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THE  
GLOBAL  
**SLAVERY**  
**INDEX**  
2013

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The *Global Slavery Index* report is published by the Walk Free Foundation (“Walk Free”). Walk Free is committed to ending all forms of modern slavery in this generation. Modern slavery includes slavery, slavery-like practices (such as debt bondage, forced marriage and sale or exploitation of children), human trafficking and forced labour, and other practices described in key international treaties, voluntarily ratified by nearly every country in the world.<sup>1</sup>

Walk Free’s strategy includes mobilising a global activist movement, generating the highest quality research, enlisting business, and raising unprecedented levels of capital to drive change in those countries and industries bearing the greatest responsibility for all forms of modern slavery today. Walk Free was founded by Andrew and Nicola Forrest, global philanthropists. More information on Walk Free can be found at [www.walkfreefoundation.org](http://www.walkfreefoundation.org).

Information is a critical driver of change. Over time, the *Global Slavery Index* report will fill gaps in information about the size and nature of the problem, risk factors, and the effectiveness of responses. The intention is to inform and empower civil society groups working on this issue, and to assist governments to strengthen their efforts to eliminate all forms of modern slavery.

<sup>1</sup> Key definitions are located in: 1926 Convention to Suppress the Slave Trade and Slavery; the 1957 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery; the ILO Convention Concerning Forced or Compulsory Labour; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

# HIGHLIGHTS OF THE GLOBAL SLAVERY INDEX

This is the first edition of the Global Slavery Index.  
It is the first Index of its kind – providing an estimate, country by country,  
of the number of people living in modern slavery today.

*A key finding from this Index is that there are an estimated...*

**29.8 MILLION**  
PEOPLE IN MODERN SLAVERY GLOBALLY<sup>2</sup>

*According to  
the Index, the  
prevalence of  
modern slavery is  
highest in...*

MAURITANIA  
HAITI  
PAKISTAN  
INDIA  
NEPAL  
MOLDOVA  
BENIN  
COTE D'IVOIRE  
THE GAMBIA  
GABON

*However, when  
considered in  
absolute terms,  
the countries  
with the highest  
numbers of  
enslaved  
people are...*

INDIA  
CHINA  
PAKISTAN  
NIGERIA  
ETHIOPIA  
RUSSIA  
THAILAND  
DEMOCRATIC  
REPUBLIC OF CONGO  
MYANMAR  
BANGLADESH

*Taken together,  
these ten countries  
account for...*

**76%**

*of the total estimate  
of 29.8 million  
enslaved people.*

## ABOUT THE GLOBAL SLAVERY INDEX REPORT

This inaugural edition of the Global Slavery Index report:

- 1 Provides a **ranking of 162** countries around the world, based on a combined measure of three factors:
  - ▶ estimated prevalence of modern slavery by population, a measure of child marriage, and a measure of human trafficking in and out of a country.
- 2 Identifies factors relevant to **risk of slavery** and provides a standardised measure of these factors that allows comparison country by country.
- 3 Examines the **strength of government responses to modern slavery** for the 20 countries at the top and bottom of the Index ranking.<sup>3</sup> These studies describe the problem, government responses, and action needed.

<sup>2</sup> The Index provides an estimated range of the number of people in modern slavery, for each of the 162 countries covered by the Index. The lower range of the estimate is 28.3 million in modern slavery, and the upper range of the estimate is 31.3 million in modern slavery. The figure of 29.8 million is the mean of these estimates.

<sup>3</sup> 20 Country Studies, for the worst 10 and best 10 countries in the Index, are contained in this report. A supplementary set of further Country Studies can be found on the Index website [www.globallslaveryindex.org](http://www.globallslaveryindex.org)

## TERMINOLOGY AND ABBREVIATIONS

**Modern slavery** includes slavery, slavery-like practices (such as debt bondage, forced marriage, and sale or exploitation of children), human trafficking and forced labour.

The Walk Free definition of modern slavery includes the definitions in the box below:

### MODERN SLAVERY

<i>Trafficking</i>	<i>Slavery</i>
<ol style="list-style-type: none"> <li>1 Recruitment, transportation, transfer, harboring or receipt of persons.</li> <li>2 By means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person (these means are not required in the case of children).</li> <li>3 With the intent of exploiting that person through:               <ul style="list-style-type: none"> <li>▶ Prostitution of others;</li> <li>▶ Sexual exploitation;</li> <li>▶ Forced labour;</li> <li>▶ Slavery (or similar practices);</li> <li>▶ Servitude; and</li> <li>▶ Removal of organs.</li> </ul>               (UN Trafficking Protocol, 2000)             </li> </ol>	<p>The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.</p> <p>Includes slavery-like practices: debt bondage, forced or servile marriage, sale or exploitation of children (including in armed conflict) and descent-based slavery.</p> <p>(The Slavery Convention (1926) and Supplementary Slavery Convention (1956))</p>
	<i>Forced Labour</i>
	<p>All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.</p> <p>(ILO Forced Labour Convention, 1930 (No. 29))</p>

ABBREVIATION	FULL TITLE
<b>Abolition of Forced Labour Convention</b>	Convention Concerning the Abolition of Forced Labour (ILO No. 105)
<b>CRC Optional Protocol on Children in Armed Conflict</b>	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
<b>CRC Optional Protocol on the Sale of Children</b>	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
<b>European Trafficking Convention</b>	Council of Europe Convention on Action against Trafficking in Human Beings
<b>Forced Labour Convention</b>	Convention Concerning Forced or Compulsory Labour (ILO No. 29)
<b>Domestic Work Convention</b>	Convention Concerning Decent Work for Domestic Workers (ILO No. 189)
<b>Slavery Convention</b>	Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention of 1926
<b>Supplementary Slavery Convention</b>	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956
<b>UN Trafficking Protocol</b>	Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
<b>Worst Forms of Child Labour Convention</b>	Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO No. 182)



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Section One

OVERVIEW  
AND  
METHODS

# OVERVIEW AND METHODS

This is the first year of the Global Slavery Index. A key finding from this inaugural Index is that there are an estimated 29.8 million people enslaved around the world.<sup>4</sup>

## 1. Country ranking by prevalence of population in modern slavery

The Global Slavery Index provides a ranking of 162 countries, reflecting a combined measure of three factors: estimated prevalence of modern slavery by population, a measure of child marriage, and a measure of human trafficking in and out of a country. The measure is heavily weighted to reflect the first factor, prevalence. A number one ranking indicates a more severely concentrated modern slavery situation; 160 shows the least. Detailed methodology is provided in Appendix 1.

**Mauritania**, a West African nation with deeply entrenched hereditary slavery, is ranked number 1 in the Index. This reflects the high prevalence of slavery in Mauritania – it is estimated that there are between 140,000 – 160,000 people enslaved in Mauritania, a country with a population of just 3.8 million. This ranking also reflects high levels of child marriage, and to a lesser extent, human trafficking.

**Haiti**, a Caribbean nation plagued by conflict, natural disaster and with deeply entrenched practices of child slavery (the *restavek* system), is second on the Index. This reflects high prevalence of modern slavery – an estimated 200,000 – 220,000 people are in modern slavery in Haiti, a country with a population of just 10.2 million. This ranking also reflects high levels of child marriage, and human trafficking from Haiti itself.

**Pakistan**, with its porous borders to Afghanistan, large populations of displaced persons and weak rule of law, is third on the Index. It is estimated that there are between 2,000,000 – 2,200,000 people in various forms of modern slavery in Pakistan, a country with a population of over 179 million.

**Iceland, Ireland and the United Kingdom** are tied with a ranking of 160 in the Index. This does not mean these countries are slavery free. On the contrary, it is estimated that there are between 4,200 – 4,600 people in modern slavery in the United Kingdom alone. The estimated size of the problem in Ireland and Iceland is much smaller, with Ireland estimated to have 300 – 340 people in modern slavery, and Iceland less than 100. An analysis of the UK response on this issue confirms much more can be done, as the Government response is fragmented and disjointed, and that there have been alarming systemic failures, including the loss of trafficked children from care.

Table 1: Countries with highest prevalence of modern slavery

Rank	Country Name
1	Mauritania
2	Haiti
3	Pakistan
4	India
5	Nepal
6	Moldova
7	Benin
8	Côte d'Ivoire
9	The Gambia
10	Gabon

Table 2: Countries with lowest prevalence of modern slavery

Rank	Country Name
150	Denmark
150	Finland
150	Luxembourg
150	Norway
150	Sweden
150	Switzerland
159	New Zealand
160	United Kingdom
160	Ireland
160	Iceland

<sup>4</sup> The Index provides an estimated range of the number of enslaved for every country measured. The low range of the estimate for those enslaved globally is 28.3 million and the high estimate is 31.3 million. The figure 29.8 million is the median of these estimates.

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## 2. Estimated number of population in modern slavery

The Global Slavery Index also provides insight into the estimated absolute numbers of people in modern slavery, in 162 countries. When the estimated number of enslaved people is considered in absolute terms as a single factor, the country ranking shifts considerably.

The countries with the highest numbers of enslaved people are **India, China, Pakistan, Nigeria, Ethiopia, Russia, Thailand, Democratic Republic of Congo, Myanmar** and **Bangladesh**. Taken together, these countries account for 76% of the total estimate of 29.8 million in modern slavery.

The country with the largest estimated number of people in modern slavery is **India**, which is estimated to have between 13,300,000 and 14,700,000 people enslaved. The India country study suggests that while this involves the exploitation of some foreign nationals, by far the largest proportion of this problem is the exploitation of Indians citizens within India itself, particularly through debt bondage and bonded labour.

The country with the second highest absolute numbers of enslaved is **China**, with an estimated 2,800,000 to 3,100,000 in modern slavery. The China country study<sup>5</sup> suggests that this includes the forced labour of men, women and children in many parts of the economy, including domestic servitude and forced begging, the sexual exploitation of women and children, and forced marriage.

The country with the third highest absolute number in modern slavery is **Pakistan**, with an estimated 2,000,000 to 2,200,000 people in modern slavery.

Table 3: Ten countries with highest estimated number of population in modern slavery

Country Name	Population <sup>6</sup>	Estimate of population in modern slavery	Lower range of estimate	Upper range of estimate
India	1,236,686,732	13,956,010	13,300,000	14,700,000
China	1,350,695,000	2,949,243	2,800,000	3,100,000
Pakistan	179,160,111	2,127,132	2,000,000	2,200,000
Nigeria	168,833,776	701,032	670,000	740,000
Ethiopia	91,728,849	651,110	620,000	680,000
Russia	143,533,000	516,217	490,000	540,000
Thailand	66,785,001	472,811	450,000	500,000
Democratic Republic of the Congo	65,705,093	462,327	440,000	490,000
Myanmar	52,797,319	384,037	360,000	400,000
Bangladesh	154,695,368	343,192	330,000	360,000

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<sup>5</sup> Available on the website: [www.globalslaveryindex.org](http://www.globalslaveryindex.org)

<sup>6</sup> All data from World Bank: <http://data.worldbank.org/indicator/SP.POP.TOTL/Countries?display=default>

## INDEX – RANKING OF COUNTRIES BY PREVALENCE OF POPULATION IN MODERN SLAVERY

The Global Slavery Index presents a ranking of 162 countries, based on a combination of three factors: estimated prevalence of modern slavery by population, levels of child marriage, and levels of human trafficking into and out of the country. This gives the “weighted measure.”

Not all the countries in the world are represented in the Global Slavery Index. The 162 countries that are included, however, represent nearly all of the world’s 7 billion people. These countries collect a sufficient amount of standardised data to allow comparison across countries and regions. While equally as important, those countries that have not been included are for the most part, those having fewer than 100,000 citizens.<sup>7</sup>

Country Name	Ranking	Weighted Measure	Country Name	Ranking	Weighted Measure
Mauritania	1	97.90	Mali	35	20.07
Haiti	2	52.26	Equatorial Guinea	35	20.07
Pakistan	3	32.11	Cambodia	38	19.99
India	4	30.84	Botswana	39	19.92
Nepal	5	26.56	Zambia	40	19.83
Moldova	6	25.68	Burundi	41	19.64
Benin	7	23.57	Myanmar	42	19.63
Côte d’Ivoire	8	23.35	Rwanda	43	19.62
Gambia	9	23.20	Lesotho	44	19.34
Gabon	10	23.03	Zimbabwe	45	19.33
Senegal	11	22.31	Namibia	46	18.89
Ethiopia	12	22.06	Uzbekistan	47	15.67
Sierra Leone	13	21.82	Nigeria	48	13.99
Togo	14	21.53	Russia	49	12.43
Cape Verde	15	21.31	Georgia	50	11.56
Eritrea	15	21.31	Albania	51	11.07
Guinea	17	21.26	Azerbaijan	51	11.07
Ghana	18	21.04	Montenegro	53	10.94
Republic of the Congo	19	21.01	Czech Republic	54	10.82
Guinea-Bissau	20	20.87	Hungary	54	10.82
Cameroon	20	20.87	Bulgaria	56	10.80
Sudan	22	20.86	Armenia	57	10.57
Democratic Republic of the Congo	23	20.80	Afghanistan	58	10.50
Thailand	24	20.78	Bosnia and Herzegovina	59	10.45
Uganda	25	20.73	Serbia	59	10.45
Burkina Faso	26	20.65	Croatia	61	10.32
Somalia	27	20.64	Poland	61	10.32
Niger	28	20.50	Slovakia	61	10.32
Tanzania	29	20.47	Vietnam	64	10.18
Laos	30	20.38	Peru	65	10.04
Central African Republic	31	20.36	Djibouti	66	10.00
Liberia	32	20.32	Slovenia	67	9.83
Malawi	33	20.20	Suriname	68	9.79
Chad	34	20.19	Ecuador	69	9.78
Mozambique	35	20.07	Tajikistan	70	9.59

<sup>7</sup> For some more populous countries, such as Kosovo, Cyprus and Taiwan, slavery has not been estimated because the information needed for global comparisons requires that it be collected uniformly across all countries. For various reasons there is insufficient comparable information available for these countries at the time of conducting secondary source analysis. We hope to include these countries within the Index as soon as such information can be obtained.

