

Commonwealth Human Rights Initiative – side event on “Human Trafficking in the Pacific”

11 September 2019, room IV, 15:00-16:00

Intervention Special Rapporteur on contemporary forms of slavery, Urmila Bhoola

Good afternoon,

It is a great honour to speak here at this event and I warmly thank the Commonwealth Human Rights Initiative for their invitation to speak here.

As you know, I presented my final thematic report to the Human Rights Council on Monday. As I will end my term as Special Rapporteur on contemporary forms of slavery next April, the objective of the report was to reflect on current features of slavery and on how the current slavery landscape might be impacted by major global developments such as changes in the world of work and in demographics, migration and in the environment due to climate change. I will provide a brief overview of the findings of my report and will then discuss a few points which are specific to the Pacific.

In terms of numbers, it needs to be recalled that 40.4 million people were in a situation of modern slavery out of which 25 million people in forced labour in 2016. 64% of those exposed to forced labour - 16 million people - work in the private sector. Furthermore, 15 million people are victims of forced marriage, the majority of which are girls. Slavery is present in every region of the globe but most victims are thought to be found in Asia and the Pacific.

One in four victims of contemporary forms of slavery in 2016 was a child and over 70% of all victims were women and girls. An alarming 98% of women and girls subjected to forced labour have experienced sexual violence.

People in informal jobs – meaning 60% of the world’s employed population and in developing countries 90% - are at a higher risk of being exploited or even subjected to contemporary forms of slavery.

With regard to demographic trends, some 85% of the more than 25 million young people entering the labour force globally by 2030 will be in developing and emerging countries.

Another factor which will have a strong impact on contemporary forms of slavery is climate and environmental change and therefore, I will expand a bit on this one.

Exposure to natural disasters is emerging as a possible risk factor for and reorganizing force in contemporary forms of slavery, and climate change will likely multiply and intensify natural disasters. In the Asia-Pacific region, already the region with the highest estimated absolute prevalence of contemporary forms of slavery and forced labour, the inter-linkage between vulnerability to exploitation and climate change may become more apparent based on the following context: Climate displaced persons are on the rise, proportionally with the rise in sea level, extreme weather events, drought and water scarcity. As is the case with refugees fleeing conflict, war and persecution, persons forced to move by natural disasters and climate change are highly susceptible to exploitation by traffickers.

By 2050, approximately 5 billion people may live in areas where the climate “will exceed historical bounds of variability” and we can only estimate what this means for regions such as the Pacific. Furthermore, competition among producers for dwindling resources may encourage behaviours that drive down labour and other costs, as we see in South-East Asian fisheries and in fisheries operating in the Pacific, namely in the tuna industry. It is important to recall that almost 60% of the world's tuna originated in Pacific Island Countries in 2017 and therefore, it is important to raise awareness about the frequent abuse, exploitation or even slavery-like working and living conditions in the fishing sector.

Moreover, climate change may also heighten the risk of forced marriage, with dowries viewed as a capital formation adaptation. With children being married off also in some countries the Pacific, the current situation may be exacerbated in the near future.

Not always is slavery identified and recognized as such by governments and in this regard, more awareness and action is needed by Pacific governments themselves.

Current anti-slavery efforts

Against this backdrop, current anti-slavery efforts and their effectiveness need to be critically assessed in order to understand if we are on the right track to address these persisting and new challenges adequately.

There is no overall survey of global anti-slavery efforts. Until the advent of Sustainable Development Goal target 8.7 and Alliance 8.7, the global partnership for eradicating forced labour, modern slavery, human trafficking and child labour around the world, there was no unifying structure providing a framework for collaboration between those actors working to address the different forms of exploitation. Even now, that cooperation remains nascent and clear metrics, or even a strategic “framework for collective action” towards the achievement of target 8.7 remains absent.

In midst of the multiple actors involved in ending slavery, it is sometimes overlooked that the actions of Member States remain absolutely central to the struggle to eradicate slavery. This is not only because of their duty to protect through regulation, accountability and victim support, but also because of their essential role in mobilizing and shaping strategic policy response. States are the main duty bearers in ensuring the realization of the human right to be free from slavery and servitude.

