

**Submission to the 2022 Commonwealth Heads of Government Meeting (CHOGM)  
on Modern Slavery and Human Trafficking**

Submission endorsed by Global, Regional, National Civil Society Organisations<sup>1</sup>

May 2022

**It is estimated that over 40.3 million people are held in modern slavery, including 24.9 million in forced labour and 15.4 million in forced marriage.<sup>2</sup> According to the 2018 Global Slavery Index, approximately 40 percent of those in modern slavery reside in the Commonwealth<sup>3</sup> – that is, 1 in every 150 people in the Commonwealth are living in modern slavery.<sup>4</sup>**

Modern slavery encompasses practices which include human trafficking, forced labour, debt bondage, domestic servitude, forced marriage, and the worst forms of child labour, including the sale of children and the recruitment and use of child soldiers.

The COVID-19 pandemic has delayed Commonwealth Governments' progress in addressing modern slavery and human trafficking. In fact, the pandemic threatens to reverse any progress that has been made. Gaps in support services, legal protections, and business regulations have enabled the inhumane business of slavery to thrive amidst the pandemic.<sup>5</sup> Restrictions deployed to combat COVID-19 have driven exploitation further underground by impeding the ability of first responders to identify new victims and increasing levels of online child sexual exploitation.<sup>6</sup> In addition, victims are at increased risk of contracting COVID-19. The pandemic's far-reaching economic impact has made the livelihoods of the most vulnerable populations even more precarious, heightening their risk of exploitation.<sup>7</sup>

<sup>1</sup> See page 8 for a list of organisations who have endorsed this joint statement.

<sup>2</sup> International Labour Organization (2017), *Global estimates of modern slavery: Forced labour and forced marriage* International Labour Office, p.9. Available at:

[https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf)

<sup>3</sup> Prevalence data are not available for Antigua and Barbuda, Bahamas, Belize, Dominica, Fiji, Grenada, Kiribati, Malta, Nauru, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Samoa, Seychelles, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

<sup>4</sup> Commonwealth Human Rights Initiative and Walk Free, *Eradicating Modern Slavery: Assessing Commonwealth Governments progress in achieving SDG Target 8.7*

<https://www.humanrightsinitiative.org/publication/eradicating-modern-slavery>

<sup>5</sup> UNODC, *Impact of the Covid-19 Pandemic on Trafficking in Persons*, p.2. Available at:

[https://www.unodc.org/documents/Advocacy-Section/HTMSS\\_Thematic\\_Brief\\_on\\_COVID-19.pdf](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf); Modern

Slavery and Human Rights Policy and Evidence Centre (2021), *Implications of Covid-19 for modern slavery challenges in supply chain management*, p.3. Available at:

[https://modernslaverypec.org/assets/downloads/MSPEC-Supply-Chain-Management-Research\\_Summary.pdf](https://modernslaverypec.org/assets/downloads/MSPEC-Supply-Chain-Management-Research_Summary.pdf)

<sup>6</sup> UNODC, *Impact of the Covid-19 Pandemic on Trafficking in Persons*, p.1-2. Available at:

[https://www.unodc.org/documents/Advocacy-Section/HTMSS\\_Thematic\\_Brief\\_on\\_COVID-19.pdf](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf); UNODC

(2021), *The effects of the Covid-19 Pandemic on Trafficking in Persons and responses to the challenges*, p.30.

Available at:

[https://www.unodc.org/documents/human-trafficking/2021/The\\_effects\\_of\\_the\\_COVID-19\\_pandemic\\_on\\_trafficking\\_in\\_persons.pdf](https://www.unodc.org/documents/human-trafficking/2021/The_effects_of_the_COVID-19_pandemic_on_trafficking_in_persons.pdf)

<sup>7</sup> UN Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro, Covid-19 Position Paper. The impact and consequences of the Covid-19 pandemic on trafficked and exploited persons, 8 June 2022. Available at:

<https://www.ohchr.org/sites/default/files/Documents/Issues/Trafficking/COVID-19-Impact-trafficking.pdf>

Situations of armed conflict and war increase the vulnerability of individuals to human trafficking,<sup>8</sup> affecting particularly women<sup>9</sup> and children.<sup>10</sup> The current crisis in Ukraine has shown how armed conflict has caused the displacement of more than 5 million people, of which 90 percent are women and children, putting them at risk of exploitation and violence, including trafficking in persons.<sup>11</sup> A coordinated and immediate response is needed, focusing on prevention and the identification and assistance of victims.