Country Name	Ranking	Weighted Measure
Bangladesh	71	9.54
Uruguay	72	9.51
Colombia	73	9.50
Paraguay	74	9.49
Venezuela	75	9.34
Bolivia	76	9.30
Guyana	77	9.29
Libya	78	9.11
Dominican Republic	79	9.01
Macedonia	80	8.94
Kyrgyzstan	81	8.73
Saudi Arabia	82	8.73
Turkmenistan	83	8.67
China	84	8.59
Kazakhstan	85	8.51
Ukraine	86	8.42
Jordan	87	7.87
United Arab Emirates	88	7.74
Chile	89	7.44
Turkey	90	7.40
Algeria	91	7.29
Yemen	92	7.28
Morocco	93	7.23
Brazil	94	7.16
El Salvador	95	7.12
Bahrain	96	6.75
Qatar	96	6.75
Philippines	98	6.73
Oman	99	6.66
Kuwait	100	6.63
Guatemala	101	5.75
Kenya	102	5.72
Iran	103	5.70
Iraq	104	5.61
Syria	105	5.59
Papua New Guinea	106	5.58
Mexico	107	5.57
Nicaragua	108	5.47
Mongolia	109	5.45
Honduras	110	5.42
Israel	111	5.23
Madagascar	112	5.22
Egypt	113	5.09
Indonesia	114	5.08
South Africa	115	4.99
Angola	116	4.84

Country Name	Ranking	Weighted Measure
Belarus	117	4.82
Sri Lanka	118	4.81
Lebanon	119	4.72
Timor-Leste	120	4.56
Malaysia	121	4.48
Argentina	122	4.35
Tunisia	122	4.35
Jamaica	124	4.03
Romania	125	4.00
Swaziland	126	3.95
Brunei	127	3.72
Lithuania	128	3.63
Estonia	129	3.47
Japan	130	3.31
Latvia	131	3.21
Italy	132	3.12
Trinidad and Tobago	133	2.81
United States	134	2.77
Barbados	135	2.70
Germany	136	2.63
South Korea	137	2.32
Australia	138	2.15
France	139	2.13
Netherlands	139	2.13
Hong Kong, SAR China	141	1.84
Singapore	142	1.82
Mauritius	143	1.81
Canada	144	1.73
Panama	145	1.67
Costa Rica	146	1.66
Portugal	147	1.64
Spain	147	1.64
Cuba	149	1.28
Austria	150	1.14
Belgium	150	1.14
Greece	150	1.14
Denmark	150	1.14
Finland	150	1.14
Luxembourg	150	1.14
Norway	150	1.14
Sweden	150	1.14
Switzerland	150	1.14
New Zealand	159	1.10
United Kingdom	160	1.00
Ireland	160	1.00
Iceland	160	1.00

## CONSTRUCTING THE GLOBAL SLAVERY INDEX

### What is modern slavery?

In 2013, modern slavery takes many forms, and is known by many names. Whether it is called human trafficking, forced labour, slavery or slavery-like practices (a category that includes debt bondage, forced or servile marriage, sale or exploitation of children including in armed conflict) victims of modern slavery have their freedom denied, and are used and controlled and exploited by another person for profit, sex, or the thrill of domination.

Today some people are still being born into hereditary slavery, a staggering but harsh reality, particularly in parts of West Africa and South Asia.<sup>8</sup> Other victims are captured or kidnapped before being sold or kept for exploitation, whether through ‘marriage’, unpaid labour on fishing boats, or as domestic workers.<sup>9</sup> Others are tricked and lured into situations they cannot escape, with false promises of a good job or an education. Modern slavery can involve using children in the military, whether as combatants, porters, cooks or for other jobs.<sup>10</sup> The chains of modern slavery are not always physical – sometimes escalating debts, intimidation, deception, isolation, fear or even a ‘marriage’ that is forced on a young woman or girl without her consent can be used to hold a person against their will without the need for locks or chains.

Modern slavery is poorly understood, so it remains hidden within houses, communities and worksites. Criminals are creative and will use any available means to conceal, rationalise, and justify slavery – be it race, ethnicity, religion, gender, caste, ‘custom’ or any other excuse or vulnerability they can exploit. Modern slavery is not always as self-evident as some other crimes, such as homicide or even theft. Modern slavery involves an extreme abuse of power, which is not always immediately apparent but requires understanding the people and the relationships involved.

While most forms of modern slavery are illegal all over the world, existing information suggests these laws are rarely used and enforced. The 2013 US Trafficking in Persons Report notes that while 46,570 victims of human trafficking were officially identified in 2012, there were only 7,705 prosecutions, and 4,750 convictions recorded globally.<sup>11</sup>

The reality of modern slavery is millions of people who cannot walk away, who are trapped and denied freedom and lives of dignity, and bound only to serve and profit the criminals that control them.

### Why a Global Slavery Index?

Modern slavery is a global issue. Some countries have a bigger problem than others but the crime affects all of us. Human trafficking reaches across borders, and the products of modern slavery flow into global supply chains, into local shops, and ultimately into our homes. Many of the problems that help modern slavery to flourish are also global: corruption, conflict, poverty, discrimination and the impact of poor or declining economic conditions and adverse environmental change.

Nearly every country in the world has committed to prevent and eradicate modern forms of slavery – whether through their national policies and laws, or their agreement to international conventions.<sup>12</sup> While individuals, civil society organisations, trade unions and businesses all have a role to play, the role of governments in addressing this human rights violation is paramount. Only governments can enact and enforce criminal and other relevant laws. Only governments can ensure that victims are treated as such and not as criminals. Only governments can allocate national budgets to fund law enforcement and other responses.

Efforts are being made to understand the size of modern slavery globally,<sup>13</sup> and a handful of countries have undertaken national or representative surveys to more accurately estimate the size of the problem in their

<sup>8</sup> See for example, “Slavery in Mauritania”, *Anti-Slavery International*: [http://www.antislavery.org/english/slavery\\_today/descent\\_based\\_slavery/slavery\\_in\\_mauritania.aspx](http://www.antislavery.org/english/slavery_today/descent_based_slavery/slavery_in_mauritania.aspx)

<sup>9</sup> See for example, “Sold to the Sea: Human Trafficking in Thailand’s Fishing Industry”, *Environmental Justice Foundation*: <http://ejfoundation.org/soldtotheseafilm>.

<sup>10</sup> See for example, “Lord’s Resistance Army and the Central African Region”, (15 May 2013) *Office of the Special Representative of the Secretary-General for Children and Armed Conflict*: <http://childrenandarmedconflict.un.org/countries/lords-resistance-army-and-the-central-african-region/>

<sup>11</sup> “US Trafficking in Persons Report 2013”, *US Department of State*: p46: <http://www.state.gov/documents/organization/210737.pdf>

<sup>12</sup> 97 countries, or 49.7% of members of the United Nations, are party to the 1926 Slavery Convention; 23 countries, or 63.7% of members of the United Nations, are party to the 1957 Supplementary Slavery Convention; 176 countries, or 91.1% of members of the United Nations, are party to the Forced Labour Convention.; 154 countries, or 79.7% of members of the United Nations, are party to the UN Trafficking Protocol.

<sup>13</sup> See for example, “ILO Global Estimate of Forced Labour: Results and Methodology”, (2012), *International Labour Organisation*, and, Kevin Bales, “The Social Psychology of Modern Slavery” (2004), *Scientific American Journal*: <http://www.scientificamerican.com/article.cfm?id=the-social-psychology-of>

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countries.<sup>14</sup> However, to truly understand and effectively respond to modern slavery, we need more reliable information on this issue generated more often.

The Global Slavery Index aims to be a tool that citizens, civil society groups, public authorities, and their partners can use to understand the size of the issue and assess progress in the eradication of all forms of modern slavery. The Index will help countries and citizens to understand their strengths and challenges in addressing modern slavery, and to build sound policies on that knowledge.

### How is slavery defined in the Index?

The Index is intended to provide information about all modern forms of slavery. Internationally, there are several existing legal definitions relevant to modern slavery, including the international treaty definitions of slavery, slavery-like practices, human trafficking and forced labour.<sup>15</sup>

While very important, the existing legal definitions are complex. Also, there are several of them, and there are continuing debates about how the different definitions overlap or should be reconciled. Countries apply them differently. Accordingly, given the Index is a tool designed for measurement and policy development, the Index uses an *operational definition* of slavery, one that is informed by the legal definitions but primarily focuses on the key defining features of modern slavery.

The operational definition used in the Index is as follows:

**Slavery is the possession and control of a person in such a way as to significantly deprive that person of his or her individual liberty, with the intent of exploiting that person through their use, management, profit, transfer or disposal. Usually this exercise will be achieved through means such as violence or threats of violence, deception and/or coercion.**

This central feature – the control of one person by another, depriving them of their freedom for the purposes of exploitation – is common to all forms of modern slavery – whether these practices are, either in law or common conversation, called servitude, slavery, forced marriage, bonded labour, debt bondage, forced labour, or human trafficking.

The Global Slavery Index seeks to cover all forms of modern slavery. It also aims to illuminate the different ways that people are moved into modern slavery: fraud and deception, abduction in conflict, false recruitment practices, the application of ‘customary laws’ that sanction forced marriages, and any other way that criminals devise to enslave people.

### How are the country rankings generated?

The rankings are generated using three variables in the Global Slavery Index:

- ▶ A composite estimate of the number of people in slavery in each country.
- ▶ An estimate of the level of human trafficking from and into each country.
- ▶ An estimate of the level of child and early marriage in each country.<sup>16</sup>

For the ranking of countries by percentage of population in modern slavery, the greatest emphasis is given to the estimated percentage of people living in modern slavery in each country (95% weighting).

Modern slavery is a crime that is especially difficult to measure. When a person is enslaved, they are not normally available to be found and counted, and criminals wish to keep it that way. We have used a mix of methods to estimate the extent of modern slavery in the 162 countries covered in the Global Slavery Index, but we are very much aware that of all the factors and activities counted in this Index, the estimate of slavery prevalence is our weakest, most approximate, measure.

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<sup>14</sup> See for example, “Statistical Review 1: Moldova: Migration and Trafficking Survey” (2012), *International Labour Organisation*: [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/data\\_res\\_human.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/data_res_human.pdf); “Bureau International du Travail, Enquête National sur le Travail des Enfants au Niger” (2009) Voler: Travail forcé des adultes et des enfants, INS Niger (October 2011); and “The Cross-National Market in Human Beings” (2009), Julia R. Pennington, A. Dwayne Ball, Ronald D. Hampton and Julia N. Soulakova, ‘29 *Journal of Macromarketing* 119.

<sup>15</sup> Key definitions are located in: the Slavery Convention, the Supplementary Slavery Convention; the Forced Labour Convention and the UN Trafficking Protocol.

<sup>16</sup> For details on all variables see Appendix 1.

While we believe we have overcome some obstacles to the estimation of modern slavery, many remain. For that reason we welcome any efforts that will improve the estimation of the extent of modern slavery. Our data are available to any researcher for examination or analysis, and we are keen to learn from and work with any person or government seeking to expose the true prevalence of this crime. The estimation of the prevalence of modern slavery is not a static measure. Our aim is year-on-year improvement in our slavery estimate, including through the expansion of representative random-sample surveys. The first set of these surveys are planned for 2013-2014.

Further detail on the choice of variables, and data sources, is provided in Appendix 1.

### **How is risk analysed?**

For most people the risk of being enslaved is very small, but for a significant number of people around the world that risk can be dangerously high. The variation in the amount of modern slavery across countries suggests that risk also varies in meaningful ways.

Exploring the risk of enslavement is a new area of research. As a hidden and diverse crime the factors that affect the risk of enslavement are still coming to be understood. The Global Slavery Index report explores risk country by country in order to suggest how the risk of enslavement might be reduced and where effective prevention might take place.

To understand the variation in the risk of enslavement, the report draws together factors that are significantly related to this crime. Some of these factors help create a context of vulnerability, others reflect the presence or absence of the rule of law, and others point to the impact of discrimination and exclusion. In this first edition of the report, 33 variables are used to explore how the risk of enslavement varies from country to country. These variables are grouped into five dimensions:

- ▶ Anti-Slavery Policies
- ▶ Human Rights
- ▶ Economic and Social Development
- ▶ State Stability
- ▶ Women's Rights and Discrimination

A full list of the individual variables, with information about their origin and method of measurement, is given in Appendix 1.

We are aware that other critical factors, such as different forms of discrimination – whether of certain ethnic minorities, groups of stateless people, or on the basis of perceived national, racial, or religious differences – contribute to the risk of enslavement that we are not, at this time, able to measure for all countries.

We know that some factors, such as caste and tribal systems, are unique to certain regions, cultures or countries. Some of those influences will be named and explored in the in-depth discussion of regions and countries that follows. At the same time, one aim of the report is to present information about the risk of enslavement in ways that can be compared across countries and regions, and be understood as a global crime.

The measurement of the risk of enslavement in this Index report refers primarily to policies and conditions *within* a country. At present, the Index does not account for the reality that, for example, the risk of a Japanese citizen being enslaved in Japan might be very low, whereas the risk of a Philippine or Thai citizen being enslaved in Japan might be much higher, due in part to policies and conditions that apply both within Japan, or within the Philippines or Thailand. The same point applies to most of the wealthier countries of North America and Western Europe. When it comes to human trafficking across borders, this measurement of risk must be understood within the webs and networks that tie together the origin, transit, and destination countries.

### **What is in the country studies?**

The country studies in this report describe the nature of the problem in each country, and some of the components of the national response to modern slavery. The primary purpose of this examination is to



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give context to the numbers but also to better understand whether national responses are complete and effective. Who is affected by modern slavery in these countries and how? Are there nationally or locally specific types of enslavement? What national responses are in place and are these having the intended effect? How could they be improved?

Criminal justice responses are clearly at the heart of any response to modern slavery. However, other key considerations include government coordination, budget allocation and accountability, victim support services, and responses to clearly identified, vulnerable sectors (whether migrant workers or workers in the informal economy).

The country studies in this report provide a short, succinct description and analysis of key aspects of the national responses to modern slavery, for a selection of countries covered by this Index (key indicators are in Appendix 1 at page 116-117). In this first year of the Index, it was not possible to cover all 162 countries in the country studies. Consequently, a decision was made to focus on countries at the more extreme end of the slavery spectrum. Accordingly, the countries included are:

- ▶ The worst countries in the Index (Mauritania, Haiti, Pakistan, India, Nepal, Moldova, Benin, Cote d'Ivoire, The Gambia, Gabon; included in the body of this report);
- ▶ The best countries in the Index (Iceland, Ireland, United Kingdom, New Zealand, Switzerland, Sweden, Norway, Luxembourg, Finland, Denmark; included in the body of this report);
- ▶ The ten countries with the highest estimated absolute numbers in modern slavery (India, China, Pakistan, Nigeria, Ethiopia, Russia, Thailand, Democratic Republic of the Congo, Myanmar and Bangladesh; on the website [www.globalslaveryindex.org](http://www.globalslaveryindex.org)); and
- ▶ A selection of other major countries of particular interest, either because they are major sending, transit or destination countries (e.g.: Yemen and the United States), or their response is emerging to be particularly innovative (e.g.: Brazil and Philippines; on the website).

More detailed information on the methodology for the country studies is in Appendix 1.