There are some positive signs regarding State action, as 37 States have ratified the Protocol of 2014 to the Forced Labour Convention but so far, no Pacific Island Country has ratified this instrument. In the Samoa Pathway adopted in 2014 Small Island Developing States, there are references to trafficking in persons and to “victims of sex trafficking and forced labour” but not to other forms of contemporary forms of slavery. This indicates that at a regional level, there might still be limited awareness of current forms of slavery and of its interconnection with decent work, migration and climate change. However, it is very interesting that there is specific mention of “the lack of sustainable livelihoods and opportunities for further education and the breaking down of community support structures which can lead to increasing numbers of young men and women becoming involved in violence and crime”.

A good example of government legislative action to prevent and address slavery and trafficking in persons is the Family Violence (Amendments) Act 2018 of New Zealand, for example: It makes it an offence to force someone into marriage or a civil union in New Zealand or overseas. It would be interesting to hear which steps Fiji is taking at the domestic level as a “Pathfinder country” under Alliance 8.7, as I understand it just held a National Strategic Planning Forum to develop a joint roadmap to achieve SDG Target 8.7.

With regard to private sector engagement, globally some 40 countries have taken steps to investigate forced labour in private or public supply chains. However, meaningful engagement by Governments with business to specifically address slavery in supply chains remains rare, including in Pacific Island countries. Similarly, while rates of prosecution and conviction are increasing, the absolute numbers of convictions remain very low and the risk of perpetrators facing justice is minimal.

According to research, governments are already well behind schedule in meeting SDG target 8.7 just four years after they committed to it in 2015.

For SDG 8.7, progress is hampered by the lack of indicators on all forms of modern slavery under SDG 8.7. Without clear indicators to measure progress toward the 2030 goal, governments cannot report systematically and consistently, nor can they be held to account. Therefore, it is imperative that an agreed set of measurement indicators on contemporary forms of slavery is being elaborated and agreed on. Clearly, we need to take dramatic action as we enter the “decade for delivery” of the Goals.

The way forward

I would like to wrap up by presenting six ways of taking more effective and adequate action to end contemporary forms of slavery by 2030:

1. First, anti-slavery efforts need to become more *systematic*, in the sense of requiring action at every level and by all actors. This also requires that donors – both governmental and non-governmental – will need to take deliberate steps to see beyond short-term funding cycles and recognize the need for investment in longer-term systemic change ;
2. Second, anti-slavery efforts must become more *scientific*. This means that an increased and continued investment in data collection and sharing is needed and that public policies should be developed and resources allocated on the basis of evidence obtained. I appreciate that this may be challenging for small States with limited resources but it is clearly not only a question of available resources but also of setting clear priorities.
3. Third, anti-slavery efforts need to be more *strategic*, meaning that a stronger shared global framework for coordinated action towards SDG target 8.7 is needed. Alliance 8.7 is an important step in the right direction but to achieve target 8.7 in the next ten years, a clearer system of prioritizing and allocating resources effectively is an imperative.
4. Fourth, anti-slavery efforts must become more *sustainable* which means that they need to be better integrated into the 2030 agenda. This is also key for small island states where only integrated, holistic approaches can effectively achieve change. Also, in this way the root causes of slavery such as lack of livelihoods, education, gender equality as well as supply chain transformation and environmental protection will be addressed.

5. Fifth, survivors themselves need to be empowered in order for them to participate in anti-slavery efforts more actively and for slavery responses to be *survivor-informed*. Survivors themselves need to be in the driving seat of anti-slavery efforts, as they know best what their needs are and which approaches work or do not. Commonly, we don't hear many voices from survivors of slavery and trafficking in the Pacific, so it would be good to strengthen their say and their participation in all processes affecting them.

6. And sixth, anti-slavery efforts need to become *smart*, in the sense of harnessing digital technologies while ensuring that no fundamental rights are infringed.

In conclusion, more systematic, scientific, strategic, sustainable, survivor-informed and smart action by States and other stakeholders will make a major contribution towards ending contemporary forms of slavery. Also, the systems that make people vulnerable to contemporary forms of slavery need to be tackled, including aspects of the global financial, production, trading, development, labour migration and public health systems. Such action is needed without further delay if target 8.7 of the Sustainable Development Goals is to be achieved by 2030.

Thank you.