Of the approximately 40.3 million people living in modern slavery, 71% are women and girls, and one in four victims is a child.<sup>12</sup> With rising cases of online child sexual exploitation that have resulted from global restrictions to combat COVID-19, this rate is expected to have increased further. To fulfill commitments made in 2021, the International Year for the Elimination of Child Labour, Commonwealth Governments should take concerted action to eliminate the worst forms of child labour, including child slavery.

Although particular challenges and forms of exploitation vary across Commonwealth regions, there are a number of systemic issues and drivers of modern slavery that must be addressed globally, including poverty and income inequality, unsafe migration policies, climate change, lack of access to quality education and information (including on safe migration and the channels through which migrants can seek assistance and access to justice), gender discrimination and violence, and discrimination against minority and marginalised groups. These risk factors are frequently compounded to increase the vulnerability of particular groups.

An effective response to modern slavery and human trafficking requires a multi-faceted approach that involves collaboration between all key stakeholders, including governments, inter-governmental agencies, civil society, business, trade unions, other private actors, and survivors. It requires placing greater emphasis on rights-based, survivor-centred, participatory and gender-and-age-sensitive approaches that address the drivers of modern slavery. This should include mainstreaming modern slavery issues into development plans at all levels through strategies that promote gender equality, protect women and children in their diversity from violence and exploitation, and foster their access to education, healthcare, resources, and opportunities for decent work. Such an approach must also incorporate effective criminal justice, survivor support and evidence-based decision making. Action

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<sup>8</sup> UN Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro, UN Doc. A/71/303, 5 August 2016, para. 14.

<sup>9</sup> UN Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro, UN Doc. A/73/171, 17 July 2018, para. 21.

<sup>10</sup> UN Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, Maud de Boer-Buquicchio, and Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro, "Joint Report", UN Doc. A/72/164, 18 July 2017, para. 24.

<sup>11</sup> Office of the High Commissioner for Human Rights (2022), "Ukraine: Armed conflict and displacement heightens risks of all forms of sexual violence including trafficking in persons, says UN experts" [press release] 16 March. Available at <https://www.ohchr.org/en/press-releases/2022/03/ukraine-armed-conflict-and-displacement-heightens-risks-all-forms-sexual> (accessed 11/04/22); United Nations Office on Drugs and Crime (2022), "[Conflict in Ukraine: key evidence on risks of trafficking in persons and smuggling of migrants](#)". Available at: [https://www.unodc.org/documents/data-and-analysis/tip/Conflict\\_Ukraine\\_TIP\\_2022.pdf](https://www.unodc.org/documents/data-and-analysis/tip/Conflict_Ukraine_TIP_2022.pdf).

<sup>12</sup> International Labour Organization (2017), "*Global estimates of modern slavery: Forced labour and forced marriage*", p. 10. Available at: [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf)

against modern slavery must include approaches which focus on prevention, prosecution of perpetrators, and protection of survivors.

## Commonwealth Commitments

At the 2018 Commonwealth Heads of Government Meeting (CHOGM), States called for “*effective measures to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour in all its forms by 2025, including the unlawful recruitment and use of child soldiers. They encouraged ratification and implementation of relevant outstanding international agreements, and to develop appropriate national strategies in this regard. They further agreed to take action to end child sexual exploitation online including through joining relevant international bodies and initiatives.*”<sup>13</sup>

States have recently reaffirmed these commitments, stressing the urgency to work collaboratively towards addressing modern slavery. See Annex 1.