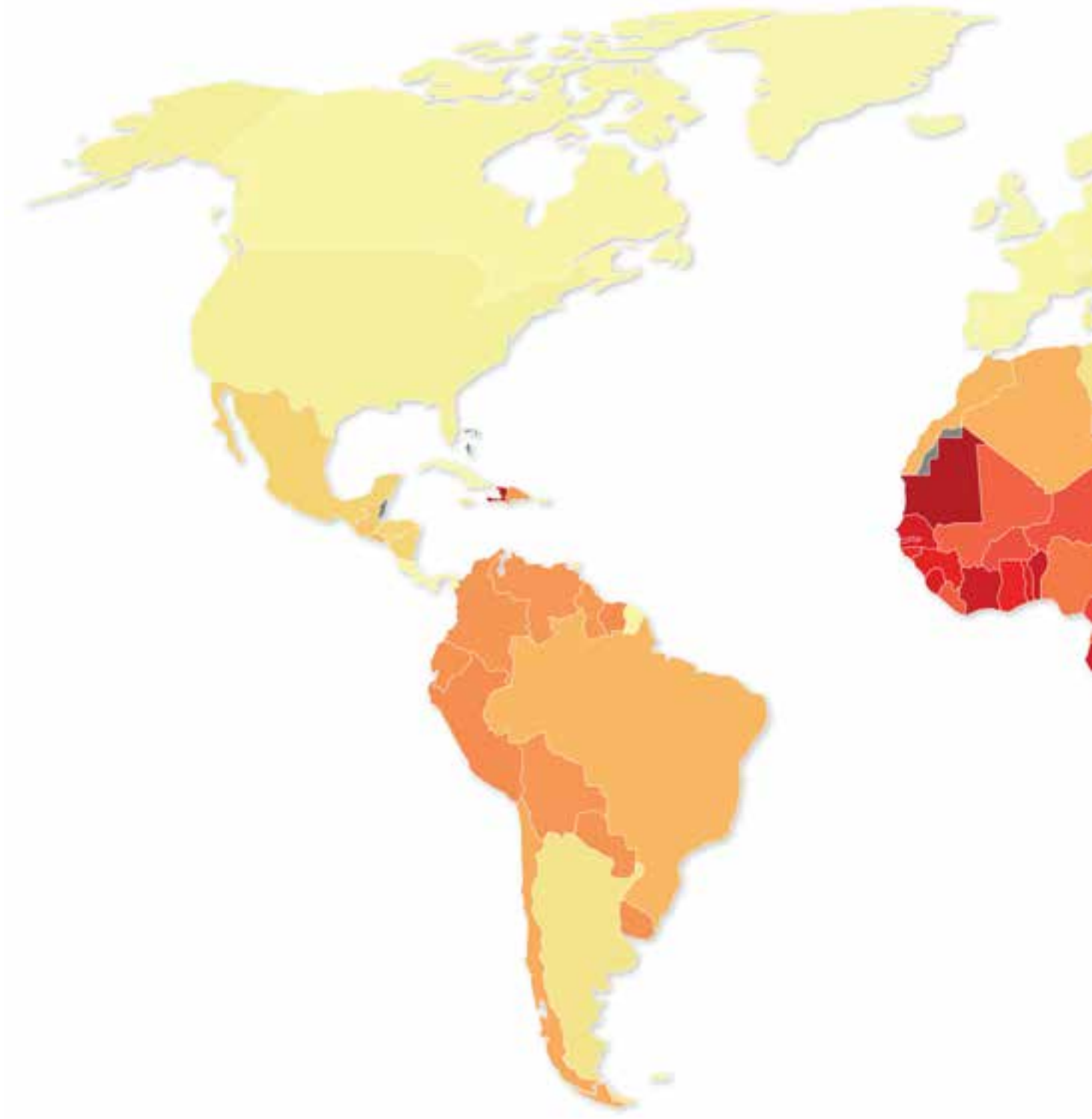
In future editions of the report we plan to expand the country studies to all countries covered by the Index, so as to provide a robust comparable assessment of responses.





Section Two

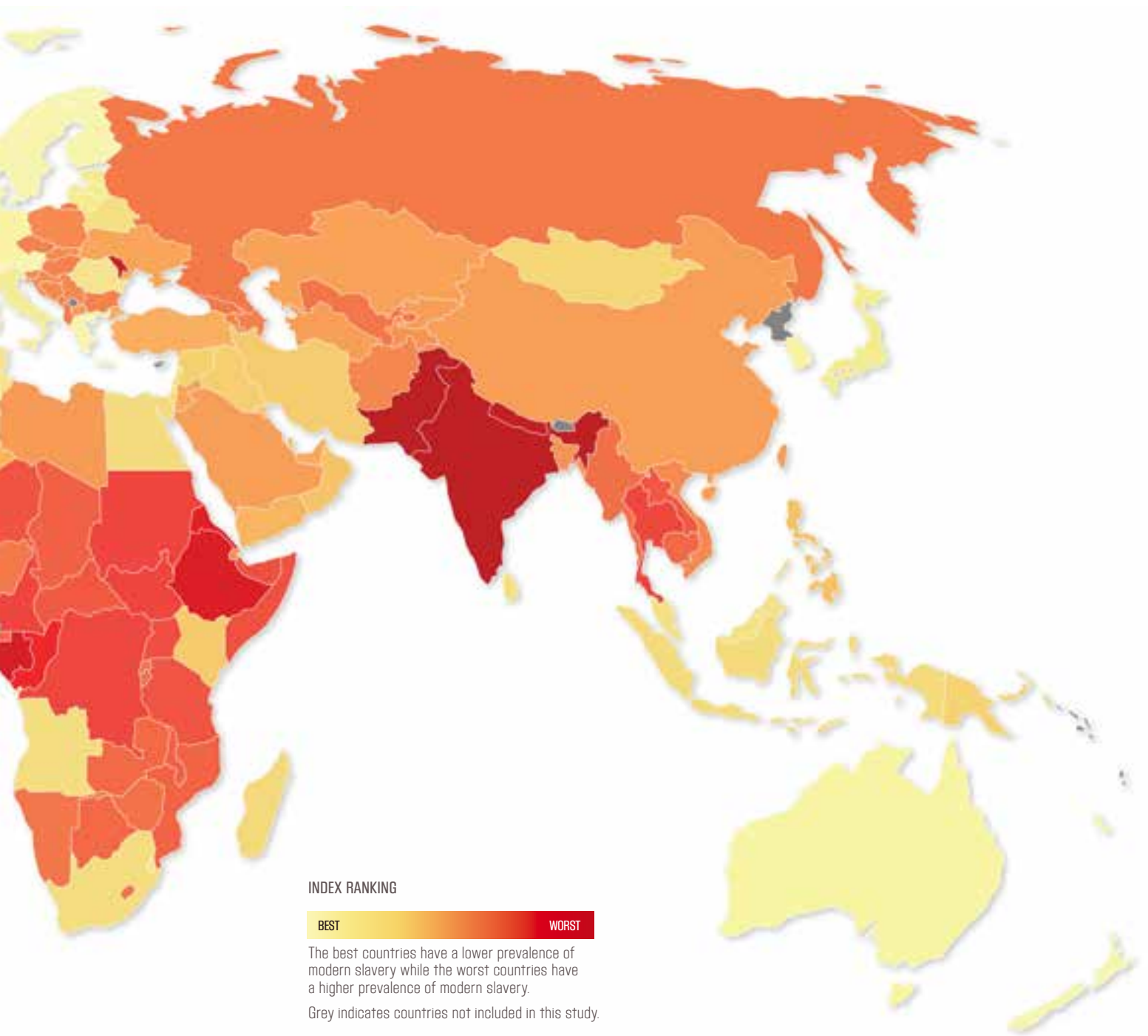
ANALYSIS OF  
PREVALENCE,  
RISK AND  
RESPONSE



## REGIONAL ANALYSIS OF PREVALENCE AND RISK

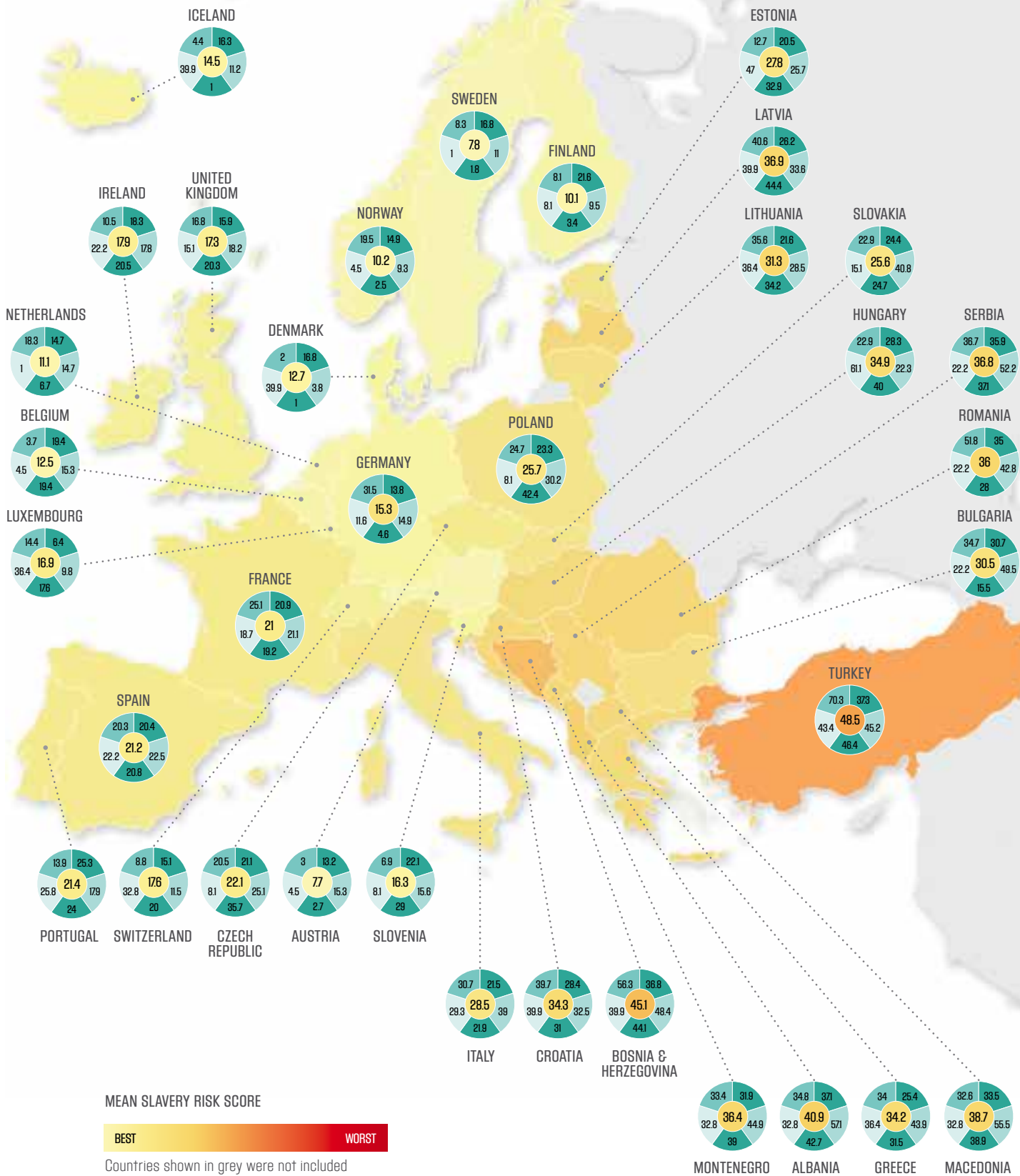
The following tables and charts present the Index ranking and the risk of enslavement by region and country. The ranking is shown on the maps in the colour shading of each country and the accompanying tables give the rank of each country, by region and globally. In these tables a *lower* number in the ranking denotes a more severe modern slavery situation, so the country with the highest levels of modern slavery in a region will be ranked number 1 in that region.

The risk of enslavement is also shown in two ways. On the maps each country has a risk graphic, shown as a circle divided into five parts. These five parts represent the score for that country on each of the five dimensions used to measure risk. These five dimensions are:



- 1 The extent of the policies adopted by that country to fight modern slavery;
- 2 The extent of the guarantees of human rights that are given to the citizens of that country;
- 3 The level of the human and economic development of that country;
- 4 The stability or instability of that country, reflecting such factors as unrest or high levels of corruption; and
- 5 The level of discrimination faced by women in that country.

Thirty-three variables are used to measure and compute these five dimensions. More detail on each of these variables is found in Appendix 1. The regional tables also include an overall risk score for each country, which is the mean of the five dimensions of risk. Data on the variables for each country can be found in Appendix 2.



MEAN SLAVERY RISK SCORE



Countries shown in grey were not included in this study or are not part of this region.

Mean Risk Score



## EUROPE

It is estimated that 1.82% of the estimated total 29.8 million people in modern slavery are in Europe.

The countries of Western Europe have the lowest overall risk of enslavement by region, reflecting low levels of corruption, the lowest levels of measured discrimination against women, a strong respect for human rights, and effective and comprehensive anti-slavery laws (in some countries). Given their equally efficient law enforcement and relatively well-funded governments, the disappointment is that some countries in Western Europe fail to bring sufficient resources to bear on human trafficking and slavery. Many of these countries could, with sufficient political will, be slavery-free.

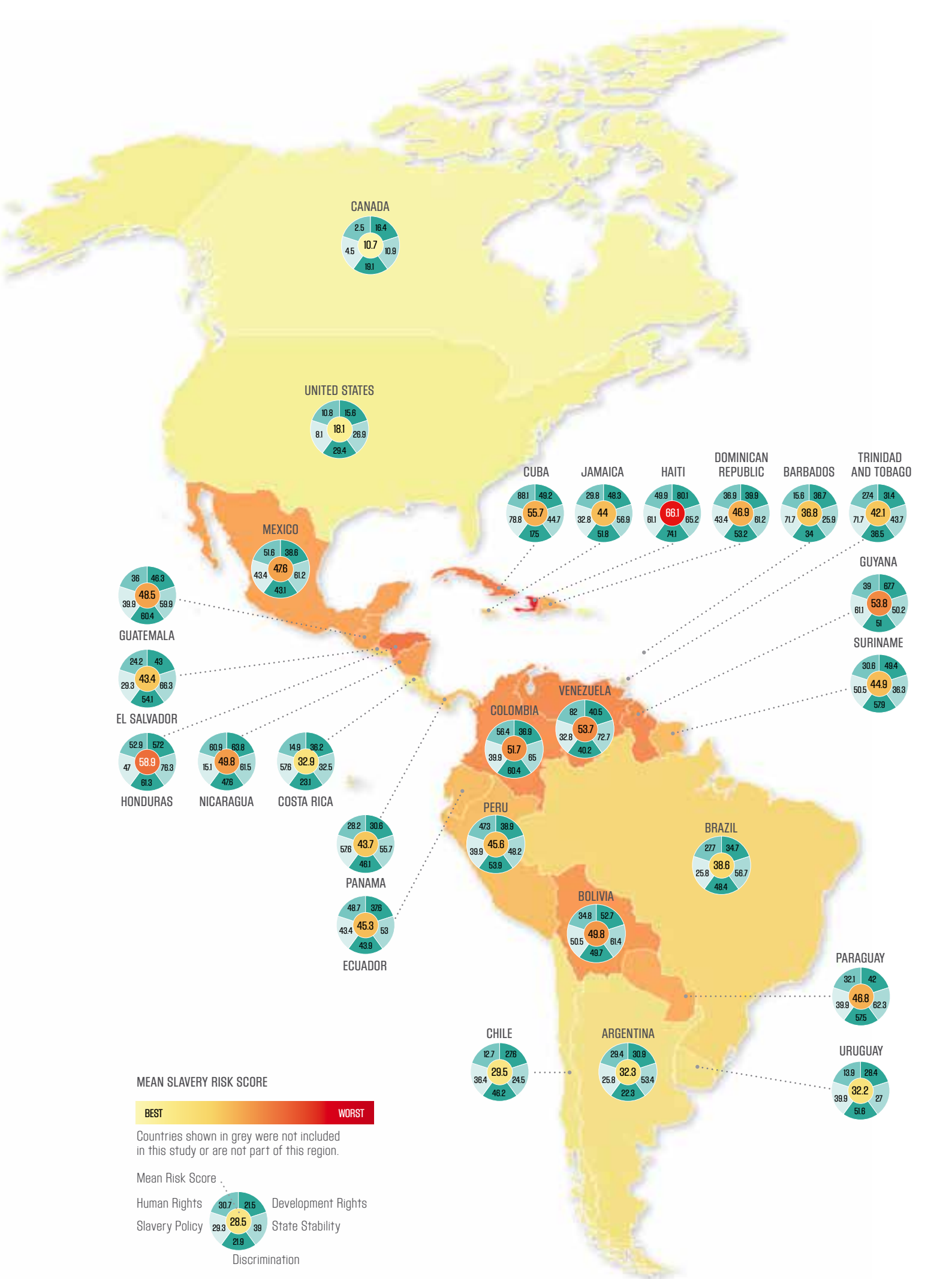
Estimates of the prevalence of trafficking and slavery, based on random sample surveys, exist for two countries in Europe, Bulgaria and Romania. These estimates suggest tens of thousands of victims exist in this region rather than the low thousands of cases that are reported to governments.<sup>17</sup>

The relationship between risk and prevalence is not always clear. For example, Turkey has the highest average risk within the European grouping but not the highest prevalence ranking.

