
- **Increase visibility and control:** Maximising visibility and control over contractors or supply chains ensures greater oversight and knowledge of relevant risks. This can in turn encourage efficient use of resources and promote quicker responses to any problems that may arise.

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