## Delivering a Common Future – RECOMMENDATIONS

Building on existing commitments, we call upon Commonwealth governments to:

- **Commit to redoubling efforts to meet SDG Target 8.7, including reiterating the need for timely, proactive and effective measures** to address forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour, including the unlawful recruitment and use of child soldiers, and by 2025 end child labour in all its forms.
- **Ratify and implement relevant outstanding international human rights agreements**, including International Labour Organization (ILO) conventions, and align national legislation with international norms, ensuring all forms of exploitation are criminalised, laws are enforced and penalties are appropriate.
- **Improve cross-border collaboration and data-sharing on modern slavery and human trafficking**, including strengthening international cooperation agreements and collaborative initiatives with member states, international organisations and civil society.
- **Ensure all responses to modern slavery and human trafficking are informed by the meaningful participation of survivors**, and survivors are provided opportunities to engage in such efforts on their terms.
- **Strengthen the evidence base on modern slavery**, including supporting efforts to **share good practices**.

More specifically, we call on all Commonwealth governments to:

### Support Survivors

- 1) Increase identification of, and improve support for, modern slavery victims and survivors by providing regular, systematic training for all frontline service providers.
- 2) Enable victims and survivors’ self-empowerment, by ensuring they have information on and access to services and effective remedies, including compensation.

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<sup>13</sup> 2018 CHOGM Communiqué

- 3) Implement targeted measures to deliver sustainable, long-term programmes to address the stigma associated with trafficking and sexual exploitation, and support the successful reintegration of survivors of trafficking.
- 4) Expand and adequately resource integrated adolescent- and child friendly services for survivors. Such programmes should be victim-centred and gender-sensitive and offer community integration or reintegration support services to support the immediate and long-term reintegration and rehabilitation needs of survivors. This could include reintegration back into the education system, the provision of skill building, access to shelters and community-based care, housing and job market support, legal, medical and psychosocial assistance, and sexual and reproductive health and rights information and services.

### **Strengthen Criminal Justice**

- 5) Criminalise all forms of modern slavery, and ensure penalties are proportionate to the seriousness of the offence.<sup>14</sup> Ensure comprehensive policies and strategies are in place to protect and support those at risk of modern slavery, particularly girls and young women. Ratify and domesticate relevant international instruments, including the 2014 ILO Forced Labour Protocol (P029) and the 2011 ILO Domestic Workers Convention (No. 189).
- 6) Enforce legislation, including by providing adequate resources, as well as training to all officials such as law enforcement personnel, prosecutors, and the judiciary, to effectively investigate and prosecute modern slavery cases.
- 7) Remove barriers to victim participation in the criminal justice system by strengthening protection mechanisms, including the adoption of non-prosecution provisions to ensure that victims are not punished for conduct resulting from their exploitation.

### **Improve Coordination and Accountability**

- 8) Strengthen coordination among national agencies by developing evidence-based national action plans and establishing national gender-and-age-responsive referral mechanisms involving civil society, law enforcement agencies, and other groups. This should also include efforts to create greater coherence across migration, employment and social policies to prevent and respond to the trafficking of girls and young women.
- 9) Strengthen cross-border collaboration and data-sharing to tackle modern slavery and human trafficking, including strengthening bilateral and multilateral agreements on cooperation, repatriation, and labour migration.<sup>15</sup>

### **Address Risk Factors**

- 10) Ensure social and labour protections extend to all groups, including migrant workers and children, in formal and informal economies and high-risk sectors, by strengthening and enforcing national laws and policies and regulating recruitment processes. This is particularly important as states rebuild economies in response to COVID-19.

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<sup>14</sup> In line with the standards of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol).

<sup>15</sup> This includes international cooperation and mutual legal assistance in the investigation and prosecution of transnational cases of modern slavery and human trafficking.