EUROPE COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>18</sup>
Albania	51	1	40.90
Montenegro	53	2	36.41
Czech Republic	54	3	22.09
Hungary	54	3	34.90
Bulgaria	56	5	30.52
Bosnia and Herzegovina	59	6	45.09
Serbia	59	6	36.83
Croatia	61	8	34.30
Poland	61	8	25.70
Slovakia	61	8	25.58
Slovenia	67	11	16.32
Macedonia	80	12	38.67
Turkey	90	13	48.54
Romania	125	14	35.96
Lithuania	128	15	31.27
Estonia	129	16	27.77
Latvia	131	17	36.93
Italy	132	18	28.47
Germany	136	19	15.27
France	139	20	21.00
Netherlands	139	20	11.09
Portugal	147	22	21.38
Spain	147	22	21.24
Austria	150	24	7.74
Belgium	150	24	12.48
Denmark	150	24	12.68
Finland	150	24	10.13
Greece	150	24	34.23
Luxembourg	150	24	16.91
Norway	150	24	10.15
Sweden	150	24	7.80
Switzerland	150	24	17.63
Iceland	160	33	14.55
Ireland	160	33	17.87
United Kingdom	160	33	17.29

<sup>17</sup> "The Cross-National Market in Human Beings," (June 2009) Pennington, Ball, Hampton, and Soulakova, *Journal of Macromarketing*, Vol. 29, No. 2, pp. 119-134: <http://jmk.sagepub.com/content/29/2/119.full.pdf>.

<sup>18</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk and discrimination risk.





## THE AMERICAS

It is estimated that 3.78% of the estimated total 29.8 million people in modern slavery are in the Americas.

The relative wealth of Canada and the United States, their demand for cheap labour and relatively porous land borders, makes them prime destinations for human trafficking, as reflected in the underlying prevalence estimates. However, both countries score very low on overall risk, reflecting in large part very strong measures on slavery policy.

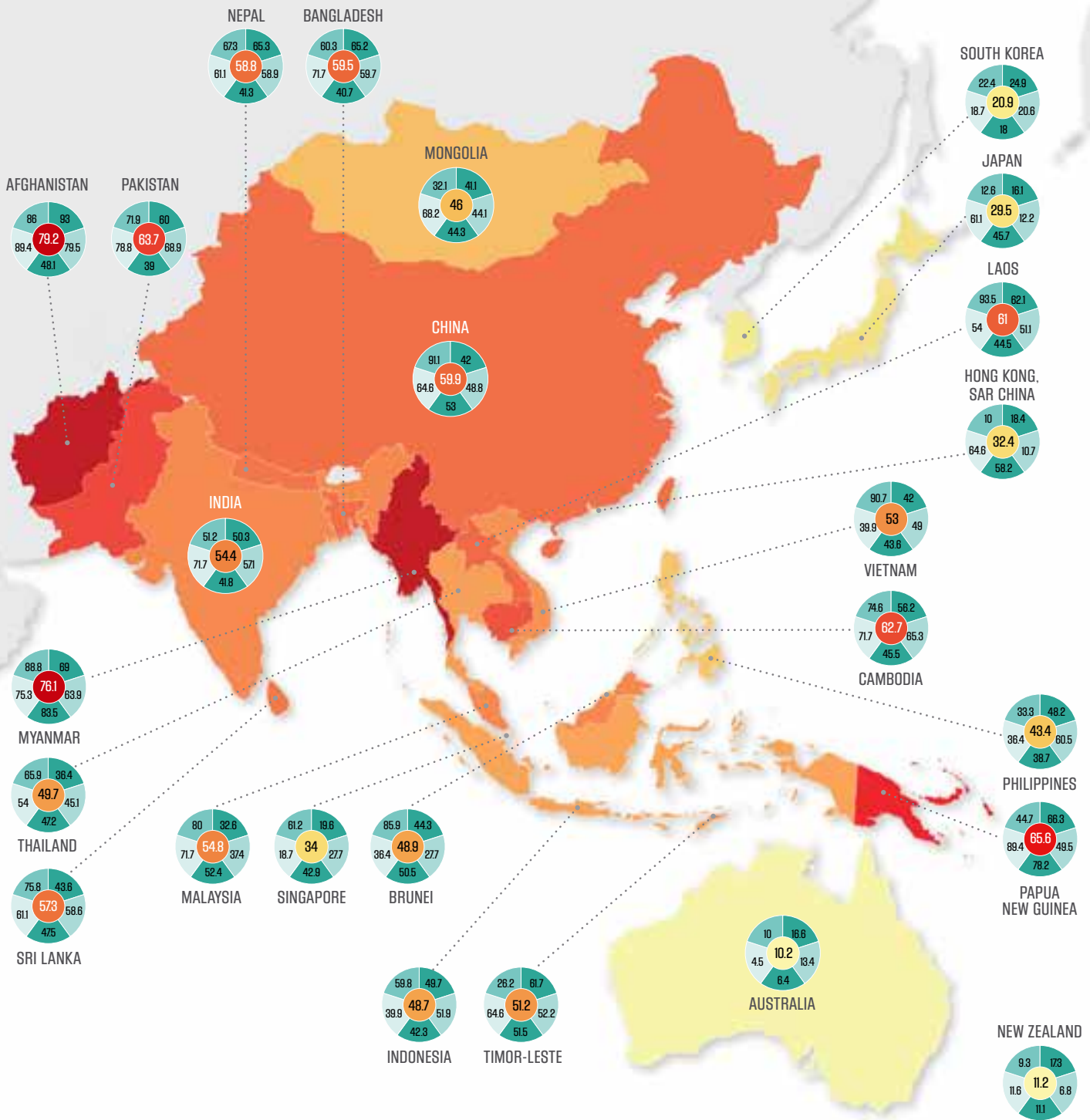
Aside from the United States and Canada, Nicaragua, Argentina and Brazil have the lowest (best) rankings on slavery policy, and Trinidad and Tobago, Barbados and Cuba have the highest (worst) rankings on this sub-issue.

The countries of the Caribbean basin show a lower level of risk of enslavement and other violations of rights than most Latin American countries. Haiti, however, is a special case within the region, with the highest average risk in the regional grouping. The long history of poor government, a strong legacy of slavery and exploitation, and an ongoing environmental crisis has pushed its population into extreme vulnerability to enslavement.

Mexico is a critical transit country for South and Central Americans seeking to enter the United States, one result of this is a highly developed criminal economy that preys on economic migrants, trafficking and enslaving them.

THE AMERICAS COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>19</sup>
Haiti	2	1	66.08
Peru	65	2	45.65
Suriname	68	3	44.94
Ecuador	69	4	45.34
Uruguay	72	5	32.18
Colombia	73	6	51.72
Paraguay	74	7	46.77
Venezuela	75	8	53.66
Bolivia	76	9	49.83
Guyana	77	10	53.80
Dominican Republic	79	11	46.94
Chile	89	12	29.48
Brazil	94	13	38.63
El Salvador	95	14	43.37
Guatemala	101	15	48.49
Mexico	107	16	47.60
Nicaragua	108	17	49.81
Honduras	110	18	58.94
Argentina	122	19	32.34
Jamaica	124	20	43.91
Trinidad and Tobago	133	21	42.14
United States	134	22	18.12
Barbados	135	23	36.77
Canada	144	24	10.69
Panama	145	25	43.65
Costa Rica	146	26	32.85
Cuba	149	27	55.68

<sup>19</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk, and discrimination risk.

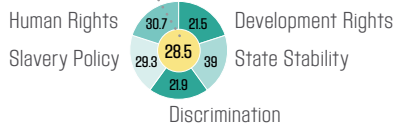


MEAN SLAVERY RISK SCORE



Countries shown in grey were not included in this study or are not part of this region.

Mean Risk Score



## ASIA

It is estimated that 72.14% of the estimated total 29.8 million people in modern slavery are in Asia.

The region holds a number of countries with relatively low prevalence and risk of enslavement (such as Australia and New Zealand), and some countries where the prevalence and risk of enslavement are high (such as Pakistan, India and Thailand).

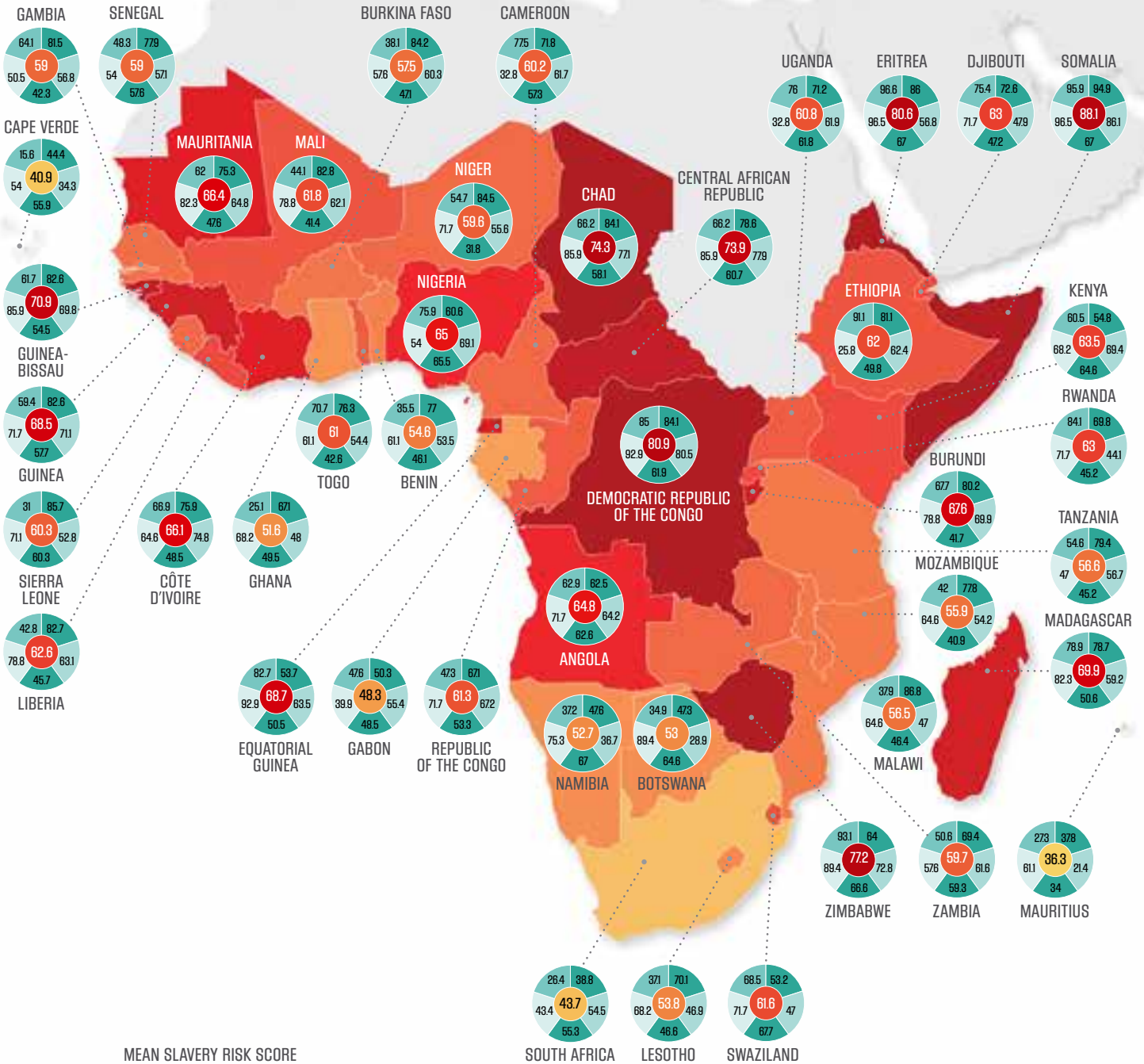
India is the site of far more modern slavery than any other country. However, the risk of enslavement varies across the country. Many Indian states are as populous as entire countries and have significantly different cultural and economic profiles. The states of Uttar Pradesh (44 million people) and Bihar (83 million people), for example, are both known to have high levels of hereditary forms of debt bondage in rural areas, as well as trafficking of persons to and between other Indian states.

The correlation between prevalence and risk is not always clear. For example, India has a high estimated prevalence but a medium estimated risk, pointing to possible limitations in the capacity of existing data to fully capture the complexity of the risk factors present in India, such as historical practices of debt bondage and the ongoing impact of discrimination and the caste and tribal system.

There is wide variation in the implementation of anti-slavery law and policy across the Asia region. Australia has a strong legal and policy response, and the Philippines continues to innovate, including through ratifying the Domestic Work Convention. Some countries, such as Myanmar, have well drafted laws so the challenge relates to implementation. Other countries, such as Papua-New Guinea, Japan and China, have enacted few anti-slavery laws or policies.

ASIA COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>20</sup>
Pakistan	3	1	63.71
India	4	2	54.42
Nepal	5	3	58.78
Thailand	24	4	49.71
Laos	30	5	61.04
Cambodia	38	6	62.68
Myanmar	42	7	76.08
Afghanistan	58	8	79.23
Vietnam	64	9	53.02
Bangladesh	71	10	59.52
China	84	11	59.90
Philippines	98	12	43.42
Papua New Guinea	106	13	65.64
Mongolia	109	14	45.96
Indonesia	114	15	48.69
Sri Lanka	118	16	57.31
Timor-Leste	120	17	51.25
Malaysia	121	18	54.82
Brunei	127	19	48.95
Japan	130	20	29.54
South Korea	137	21	20.93
Australia	138	22	10.18
Hong Kong, SAR China	141	23	32.39
Singapore	142	24	34.02
New Zealand	159	25	11.22

<sup>20</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk, and discrimination risk.



MEAN SLAVERY RISK SCORE



Countries shown in grey were not included in this study or are not part of this region.

Mean Risk Score



## SUB-SAHARAN AFRICA

It is estimated that 16.36% of the estimated total 29.8 million people in modern slavery are in Sub-Saharan Africa. Sub-Saharan Africa is the largest of the regions measured for the Global Slavery Index, and also holds the greatest diversity in terms of the risk of enslavement.

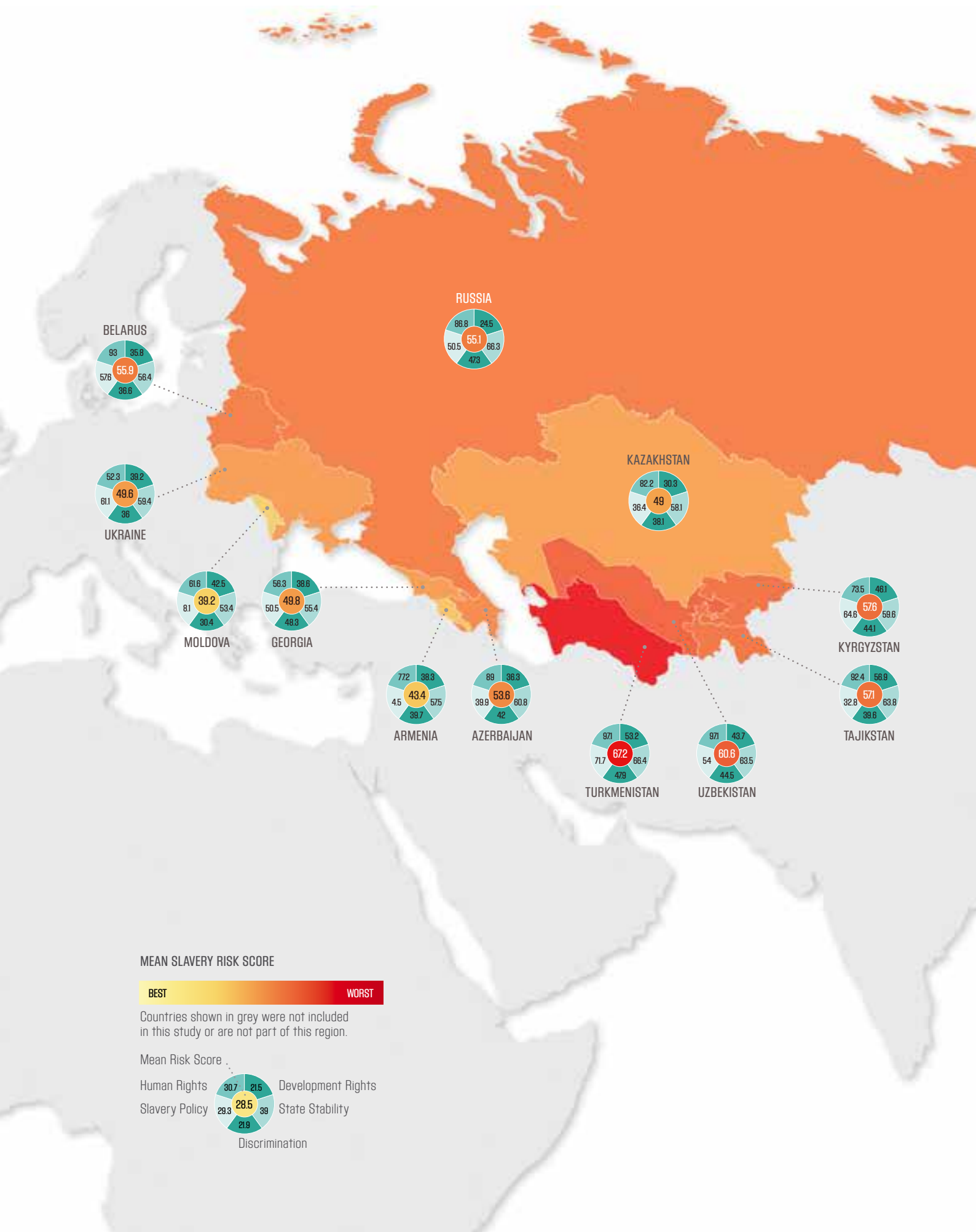
Mauritius leads the region in stability and the protection of human and worker rights, but is eclipsed by South Africa and Gabon in terms of the extent of policies on modern slavery.

The high prevalence measured for such countries as the Democratic Republic of Congo and Mauritania reflect centuries-old patterns of enslavement, often based on colonial conflicts and injustice exacerbated by contemporary armed conflict.

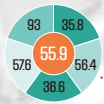
Ongoing conflicts, extremes of poverty, high levels of corruption, and the impact of resource exploitation to feed global markets all increase the risk of enslavement in many African countries. Child and forced marriages are still tolerated in the context of informal or 'traditional' legal systems in many countries.

SUB-SAHARAN AFRICA COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>21</sup>	SUB-SAHARAN AFRICA COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>21</sup>
Mauritania	1	1	66.41	Central African Republic	31	23	73.85
Benin	7	2	54.62	Liberia	32	24	62.63
Côte d'Ivoire	8	3	66.15	Malawi	33	25	56.54
Gambia	9	4	59.02	Chad	34	26	74.26
Gabon	10	5	48.33	Mozambique	35	27	55.93
Senegal	11	6	58.98	Mali	35	27	61.85
Ethiopia	12	7	62.04	Equatorial Guinea	35	27	68.66
Sierra Leone	13	8	60.29	Botswana	39	30	53.02
Togo	14	9	61.00	Zambia	40	31	59.68
Cape Verde	15	10	40.85	Burundi	41	32	67.64
Eritrea	15	10	80.58	Rwanda	43	33	62.98
Guinea	17	12	68.50	Lesotho	44	34	53.76
Ghana	18	13	51.58	Zimbabwe	45	35	77.16
Republic of the Congo	19	14	61.33	Namibia	46	36	52.74
Guinea-Bissau	20	15	70.90	Nigeria	48	37	65.01
Cameroon	20	15	60.21	Djibouti	66	38	62.96
Democratic Republic of the Congo	23	17	80.89	Kenya	102	39	63.49
Uganda	25	18	60.75	Madagascar	112	40	69.94
Burkina Faso	26	19	57.45	South Africa	115	41	43.70
Somalia	27	20	88.05	Angola	116	42	64.78
Niger	28	21	59.64	Swaziland	126	43	61.62
Tanzania	29	22	56.57	Mauritius	143	44	36.31

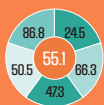
<sup>21</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk, and discrimination risk.



BELARUS



RUSSIA

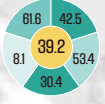


UKRAINE

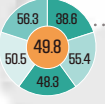


UKRAINE

MOLDOVA



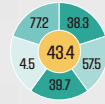
GEORGIA



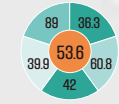
KAZAKHSTAN



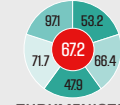
ARMENIA



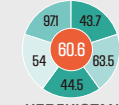
AZERBAIJAN



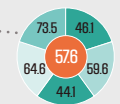
TURKMENISTAN



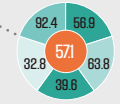
UZBEKISTAN



KYRGYZSTAN



TAJIKISTAN



MEAN SLAVERY RISK SCORE



Countries shown in grey were not included in this study or are not part of this region.

Mean Risk Score



## RUSSIA AND EURASIA

It is estimated that 3.36% of the estimated total 29.8 million people in modern slavery are in Russia and Eurasia. Three of the troubled former Soviet Republics of Central Asia (Turkmenistan, Uzbekistan, Azerbaijan) show very high levels of risk for enslavement and significant threats to basic human rights.

According to a report from Human Rights Watch, the government of Uzbekistan forces up to a million of its citizens to work in the cotton harvest each year for a period of approximately two months. This seasonal estimate is in addition to the Global Slavery Index's annual estimate of 160,000 to 180,000 in modern slavery. This policy of forced labour means that for two months of the year Uzbekistan is the country with the second highest prevalence of modern slavery (after Mauritania) in the world.<sup>22</sup>

There are mixed modes of labour migration, some of which result in exploitation, between the countries of Central and Eastern Europe. Russia's large economy draws vulnerable workers, some of whom are ultimately enslaved in agriculture or construction from many of the former Soviet Republics as well as from Eastern European countries such as Moldova.

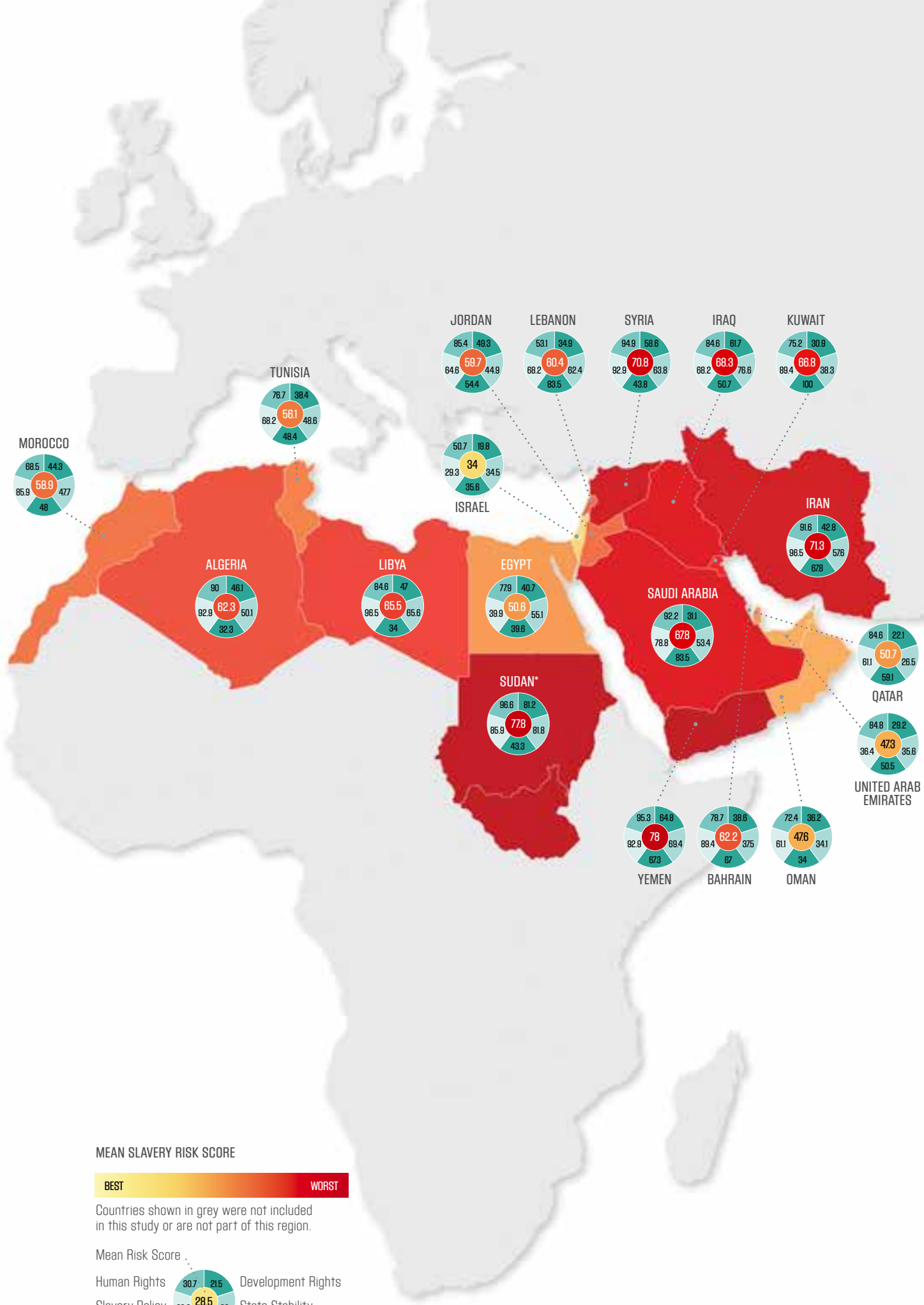
Estimates of the prevalence of modern slavery, based on random sample surveys, exist for three countries in this region: Belarus, Moldova, and the Ukraine. These estimates suggest tens of thousands of victims exist in this region rather than the low number of cases that are reported by governments.<sup>23</sup>

RUSSIA AND EURASIA COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>24</sup>
Moldova	6	1	39.20
Uzbekistan	47	2	60.57
Russia	49	3	55.09
Georgia	50	4	49.82
Azerbaijan	51	5	53.61
Armenia	57	6	43.45
Tajikistan	70	7	57.09
Kyrgyzstan	81	8	57.57
Turkmenistan	83	9	67.25
Kazakhstan	85	10	49.00
Ukraine	86	11	49.59
Belarus	117	12	55.90

<sup>22</sup> "Uzbekistan: Forced Labour Widespread in Cotton Harvest" 26 Jan., 2013, *Human Rights Watch*, <http://www.hrw.org/news/2013/01/25/uzbekistan-forced-labor-widespread-cotton-harvest>

<sup>23</sup> "The Cross-National Market in Human Beings," (June 2009) Pennington, Ball, Hampton, and Soulakova, *Journal of Macromarketing*, Vol. 29, No. 2, pp. 119-134: <http://jmk.sagepub.com/content/29/2/119.full.pdf>

<sup>24</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk, and discrimination risk.



\* Data on Sudan was collected prior to South Sudan becoming an independent state in 2011



## THE MIDDLE EAST AND NORTH AFRICA

It is estimated that 2.54% of the estimated total 29.8 million people in modern slavery are in the Middle East and North Africa.

The risks of enslavement in Middle Eastern and North African countries are not the highest in the world, but the level of risk is relatively high across the region with little variation. Trafficking of migrants from Sub-Saharan Africa and Asia is widespread.

Globally, this region has the highest measured level of discrimination against women. One result is the high level of forced and child marriages within the region, as well as the widespread exploitation of trafficked women in forced prostitution and as domestic workers.

Rapid political change following the Arab Spring calls into question continuing political commitment to the implementation of anti-slavery policies in a number of key countries. In recent years, several countries including Egypt, Syria and Morocco have all passed relevant laws on this issue but due to ongoing conflict and social unrest these laws are not being effectively enforced.

A number of Middle Eastern countries host large numbers of migrant workers. On average, foreign workers make up 40-90% of the populations of Jordan, Saudi Arabia, Israel, the United Arab Emirates and Kuwait. Not all migrants are enslaved, but some will find themselves in situations that can foster enslavement.

MIDDLE EAST AND NORTH AFRICA COUNTRY NAME	Overall Rank	Regional Rank	Mean <sup>25</sup>
Sudan	22	1	77.76
Libya	78	2	65.54
Saudi Arabia	82	3	67.78
Jordan	87	4	59.72
United Arab Emirates	88	5	47.28
Algeria	91	6	62.29
Yemen	92	7	77.97
Morocco	93	8	58.86
Bahrain	96	9	62.22
Qatar	96	9	50.69
Oman	99	11	47.56
Kuwait	100	12	66.76
Iran	103	13	71.26
Iraq	104	14	68.34
Syria	105	15	70.79
Israel	111	16	33.97
Egypt	113	17	50.64
Lebanon	119	18	60.41
Tunisia	122	19	56.06

<sup>25</sup> This is the mean of the five separate risk categories: slavery policy risk, human rights risk, development rights risk, state stability risk, and discrimination risk.

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## RESPONSES

What is being done at the national level to combat modern slavery? What needs to be done? This section examines the national responses in:

- ▶ The worst countries in the Index (Mauritania, Haiti, Pakistan, India, Nepal, Moldova, Benin, Cote d'Ivoire, The Gambia and Gabon); and
- ▶ The best countries in the Index (Iceland, Ireland, United Kingdom, New Zealand, Switzerland, Sweden, Norway, Luxembourg, Finland and Denmark).

The country studies are intended to be a short and sharp summary of major features of the problem of modern slavery as it manifests in each country, the government response to it and what needs to happen to improve the situation.

More information on methodology is in Appendix 1. Further supplementary country studies are on the website [www.globalslaveryindex.org](http://www.globalslaveryindex.org).