- 11) Support regional and national level research on trends, prevalence, and the effectiveness of different approaches to combat modern slavery to enable evidence-based interventions and efficient allocation of resources.
- 12) Tackle systemic inequality and discrimination that increases the vulnerability of certain groups to modern slavery, taking into account intersectional factors (including gender, age, race, and disability) and harmful traditional practices, by strengthening legal frameworks and providing education and training.
- 13) Address the specific and disproportionate vulnerabilities of women and girls to modern slavery by providing primary education to all and supporting community empowerment initiatives.
- 14) Provide assistance and protection to refugees and migrants fleeing from situations of armed conflict, without discrimination on any grounds.

#### **Eradicate Exploitation from Supply Chains**

- 15) Identify sectors at high risk of exploitation, and work with businesses in those sectors and with trade unions and civil society to develop initiatives to mitigate risks of forced labour and other forms of exploitation.
- 16) Strengthen laws and policies applicable to public procurement and corporate supply chains, by implementing mandatory transparency requirements and mandatory human rights and environmental due diligence.
- 17) Establish and strengthen rigorous, independent and regular supply chain inspections.
- 18) Develop mechanisms to periodically review actions taken by businesses to address modern slavery and to ensure that their operations are in consonance with international standards, including the UN Guiding Principles on Business and Human Rights, and the ILO General Principles for Fair Recruitment.

#### **Protect children**

- 19) In order to better protect children at risk of exploitation in situations of humanitarian crisis, including armed conflict, address their specific vulnerabilities and ensure a prompt identification of and protection for unaccompanied children.
- 20) Cooperate and take action to end child sexual exploitation and abuse, both online and off-line, and combatting transnational child trafficking, by joining relevant international bodies and initiatives. This includes ratifying the Hague Convention 1996, which covers civil measures of protection concerning children, including establishing co-operation between states; the Lanzarote Convention for Protection of Children against Sexual Exploitation and Sexual Abuse (CSEA) which requires criminalisation of all kinds of sexual offences against children; ILO Convention 138 as they have Convention 182; and by strengthening legal and protective systems to support child survivors, prosecute perpetrators and prevent CSEA offences.
- 21) Promote and enable the full participation in education for all children - especially girls and those from marginal and vulnerable groups - including taking measures aimed at transitioning child labourers to students, such as financial support for families.

## Annex 1 - States' Commitments to Eradicate Modern Slavery and Human Trafficking

In March 2021, at High Level Dialogues in both London, UK and Canberra, Australia, several States reaffirmed their commitments, and stressed the urgency to work collaboratively towards addressing modern slavery:

*Jennifer Townson, Migration and Modern Slavery Envoy, FCDO, **United Kingdom***

- "The UK's aspiration is to continue working with partners on the root causes and enablers that create permissive environments for these abuses. The way we focus our efforts is both looking at situations where there is a risk of trafficking into the UK, so working with partners either in countries of origin or countries of transit, but also working more widely to focus on the global prevalence."

*H.E. Mr Jitoko Tikolevu, High Commissioner of **Fiji** to the United Kingdom*

- "Our government has made a pledge for the formulation of a new policy for the eradication of child slavery".

*H.E. Mr. Ellison E. Greenslade, High Commissioner of the **Bahamas** to the United Kingdom*

- "It is vital to continue to collaborate widely across the Commonwealth, and indeed the world, and to focus on the implementation of existing and new commitments... Cooperation between countries, agencies and civil society is critical, as no country, agency or entity can effectively and efficiently fight human trafficking alone."

*The Hon George Brandis QC, **Australian** High Commissioner to the United Kingdom*

- "We reaffirm in the strongest terms our dedication to eradicating modern slavery. Our cooperation is more important than ever. Australia continues to support Commonwealth members' state and civil society organisations to engage in the vital work of eradicating modern slavery."

*H.E. Mrs Vicki Treadell CMG MVO, High Commissioner of the **United Kingdom** in Australia*

- "If 54 countries can try to make a difference, it's a significant proportion of the world. By our example, if we can do this by living up to the Commonwealth values, we support the UN SDG 8.7."