### RESPONSES OF WORST COUNTRIES IN THE INDEX

The worst ten countries in the Index share some characteristics: each is struggling with very low GDP per capita and low levels of human development generally. The manifestations of modern slavery in these ten countries also share some common characteristics. In at least five of the ten countries, it is not the exploitation of foreigners but the enslavement of citizens, through culturally sanctioned or tolerated forms either of slavery or slavery-like practices, that are endemic: such as the chattel slavery of the Haratins in Mauritania, the exploitation of children through the *restavek* practice in Haiti, the cultural and economic practices of both caste and debt bondage in India and Pakistan, and the exploitation of children through *vidomegon* in Benin. In other words, it is culturally tolerated forms of institutionalised poverty and discrimination that impact on enslavement. In several countries, namely India, Nepal, Gabon and Moldova, cross-border migration is heavily linked to vulnerability to exploitation. In almost every country in this group, child and forced marriage is both prevalent and largely culturally tolerated, and formal child protection systems are either weak or non-existent.

The response of the ten national governments in the countries with the highest prevalence varies widely. For most countries in this group, at least some national laws criminalising some forms of modern slavery are in force. However, low or non-existent investigations and prosecutions confirm that it is much easier to make laws than to implement them. Also there are gaps in the laws in most of these countries. Two of the countries in this group, Moldova and Cote d'Ivoire, are working hard to address modern slavery within their borders and beyond. In Cote d'Ivoire, a unique system of protection has been formed, harnessing the market forces of cocoa purchasers as a mechanism to drive overall improvement in labour practices and move towards the eradication of worst forms of child labour and forced labour in cocoa production. In Moldova, the Government has established a system that continues to detect victims overseas, even when the support of destination countries and international donors has fallen away for these initiatives. In several other countries in this group – Mauritania, Haiti, and Pakistan – the national response is token at best and non-existent at worst. Other countries in the group are making efforts at the national level but this is yet to translate throughout the country into an end to the impunity of offenders, or justice for victims.

### RESPONSES OF BEST COUNTRIES IN THE INDEX

The best ten countries in the Index also share some characteristics: each has a very high GDP and high levels of human development. Each has strong rule of law, with low levels of corruption, and all are relatively very peaceful societies. All have strong child protection systems. The forms of modern slavery that manifest in these countries tend to involve the exploitation of vulnerable migrants, whether this is domestic workers in diplomatic households or irregular migrants working in the informal economy.

Geography also plays a role in shaping prevalence, with New Zealand having recently detected forms of modern slavery as a result of foreign-flagged fishing vessels from South East Asia operating in their national waters.

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The response of New Zealand has included moves to impose New Zealand labour standards onto crews of these vessels as soon as they are within territorial waters, effective 2016.

An analysis of the responses in the ten best countries in the Index shows that there are:

- ▶ significant national budget allocations to this issue;
- ▶ comprehensive national laws in place;
- ▶ trained, equipped, well-funded specialist law enforcement units to enforce those laws;
- ▶ systems and processes to identify and support victims and to refer them between different parts of the system;
- ▶ systems to coordinate both within and across government and with civil society;
- ▶ non-government organisations are both funded and permitted to operate freely and as partners in the response;
- ▶ accountability through mechanisms such as national rapporteurs or at the very least, research and data collection is both supported and respected; and
- ▶ institutions respond quickly to emerging trends in the modus operandi of offenders.

# MAURITANIA

ESTIMATED NUMBER ENSLAVED	140,000 – 160,000
POPULATION	3,796,141 (2012) <sup>26</sup>
GDP	\$4.199 BILLION (2012) <sup>27</sup>
GDP/CAPITA	\$1,106 (2012) <sup>28</sup>
US TIP REPORT RANKING	TIER 3 (2013)
REMITTANCES AS A SHARE OF GDP	NOT AVAILABLE (2011) <sup>29</sup>

INDEX RANK

1



## 1. THE PROBLEM

Mauritania has the highest proportion of people in slavery in the world. According to one NGO in Mauritania, up to 20 percent of the Mauritanian population is enslaved.<sup>2308</sup> While not identical to the Global Slavery Index estimated of prevalence, these two figures, in the absence of more precise measurement, point to a growing consensus of high levels of enslavement in Mauritania.

“ UP TO 20 PERCENT OF THE MAURITANIAN POPULATION IS ENSLAVED ”

Slavery in Mauritania primarily takes the form of chattel slavery, meaning that adults and children in slavery are the full property of their masters who exercise total ownership over them and their descendants. Slave status has been passed down through the generations from people originally captured during historical raids by the slave-owning groups.<sup>31</sup> People in slavery may be bought and sold, rented out and given away as gifts. Slavery is prevalent in both rural and urban areas. It is reported that women are disproportionately affected by slavery; for example, they usually work within the domestic sphere, and a high level of control is exercised over their movements and social interactions. They are subject to sexual assault by their masters. Women’s roles include childcare and domestic chores, but they may also herd animals and farm, as men in slavery do.<sup>32</sup>

Beyond the context of private homes, it is reported that some boys, who have been sent to attend Koranic schools to become *talibes* (students), have been forced into begging. Although the scale of this problem is not known, it is thought to be quite significant; affecting local boys as well as boys trafficked into Mauritania from the surrounding regions.<sup>33</sup>

It is also reported that women have been subjected to forced marriage and sexual exploitation, both within Mauritania but also in the Middle East.<sup>34</sup>

Slaves are not permitted to have any possessions, as they are considered to be possessions themselves. As such they are denied inheritance rights and ownership of land and other resources. When an enslaved person marries, the dowry is taken by the ‘master’ and if they die their property can be claimed by the ‘master’.<sup>35</sup>

### Notable aspects of the problem

Mauritanian society is made up of three main ethnic groups, commonly known as Black Moors or Haratins, Afro-Mauritanians, and White Moors.

Haratins, whose name literally means “ones who have been freed”, are descendants of the Black Moors, the historical slave population (‘Haratin’ is not a term that is used by Haratin people use to identify themselves as it can be discriminatory). The Haratins are understood to be the ‘property’ of the White Moors, who are a minority in the country but wield disproportionate (majority) political and economic power.<sup>36</sup>

<sup>26</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>27</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>28</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>29</sup> “Migration and Remittances Data, Inflows” 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>30</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p258, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>31</sup> *Ibid.*

<sup>32</sup> “Thematic report on slavery in Mauritania for the UN Human Rights Committee – Adoption of the List of Issues on the initial report of Mauritania” (11- 28 March 2013), 107<sup>th</sup> Session, *Anti-Slavery International*: [http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-SlaveryInternational\\_Mauritania\\_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au](http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-SlaveryInternational_Mauritania_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au)

<sup>33</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p258, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>34</sup> *Ibid.*

<sup>35</sup> “Thematic report on slavery in Mauritania for the UN Human Rights Committee – Adoption of the List of Issues on the initial report of Mauritania” (11- 28 March 2013), 107<sup>th</sup> Session, *Anti-Slavery International*: [http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-SlaveryInternational\\_Mauritania\\_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au](http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-SlaveryInternational_Mauritania_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au)

<sup>36</sup> “United Nations Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences” (24 August 2010), Shahinian, p5, *United Nations General Assembly Report*: [http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2\\_en.pdf](http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2_en.pdf)

Indoctrination to ensure people in slavery accept their situation of ownership is a key feature of slavery in Mauritania, with understandings of race and class, as well as some religious teachings being used to justify slavery. Without access to education or alternative means of subsistence, many believe that it is God's wish for them to be slaves.<sup>37</sup> As most people in slavery are kept illiterate and uneducated, they are unaware of the fact that according to Islamic law, a Muslim cannot enslave a fellow Muslim. Compounding this, the legal and policy framework to protect women's rights in Mauritania is extremely deficient, with many discriminatory laws. Indeed, according to the 2001 Family Code (Code du Statut personnel), women remain perpetual minors. Harmful traditional practices, including early and forced marriages and female genital mutilation, are commonplace. There is no specific law against violence against women and marital rape is not a crime. Although Mauritania has ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), it entered a reservation stating that only articles that comply with Sharia Law and the Mauritanian Constitution would be applied. The Sharia Law and the Criminal Code currently pose grave violations to women's rights; for instance, women who are victims of rape can be prosecuted for the crime of Zina (adultery).<sup>38</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Mauritania has ratified a number of key international treaties regarding modern slavery but not the Domestic Work Convention. The ILO Committee of Experts has repeatedly expressed concern about the situation in Mauritania, and has called on the Government to take steps including: adopt a comprehensive strategy against slavery; ensure that victims can actually assert their rights and seek help; ensure that authorities undertake investigations promptly; and ensure that prison sentences are actually imposed on perpetrators.<sup>39</sup>

Slavery has been prohibited by Mauritanian law since 1961, when the Government redrafted the Constitution, following independence from France, and incorporated various principles from the Universal Declaration of Human Rights. In 1981, after a coup d'état, Mauritania again declared slavery illegal, through Decree No. 81234. However, no legislation was introduced to implement the Decree.<sup>40</sup> It was

MAURITANIA	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

only in 2003 that a law was passed against trafficking in persons,<sup>41</sup> and four years later, the 2007-048 law provided a new definition for slavery<sup>42</sup> and attached to it a penalty of five to 10 years' imprisonment and a fine for violations of the law. Taken together, these laws criminalise trafficking in persons and most forms of slavery. The 2007-048 law provides for victim compensation and assistance for those released from slavery and makes liable those who do not follow-up a denunciation of slavery to sentencing and a fine. This includes police officers and chiefs who may be complicit to these crimes.<sup>43</sup> There are some gaps in Mauritania's criminal laws on modern slavery as some practices, including forced marriage and debt-bondage, are not criminalised.

Despite the existence of national laws, it is reportedly very difficult for victims of slavery to seek access to justice in Mauritania. The burden of proof lies with the victim and investigations cannot be pursued unless

<sup>37</sup> Ibid

<sup>38</sup> Information from field based source.

<sup>39</sup> "Forced Labour Convention, 1930, Mauritania" (2013) Direct Request (CEARC) – adopted 2012, published 102nd ILC session, *International Labour Organisation*, Information System on International Labour Standards: [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100_COMMENT_ID:3058243); and "Forced Labour Convention, 1930, Mauritania" (2010) Observation (CEARC) – adopted 2009, published 99th ILC session, *International Labour Organisation*, Information System on International Labour Standards: [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100_COMMENT_ID:3058243)

<sup>40</sup> "Information on Mauritania Compliance with ILO Convention No.29 on Forced Labour", (July 2008), *Anti-Slavery International*, p2: [http://www.antislavery.org/includes/documents/cm\\_docs/2009/2/2008\\_mauritania.pdf](http://www.antislavery.org/includes/documents/cm_docs/2009/2/2008_mauritania.pdf) and Haratin: Unrepresented Nations and Peoples Organization, September 2011: <http://www.unpo.org/members/13228>

<sup>41</sup> "United Nations Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences" (24 August 2010), Shahinian, p5, *United Nations General Assembly Report*: [http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2\\_en.pdf](http://www2.ohchr.org/english/issues/slavery/rapporteur/docs/A.HRC.15.20.Add.2_en.pdf)

The 2003-025 Act defines 'trafficking in persons as the "recruitment, transportation, transfer of persons by force or use of force or threats or other forms of coercion, of abduction, abuse of power or exploitation of a position of vulnerability or of the giving of the acceptance of payment or advantage to achieve the consent of a person having control over another person for exploitation." The 025-2003 Act falls under the Mauritanian Land Legislation, and is part of the amended Land Reform Act passed in 1983.

<sup>42</sup> The 2007 law "defines slavery as the exercise of one or all of the attributes of the right of ownership over another" and prohibits 'crimes of slavery' by means of "reducing someone to slavery; inciting someone to relinquish their freedom; and inciting a person to allow someone under their control or guardianship to be reduced to slavery." The legislation also defines 'offences of slavery' to include "appropriating goods, products or earnings resulting from the labour of a slave; prejudicing the physical integrity of a slave or denying the child of a slave access to education." In addition, this Law states that anyone supporting slavery can be imprisoned up to two years. Offences of slavery are also punishable with a prison sentence of 6 months to 2 years and a fine.

<sup>43</sup> Section 12 of the 2007/48 law, cited in "Forced Labour Convention, 1930, Mauritania" (2013) Direct Request (CEARC) – adopted 2012, published 102nd ILC session, *International Labour Organisation*, Information System on International Labour Standards.

a victim files a complaint. Human rights organisations for example, cannot file a case on behalf of a victim.<sup>44</sup> This is highly problematic in light of the fact that most victims are illiterate, making it impossible to manage the paperwork. Victims of slavery often do not know about their rights and their claim to protection from the law.<sup>45</sup> The Government provides no support for programmes to assist victims to file complaints of slavery.<sup>46</sup> As many victims have been indoctrinated by the practice of intergenerational slavery, it is extremely difficult for them to pursue legal challenges against their ‘masters’ in court.<sup>47</sup> These and other difficulties are reflected in low levels of investigations and prosecutions under the relevant laws.

“ DESPITE THE EXISTENCE OF NATIONAL LAWS, IT IS REPORTEDLY VERY DIFFICULT FOR VICTIMS OF SLAVERY TO SEEK ACCESS TO JUSTICE IN MAURITANIA ”

In 2012, the ILO Committee of Experts referred to information from the International Trade Union Confederation (ITUC) that even though several victims had tried to take action against their ‘masters’, only one conviction has been handed down in November 2011 and the convicted offender was released on bail pending the appeal of this sentence.<sup>48</sup> The appeal has still not taken place at the time of writing (July 2013) and he remains at liberty. The Government is known to have only investigated two cases in 2013.<sup>49</sup>

Beyond information about the existence of national laws, very limited information is available about the Mauritanian Government response to this issue. Information about the budget allocated by the Government

“ EVEN THOUGH SEVERAL VICTIMS HAD TRIED TO TAKE ACTION AGAINST THEIR MASTERS ONLY ONE CONVICTION HAS BEEN HANDED DOWN ”

to supporting the eradication of slavery is unclear. According to one report, the Government allocated 1 billion ouguiyas (MRO) (approximately US \$3.3 million) to a National Programme for the Eradication of the Vestiges of Slavery in 2009,<sup>50</sup> which focused on preventing slavery by improving education and health, and alleviating poverty. It did not focus on awareness-raising or efforts to combat the impunity of offenders, or protect victims.<sup>51</sup>

The extent to which it was implemented is unclear, with no detailed results having been released,<sup>52</sup> and the Programme has now been closed. The Programme was replaced by a new national Agency against the Vestiges of Slavery, for Integration and against Poverty (established in March 2013), but no information has been published on its mandate or work plans. The likely impact of this Agency on the practice of slavery is unclear, given its reported focus on poverty alleviation without any focus on the social context that permits and fosters slavery.<sup>53</sup>

In terms of measures to combat the impunity of offenders, there is no special law enforcement unit, and no system in place to collect and record data concerning slavery.<sup>54</sup> It is reported that more than 500 law enforcement and judicial officials have participated in training on the implementation of the anti-slavery law. Mauritania has a Labour Inspectorate but, in addition to being confronted with corruption, the Inspectorate does not have the resources to carry out enough work to enforce the country’s labour laws.

The only victim protection mechanism in place in Mauritania is limited to child victims. Delivered through the Government and NGOs, assistance takes the form of training and education within child protection centres, with an effort to reintegrate children back into public schools. The Ministry of Social Affairs, Childhood and the Family operate four National Centres for the Protection and Social Integration of Children.<sup>55</sup> NGOs have noted that these centres are not fully functioning, due to a lack of funding,<sup>56</sup> and

<sup>44</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p258, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>45</sup> “US Trafficking in Persons Report 2012”, Mauritania Country Narrative, p244, *US Department of State*: <http://www.state.gov/documents/organization/192596.pdf>

<sup>46</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p258, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>47</sup> “Thematic report on slavery in Mauritania for the UN Human Rights Committee – Adoption of the List of Issues on the initial report of Mauritania” (11-28 March 2013), 107th Session, *Anti-Slavery International*: [http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International\\_Mauritania\\_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au](http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International_Mauritania_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au)

<sup>48</sup> “Forced Labour Convention, 1930, Mauritania” (2013) Direct Request (CEARC) – adopted 2012, published 102nd ILC session, *International Labour Organisation*, Information System on International Labour Standards: [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100_COMMENT_ID:3058243)

<sup>49</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p258, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>50</sup> “Thematic report on slavery in Mauritania for the UN Human Rights Committee – Adoption of the List of Issues on the initial report of Mauritania” (11-28 March 2013), 107th Session, *Anti-Slavery International*: [http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International\\_Mauritania\\_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au](http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International_Mauritania_HRC107.doc+&cd=2&hl=en&ct=clnk&gl=au)

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*

<sup>53</sup> Information from field based sources.

<sup>54</sup> *Ibid.*

<sup>55</sup> “US Trafficking in Persons Report 2013”, Mauritania Country Narrative, p259, *US Department of State*: <http://www.state.gov/documents/organization/210740.pdf>

<sup>56</sup> “US Trafficking in Persons Report 2012”, Mauritania Country Narrative, p244, *US Department of State*: <http://www.state.gov/documents/organization/192596.pdf>

it is unknown how many of the total number of children assisted are victims of modern slavery (ninety children received services from the centres in 2012-13 according to the US TIP Report 2013).

In 2010, an office of the United Nations Office of the High Commissioner for Human Rights (OHCHR) opened in Nouakchott. It has since focused on developing a ‘road map’ to ending slavery and plans to work with the Government to implement the necessary steps. However, in December 2012, the road map had not yet been finalised or published.<sup>57</sup>

While there are recent examples of NGO and Government cooperation on this issue, cooperation with civil society on forced labour, trafficking and slavery is not institutionalised. Only the multi-stakeholder Child Trafficking, Smuggling and Labour Group includes NGOs and other members of the civil society in a systematic manner. There exists no involvement of social partners.

“THERE IS NO SPECIAL LAW ENFORCEMENT UNIT, AND NO SYSTEM IN PLACE TO COLLECT AND RECORD DATA CONCERNING SLAVERY”

### Notable aspects of the response

As noted above, in March 2013, the President of Mauritania established a new agency to combat slavery, the National Agency to Fight against the Vestiges of Slavery, Integration, and Fight against Poverty.<sup>58</sup> This agency has the aim to tackle poverty, and to promote integration of refugees, with the aim to end slavery through abolishing some of the factors pertaining to it. Further information on its mandate and practical functioning remain to be observed.

## 3. WHAT NEEDS TO HAPPEN?

Mauritania should:

- Perform a nationwide study to collect more precise data on prevalence and nature of existing forms of slavery, as part of a larger focus on eradication.
- Publish an annual report on efforts and progress made in the work of the National Agency to Fight against the Vestiges of Slavery, Integration, and Fight against Poverty.
- Focus on removing and addressing barriers to access to justice for victims, including through allowing NGOs to assist victims to file complaints.
- Focus on ending the impunity of offenders, through ensuring that all slavery cases are investigated and where sufficient evidence, prosecuted.
- Clearly mandate and task one central unit of law enforcement with responsibility for investigating, and reporting quarterly on progress of investigations of slavery.
- Clearly mandate and task one central unit of the prosecution service with responsibility for prosecuting, and reporting quarterly on progress of prosecutions of slavery.
- Establish a victim-support mechanism, with emergency shelter and assistance, legal assistance and reintegration programmes.
- Ensure existing poverty reduction strategies include a focus on enabling enslaved people and former slaves to generate income independent from their former masters.

<sup>57</sup> “Thematic report on slavery in Mauritania for the UN Human Rights Committee – Adoption of the List of Issues on the initial report of Mauritania” (11-28 March 2013), 107<sup>th</sup> Session, *Anti-Slavery International*: [http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International\\_Mauritania\\_HRC107.doc+%&cd=2&hl=en&ct=clnk&gl=au](http://webcache.googleusercontent.com/search?q=cache:0y9lgefcbFAJ:www2.ohchr.org/english/bodies/hrc/docs/ngos/Anti-Slavery+International_Mauritania_HRC107.doc+%&cd=2&hl=en&ct=clnk&gl=au)

<sup>58</sup> “Creating a National Agency for the Fight against the Legacy of Slavery” (21 March 2013), *National Commission for Human Rights in Mauritania*: <http://www.cndh.mr/content/view/180/1/>

# HAITI

ESTIMATED NUMBER ENSLAVED	200,000 – 220,000
POPULATION	10,173,775 (2012) <sup>59</sup>
GDP	\$7.843 BILLION (2012) <sup>60</sup>
GDP/CAPITA	\$771 (2012) <sup>61</sup>
US TIP REPORT RANKING	TIER 2-WATCHLIST (2013)
REMITTANCES AS A SHARE OF GDP	21% (2011) <sup>62</sup>

INDEX RANK

2



## 1. THE PROBLEM

High levels of poverty combined with a lack of access to social services and information regarding the dangers of human trafficking have allowed a system of child labour in Haiti called ‘restavek’ to thrive. The concept of restavek is a cultural practice where disadvantaged children from rural areas are sent to work as domestic helpers for wealthier families, usually living in urban areas. The term ‘restavek’ is not necessarily sinister and can cover a form of family solidarity where families help other children, not their own, through the provision of food and board. However the restavek system is widely abused and anywhere between 1 in 10, or 300,000 – 500,000 children in Haiti are exploited.<sup>63</sup> Many of these children suffer the cruelest form of neglect – denied food, water, a bed to sleep in and constant physical and emotional abuse.

“ ANYWHERE BETWEEN 1 IN 10, OR 300,000 – 500,000 CHILDREN IN HAITI ARE EXPLOITED ”

Children represent the most vulnerable population to modern slavery in Haiti, although adults have been identified in forced labour in agriculture, construction and sexual exploitation within Haiti and in the Dominican Republic, other Caribbean countries, the United States and South America.<sup>64</sup> Street children, many of whom are runaway restaveks, can end up being trafficked into forced begging and commercial sexual exploitation.<sup>65</sup>

Since the catastrophic earthquake in January 2010 which killed an estimated 300,000 people and forced an estimated 1.5 million into camps for Internally Displaced People (IDP), the country’s efforts as well as the efforts of international humanitarian partners have been directed at relief and recovery. Consequently, few resources have been set aside for combating modern slavery. In addition, the estimated 357,785 people who still remain in IDP camps as of March 2013, especially women and children “were at an increased risk of sex trafficking and forced labour.”<sup>66</sup>

“ SINCE THE CATASTROPHIC EARTHQUAKE IN JANUARY 2010, FEW RESOURCES HAVE BEEN SET ASIDE FOR COMBATING MODERN SLAVERY ”

Though most victims of modern slavery in Haiti are Haitian nationals, there have been some reports of women being trafficked into Haiti from the Dominican Republic for the purpose of sexual exploitation. The International Organisation for Migration (IOM) has reported that up to 200 Dominican women are trafficked into Haiti every year, most of which end up in commercial sexual exploitation in affluent areas and at major sea-ports.<sup>67</sup> Men and women are trafficked from Haiti into other countries, the Dominican Republic, Ecuador, Bolivia, Argentina, and Brazil, as well as North American countries for the purpose of forced labour and commercial sexual exploitation. Haiti is also a transit country for victims of trafficking en route to the United States.<sup>68</sup>

### Notable aspects of the problem

In rural Haiti, severe poverty and a chronic lack of social services such as schools and basic healthcare increase

<sup>59</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>60</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>61</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>62</sup> “Migration and Remittances Data, Inflows” 2011, *The World Bank* <http://go.worldbank.org/092X1CHHD0>

<sup>63</sup> Information from field based sources.

<sup>64</sup> *Ibid.*

<sup>65</sup> “Report of the Independent Expert on the Situation of Human Rights in Haiti” (7 February 2013), Forst, p13, *United Nations General Assembly Human Rights Council*: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65\\_EN.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65_EN.pdf)

<sup>66</sup> “US Trafficking in Persons Report 2013”, Haiti Country Narrative, p187, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>67</sup> “Haiti Counter Trafficking Factsheet” (May 2012), *International Organisation for Migration*: [http://www.iomhaiti.info/en/pdf/factsheets-august12/Factsheet\\_Counter\\_Trafficking\\_Aug\\_2012.pdf](http://www.iomhaiti.info/en/pdf/factsheets-august12/Factsheet_Counter_Trafficking_Aug_2012.pdf)

<sup>68</sup> *Ibid.*



children’s vulnerability to modern slavery. Access to schools is extremely limited, and despite a new programme of ‘free education for all’ implemented by the current Haitian Government (discussed in relation to the Government’s response, below), most schools in Haiti remain fee-paying or run by NGOs. Many Haitians cannot afford to send their children to schools, especially as Haitian families (most notably in rural areas) are large.

When a ‘koutchye’ (or middleman/woman) offers to take a child, and transport them to the city where they can work in exchange for food, shelter and education, a parent is faced with an impossible choice. Sometimes money is exchanged, but in the majority of the cases, a promise of a better life for the child in the city is sufficient leverage.<sup>69</sup> For the most part, the ‘host’ families are poor themselves,<sup>70</sup> living in the larger towns’ and cities’ slums. Because families have little access to running water and electricity, restavek children are used to perform domestic tasks, essentially being used as substitutes for non-existent public services and utilities. These children’s daily tasks include visiting the public water fountain, washing clothes and cooking food.

“ THEY ARE PHYSICALLY, SEXUALLY AND MENTALLY ABUSED, AND DEPRIVED OF FOOD AND SLEEP ”

Children in restavek situations, most of whom have been promised free schooling in exchange for their light labour, are often prevented from attending school, or are able only to attend sporadically, which seriously impedes their development. It is estimated that only 20 percent of restaveks are allowed access to school and only one percent reach secondary school. Often they are physically, sexually and mentally abused, and deprived of food and sleep. According to IOM data, of the 1,786 cases assisted since 2005, 30 percent had been sexually abused and 80 percent had suffered aggravated physical abuse, that left them with long-term consequences.<sup>71</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Haiti has ratified a number of key international treaties on modern slavery, but not the Optional Protocol on the Sale or Children or the Domestic Work Convention. The provisions of the UN Trafficking Protocol,

HAITI	Ratified
Slavery Convention	No
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	No
Domestic Work Convention	No

ratified by Haiti, have no effect domestically until they are transposed into national legislation. A draft law on human trafficking was at the time of writing (June 2013) before the Haitian Parliament.<sup>72</sup> This bill would make child trafficking a criminal offence and would strengthen Haitian authorities’ ability to prosecute traffickers.<sup>73</sup>

Article 335 of the Haitian Labour code, enacted in 2003, prohibits the employment of minors under the age of 15, the mistreatment and abuse of children, as well as their placement into restavek service.<sup>74</sup> This law prohibits abuse and violence of any kind towards children, including child exploitation and work which is likely to harm the safety, health or morals of a child.<sup>75</sup> The law stipulates that a child can only be entrusted to a ‘host’ family within the confines of a relationship of assistance and solidarity – that is, it requires that a child in domestic service must be treated in the same manner as the biological children of the family. This law however suffers from important flaws that make it practically unusable. As it is currently drafted, it does not provide for criminal sanctions, and contains a critical loophole in that it does not prevent abuse of an ‘accommodated’ child if the biological children of the family also suffer abuse.<sup>76</sup>

<sup>69</sup> Information from field based sources.

<sup>70</sup> “Report of the Independent Expert on the Situation of Human Rights in Haiti” (7 February 2013), Forst, p13, *United Nations General Assembly Human Rights Council*: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65\\_EN.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65_EN.pdf)

<sup>71</sup> Information from field based sources.

<sup>72</sup> “Report of the Independent Expert on the Situation of Human Rights in Haiti” (7 February 2013), Forst, p13, *United Nations General Assembly Human Rights Council*: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65\\_EN.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65_EN.pdf)

<sup>73</sup> Ibid.

<sup>74</sup> “Worst Forms of Child Labour Convention, 1999, Haiti” (2010) Observation (CEARC) – adopted 2010, published 100th ILC session, *International Labour Organisation*, Information System on International Labour Standards: [http://www.ilo.org/dyn/normlex/en/Pp=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/Pp=1000:13100:0::NO::P13100_COMMENT_ID:3058243)

<sup>75</sup> “Haiti – Restavek: The Persistence of Child Labour and Slavery” (3-14 October 2011), p12, *Submission to the United Nations, Universal Periodic Review*: <http://lib.ohchr.org/HRBodies/UPR/Documents/session12/HT/RF-Restav%C3%A8kFreedom-eng.pdf>

<sup>76</sup> Information from field based sources.

When President Michel Martelly was elected in 2011, he introduced a development programme for Haiti focusing on five priorities: employment, education, rule of law, energy and environment.<sup>77</sup> In order to fulfill the education priority, the “Programme for Universal Free and Obligatory Education” (*Programme de scolarisation universelle gratuite et obligatoire*)<sup>78</sup> was launched with the aim to subsidise primary school for all children. However, the programme has encountered many problems, with allegations of fraud and questionable standards.<sup>79</sup>

### Notable aspects of the response

The NGO situation on the ground in Haiti is crowded and chaotic. One of the major challenges is a lack of NGO coordination across all sectors of civil society.

There are no government-run trafficking victim shelters. However, IOM has been cooperating with local NGOs and governmental partners to tackle human trafficking. The programming consists of three pillars: direct assistance, awareness raising and capacity building. Direct assistance consists of the delivery of medical and psychological services, income generating activity trainings, micro-grants, and long-term return monitoring to minimise the risk of re-trafficking.

There are several Haitian NGOs such as *Foyer l'Escal*, *Centre d'Action pour le Developement* and *Organisation des Jeunes Filles en Action* that have significant experience in providing accommodation, educational and psycho-social services to victims. All IOM operations are undertaken in cooperation with the Ministry of Social Affairs, the Institute for Social Welfare and Research or the Brigade for the Protection of Minors of the Haitian National Police. Awareness-raising campaigns are equally led by governmental partners and IOM provides targeted expertise and services to support the Government's efforts.<sup>80</sup>

### 3. WHAT NEEDS TO HAPPEN?

Haiti should:

- Work with donors to ensure that key elements of the criminal justice response to this issue are markedly improved across investigations, prosecutions and adjudications. This needs to include, at a minimum:
  - ▶ Enacting a law which explicitly criminalises trafficking in persons;
  - ▶ Capacity building for law enforcement to identify victims of modern slavery, particularly adults;
  - ▶ Capacity building of law enforcement to ensure they can effectively investigate modern slavery situations. This will need to include ensuring the appropriate mandate, funding and transparency mechanisms are in place;
  - ▶ A focus on corruption within law enforcement;
  - ▶ Capacity building for the local judiciary on the use of this new instrument, and its features, and sensitising them about the specificity of this crime and the specific needs of its victims; and
  - ▶ Identifying ways to ensure that the accused are tried in a timely and speedy manner.
- Set an a National Committee as envisaged by the current draft law on counter-trafficking to strongly coordinate efforts (including of NGOs) and draft a National Plan of Action.
- Publish an annual report on steps taken by the Government to combat modern slavery, including criminal justice data.
- Launch awareness campaigns to reach all people in Haiti. Educate parents and children of the risks of trafficking, and spread awareness within all communities of the illegality of the restavek system.
- Equip and empower communities who wish to rid themselves of modern slavery by providing training to community leaders and encouraging them to spread awareness in a grassroots manner.