*Rt Hon Theresa May MP, Former Prime Minister of the **United Kingdom** and Member of Parliament for Maidenhead*

- "The Commonwealth is an important body of countries, of governments, of people, that can come together and make a real impact in their countries. By showing our actions as a Commonwealth, we could actually help to lead the world in dealing with these issues of modern slavery."

In November 2021, at the UN General Assembly's High Level Meeting on the Appraisal of the UN Global Plan of Action to combat trafficking in persons, Commonwealth countries again endorsed initiatives combatting human trafficking<sup>16</sup>:

*Rt Hon Lord Ahmad of Wimbledon, Minister of State for South and Central Asia, North Africa, the UN and the Commonwealth of Nations and the Prime Minister's Special Representative on Preventing Sexual Violence in Conflict (UK)*

- The UK continues to look for opportunities to collaborate with governments, businesses, and survivors. It will take us all to end this menace. For example, under our Presidency, the leaders of the G7 committed to tackling forced labour global supply chains. Last month, G7 Trade ministers discussed steps to eradicate forced labour, protect victims and improve global supply chain transparency. Meanwhile our efforts continue earnestly at home. The UK is strengthening our already world-leading Modern Slavery Act. A key focus is to increase transparency in supply chains.

*Rt Hon Vindhya Vasini Persaud, Minister of Human Services and Social Security (Guyana)*

- Our national action plan includes a strong training component that aims to prepare frontline workers, police and community policing groups, customs officers, transport operators and members of civil society with the skills to identify victims of trafficking. Furthermore, Guyana has improved its capacity for undercover operations, provides support to victims and conducts awareness-raising in foreign languages and some indigenous languages.

*Rt Hon Owen Bonnici, Minister for the National Heritage, the Arts and Local Government and former Minister for Equality, Research and Innovation (Malta)*

- Traffickers prey on the poor, isolated and weak. In 2018, the minimum penalty for the crime of human trafficking was increased from four to six years in prison, and special support measures for child victims have been incorporated into national legislation.

*Rt Hon Horace Chang, Deputy Prime Minister and Minister of National Security (Jamaica)*

- Jamaica is committed to advance a comprehensive anti-trafficking response to protect, prevent and prosecute the scourge of trafficking. Cognisant of the impact of the COVID-19 pandemic to push victims of trafficking further underground, Jamaica continues to implement public education and awareness-raising campaigns to inform the general public and persons at risk of being trafficked.

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<sup>16</sup> UN General Assembly, High-level meeting on the appraisal of the UN Global Plan of Action to Combat Trafficking in Persons, Plenary, 76th Session, 22 November 2021. A summary of the meeting available at: <https://www.un.org/press/en/2021/ga12387.doc.htm>.

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**THIS STATEMENT IS ENDORSED BY:**

1. Commonwealth Human Rights Initiative (CHRI)
2. Commonwealth 8.7 Network (global network of 70+ CSOs)
3. Love146
4. Justice & Care (UK)
5. Commonwealth Trade Union Group (CTUG)
6. Plan International
7. Commonwealth Businesswomen's Network (CBWN)
8. It's a Penalty
9. Africa Non-profit Chore (ANCHOR)
10. Snehalaya UK
11. My Choices Foundation
12. Destiny Reflection
13. Oasis India
14. WARBE Development Foundation
15. Rupantar Bangladesh
16. Cannabis Education Guild
17. Unchained Solutions Pty Ltd
18. Engage Now Africa
19. End Modern Slavery
20. Foundation for Innovative Social Development
21. Muwanga Development Association
22. Centre for Youths Integrated Development
23. Global Welfare Association (GLOWA)
24. Tvesha Strategic Consulting
25. Vanuatu Human Rights Coalition
26. The Freedom Hub (Australia)
27. Society for Promotion of Tribal Welfare and Development
28. Shiva Foundation
29. Walk Free
30. Anti-Slavery International
31. Children and Families Across Borders (CFAB)