<sup>77</sup> “UN Country Programme document for Haiti (2013-2016)” *United Nations Development Programme*: <http://web.undp.org/latinamerica/countryprogramme.shtml>

<sup>78</sup> “Michel Martelly’s education plan in Haiti marked by mismanagement and inflated claims”, (9 April 2013), Ross, *Rabble Canada*: <http://rabble.ca/blogs/bloggers/roger-annis/2013/04/michel-martelly%E2%80%99s-education-plan-haiti-marked-mismanagement-and-i>

<sup>79</sup> “Report of the Independent Expert on the Situation of Human Rights in Haiti” (7 February 2013), Forst, p13, *United Nations General Assembly Human Rights Council*: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65\\_EN.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-65_EN.pdf)

<sup>80</sup> Information from field based sources.

# PAKISTAN

ESTIMATED NUMBER ENSLAVED	<b>2,000,000 – 2,200,000</b>
POPULATION	<b>179,160,111 (2012)<sup>81</sup></b>
GDP	<b>\$213.2 BILLION (2012)<sup>82</sup></b>
GDP/CAPITA	<b>\$1,290 (2012)<sup>83</sup></b>
US TIP REPORT RANKING	<b>TIER 2 (2013)</b>
REMITTANCES AS A SHARE OF GDP	<b>6% (2011)<sup>84</sup></b>

INDEX RANK

3



## 1. THE PROBLEM

A weak economy, the deteriorating security situation and rule of law,<sup>85</sup> and a growing population<sup>86</sup> have all contributed to an increase in reports of modern slavery, particularly of children and bonded labourers in Pakistan.<sup>87</sup> Poverty and illiteracy are severe,<sup>88</sup> both of which make people, especially children, vulnerable to various forms of modern slavery. Modern slavery occurs in Pakistan in primary industries, manufacturing, commercial sexual exploitation, forced begging and domestic servitude.

Bonded labour is the greatest problem in Pakistan. The Asian Development Bank estimates that 1.8 million people<sup>89</sup> are bonded labourers, though many NGOs place the estimate much higher.<sup>90</sup> Bonded labour affects men, women and children largely from rural areas who travel to cities to find work, and has been reported in many industries, primarily brick kilns,<sup>91</sup> but also in agriculture, fisheries and mining. Debt bondage is a significant problem, particularly in the

Sindh and Punjab provinces. Particularly vulnerable to exploitation are the 1.6 million Afghan refugees who largely work in the informal economy.<sup>92</sup> The brick making industry has a particularly high level of bonded labourers, exploiting not only vulnerable children, but also traditional ‘low-caste’ family labourers. Unofficial sources claim that Punjab has as many as 5,000 kilns.<sup>93</sup>

Many adult Pakistani men and women migrate voluntarily to the Gulf states, Iran, Turkey, South Africa, Uganda, Maldives, Greece and other European countries for low skilled employment such as domestic work, driving or construction work.<sup>94</sup> Many migrants fall victim to fraudulent recruiting practices by illegal labour agents: coercion, non-payment of wages, withholding of passports and physical abuse.

There are reports of children subjected to forced labour, begging<sup>95</sup> and sexual exploitation in Pakistan, and forcible recruitment into extremist and non-state militant groups where they suffer physical, sexual and psychological abuse.<sup>96</sup> There are reports of child sex trafficking between Iran and Pakistan. High levels of child labour exist in Pakistan.<sup>97</sup> The Federal Bureau of Statistics estimates 3.8 million children between the ages of five and 14 are working in Pakistan.<sup>98</sup>

“ THE BRICK MAKING INDUSTRY HAS A PARTICULARLY HIGH LEVEL OF BONDED LABOURERS, EXPLOITING NOT ONLY VULNERABLE CHILDREN, BUT ALSO TRADITIONAL ‘LOW-CASTE’ FAMILY LABOURERS ”

<sup>81</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>82</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>83</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>84</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>85</sup> Transparency International ranks the Pakistan 139th of 176 countries in its Corruption Perceptions Index, which rates countries based on how corrupt their public sector is perceived to be.

<sup>86</sup> The highest in South Asia at 1.7% growth rate: “Population Growth (Annual %) (2008-2012)”, *World Bank*: <http://data.worldbank.org/indicator/SP.POP.GROW>

<sup>87</sup> “US Trafficking in Persons Report 2013”, Pakistan Country Narrative, p290, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>88</sup> As of 2008, 60% of Pakistan’s population was living on less than \$2 per day, according to World Bank figures. See [data.worldbank.org/indicator/SI.POV.2DAY](http://data.worldbank.org/indicator/SI.POV.2DAY)

<sup>89</sup> 1.8 million people is one percent of Pakistan’s population, according to the Asian Development Bank. See <http://www.refworld.org/topic,50ffbce4c9,50ffbce4db,4fe30ca3c,0,,,PAK.html>

<sup>90</sup> “US Trafficking in Persons Report 2012”, Pakistan Country Narrative, p276, *US Department of State*: <http://www.state.gov/j/tip/rls/tiprpt/2012/192368.htm>

<sup>91</sup> Fieldwork suggests that more than half a million men, women and children work in brick kilns. The majority work as makers of unbaked bricks, followed by those doing work kiln stacking and unloading, cited in: “Unfree labour in Pakistan: Work, debt and bondage in brick kilns” (March 2004), p11, Pakistan Institute of Labour Education and Research, *International Labour Organisation*: [http://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_082028/lang-en/index.htm](http://www.ilo.org/global/topics/forced-labour/publications/WCMS_082028/lang-en/index.htm)

<sup>92</sup> According to the IOM, 2.3% of the population of Pakistan were immigrants, with a negative net migration rate, thus more people leaving than coming to Pakistan. Immigrants, including a large refugee population, mainly come from neighbouring countries such as Bangladesh and Afghanistan. Most immigrants and refugees are undocumented. <http://iom.int/cms/Pakistan>

<sup>93</sup> “Unfree labour in Pakistan: Work, debt and bondage in brick kilns” (March 2004), p11, Pakistan Institute of Labour Education and Research, *International Labour Organisation*: [http://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_082028/lang-en/index.htm](http://www.ilo.org/global/topics/forced-labour/publications/WCMS_082028/lang-en/index.htm)

<sup>94</sup> “US Trafficking in Persons Report 2013”, Pakistan Country Narrative, pp. 290-291, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>95</sup> “Child victims of Pakistan’s ‘begging mafia’”, (1 June 2013), Mobeen Azhar, *BBC News Magazine*: <http://www.bbc.co.uk/news/magazine-22729351>

<sup>96</sup> Ibid.

<sup>97</sup> “US Trafficking in Persons Report 2012”, Pakistan Country Narrative, p276, *US Department of State*: <http://www.state.gov/j/tip/rls/tiprpt/2012/192368.htm>

<sup>98</sup> Pakistan Bureau of Statistics, Government of Pakistan: <http://www.pbs.gov.pk/>

Organ trafficking is a problem: in mid 2011 there were reportedly a total of 42 illegal kidney transplant facilities in the country, 14 of which are in Punjab.<sup>99</sup>

**Notable aspects of the problem**

Cultural practices play a significant role in modern slavery in Pakistan. Individuals belonging to lower kinship groups among Muslims and scheduled castes among Hindus are particularly vulnerable. Additionally, Vaani and Swara are still practiced.<sup>100</sup> These practices are methods of settling blood feuds between clans by forcing a young girl to marry a man from the enemy clan. Attributable to this, there are high rates of forced marriage of women and girls.

“ THERE ARE HIGH RATES OF FORCED MARRIAGE OF WOMEN AND GIRLS ”

The Child Marriages Restraint Act 1929 states the legal marriageable age of females as 16, two years younger than the international minimum. Males cannot legally be married until 18, highlighting obvious gender discrimination. Shariah law however uses puberty as a criterion for marriage and does not specify any age. This conflicts with provisions of the Child Marriages Restraint Act making the law hard to implement and therefore being largely ineffective as prevalence of child marriage persists.<sup>101</sup>

**2. WHAT IS THE GOVERNMENT DOING ABOUT IT?**

Government efforts to address modern slavery in Pakistan are poorly coordinated and executed. There are still large gaps in rules and regulations and no rehabilitation programmes for people affected by modern slavery seem to be in place.

Pakistan has ratified several key treaties on modern slavery but not the UN Trafficking Protocol or the Domestic Work Convention.

PAKISTAN	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	No
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

The budget allocated by the Government of Pakistan to respond to modern slavery is not known. The responsibility for labour inspections sits with provincial governments since devolution of central responsibility in

2010, and the mandate of labour inspectorates differs from province to province under local laws. There is a lack of clarity in available information about the status of this process, and how much responsibility provincial governments have taken for anti-slavery initiatives. Generally poor labour conditions, a lack of enforcement of labour laws and standards, and high levels of corruption persist. A lack of adequate labour inspection machinery was identified as a key reason by the ILO Committee of Experts in 2012 on its observations on Convention 29 as to why bonded labourers were not being identified and released.

Pakistan has a National Action Plan for Combating Human Trafficking, developed by the Ministry of Interior, to guide the country’s responses to modern slavery. The Federal Investigative Agency (FIA) hosts an anti-trafficking unit, although this unit’s budget, capacity and level of training are unclear. It also appears that the FIA is primarily concerned with transnational trafficking and does not focus on slavery of Pakistani nationals.

The criminalisation of modern slavery in Pakistan occurs through a complex framework of several legislative and regulatory mechanisms. It does not appear that there is an effective coordinating mechanism for the Government’s multiple responses to modern slavery. Slavery is prohibited in Pakistan’s Constitution. Some forms of modern slavery are criminalised in the Pakistan Penal code but significant gaps remain. Transnational trafficking, but not domestic trafficking, is criminalised under the Prevention and Control of Human Trafficking Ordinance 2002 (PACHTO). While prosecutions and convictions under this Ordinance have been reported by the Government, it is not clear if these convictions are for irregular migration (also cover by this Ordinance) or modern slavery situations.<sup>102</sup>

<sup>99</sup> “Cash for kidneys: Pakistan’s flourishing trade in illegal transplants” (23 July 2012), Ali Usman, *The Express Tribune*: <http://tribune.com.pk/story/411570/cash-for-kidneys-pakistans-flourishing-trade-in-illegal-transplants/>

<sup>100</sup> ‘Vaani’ is a word used in Punjab while ‘Swara’ is the name of this practice among the Pashtuns.

<sup>101</sup> “Pakistan: Government urged to increase legal marriageable age for girls” (23 February 2011) *Child Rights International Network*: <http://crin.org/resources/infodetail.asp?id=24251>

<sup>102</sup> “US Trafficking in Persons Report 2013”, Pakistan Country Narrative, p290, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

The Bonded Labour System (Abolition) (BLSA) Act of 1992 and the corresponding BLSA Rules of 1995 prohibit and punish bonded labour and provide a mandate for some services to victims. Under the devolution process, federal laws apply to the provinces until provincial laws are enacted. However, it is reported that the Punjab is the only province to have enacted laws on bonded labour. It is also reported that Pakistan has yet to secure a conviction under the forced labour laws, despite them being in place for nearly 20 years.<sup>103</sup>

“ PAKISTAN HAS YET TO SECURE A CONVICTION UNDER THE FORCED LABOUR LAWS, DESPITE THEIR HAVING BEEN IN PLACE FOR NEARLY 20 YEARS ”

The Government has started a social protection programme for the poorest segment of the population which is likely to affect modern slavery in the country. The Benazir Income Support Programme (BISP) was initiated by the Government of Pakistan in 2008 as an unconditional cash transfer targeted to women in poor households. BISP represents a major scaling up of social protection systems in Pakistan with a three-fold increase in budgetary outlay in this area in its first year. It currently claims to reach 5 million beneficiaries or up to a fifth of all households. Its use of the census method in beneficiary identification through a poverty scorecard survey ensures that the poorest are targeted. Due to the intersection between the poorest households and people vulnerable to debt bondage BISP is likely playing a part in the reduction of modern slavery in the country.

In response to reports of organ trafficking, the Government enacted the Transplantation of Human Organs and Tissue Act 2010, which provides penalties of up to 10 years in jail. The Ministry of Health has been criticised for not implementing the law strongly enough, with a newspaper source stating that 450 cases of organ trade have occurred in Punjab villages since March 2010 when the law was enacted.<sup>104</sup>

Adequate focus on victim identification and assistance is severely lacking in Pakistan and data about victims is scarce. While modern slavery is widespread, community knowledge of labour rights and the rights of victims of exploitative labour in Pakistan is low.

No protections for the privacy and security of victim-witnesses exist in Pakistani law. The PACHTO makes provision for safe repatriation assistance and confers some temporary immigration rights on victims whose repatriation is not immediately possible, however it is unclear how these rights are applied in practice. The 2013 US TIP Report cited comments of local NGOs to the effect that trafficking victims were sometimes criminalised for offences related to their trafficking, and victims of debt bondage who sought the help of police were sometimes returned to their places of work as “runaways.”<sup>105</sup>

There is neither a mechanism to coordinate action among provinces nor a national referral mechanism. There is no effective coordination between government actors and NGOs. Some coordination has been achieved through ILO efforts to engage NGOs on the issue of bonded labour. There is no institutional mechanism for data collection and research. The national Government sporadically publishes information on bonded labour and human trafficking. Little information about state budgetary allocations is available, and it is impossible on available information to get an idea of the size of the resources allocated to the issue country-wide.

### Notable aspects of the response

Notwithstanding these challenges, some positive developments have taken place in recent years. Training of judges and labour inspectors on bonded labour and internal trafficking has been conducted in the last year by the ILO. Initiatives run jointly by the Government and the ILO in the brick kiln sector have resulted in the Elimination of Bonded Labour in Brick Kilns programme. Such initiatives have been directed at outreach to communities in which brick kiln labour is common, and have focused on education, microcredit schemes, and registration of sector workers with government.

Community welfare attachés have been established in major destination countries for Pakistani migrant workers including Saudi Arabia, the UAE, Oman, Qatar, Bahrain, Kuwait, Libya and the UK. Various NGOs work to assist Pakistanis overseas. In addition, a February 2013 draft of the National Policy for Overseas Pakistanis calls for embassies to take a greater role in protecting Pakistani workers abroad.

<sup>103</sup> Ibid.

<sup>104</sup> “Alarm over organ trade resurgence” (29 April 2011), *Dawn Newspaper*: <http://beta.dawn.com/news/624839/alarm-over-organ-trade-resurgence>

<sup>105</sup> “US Trafficking in Persons Report 2013”, Pakistan Country Narrative, p292, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

The Foreign Service Agreement (FSA) procedure provides some checks and balances on overseas recruitment, but is not used by the majority of emigrants.

Women in Pakistan face significant discrimination and high levels of violence (with proportions as high as four in five women having faced some sort of domestic abuse). The Prevention of Anti-Women Practices Bill, that prohibits forced marriages, was passed in 2011, however no information is available in relation to the law's enforcement, and there is still much work to do in this regard.

### 3. WHAT NEEDS TO HAPPEN?

Pakistan should:

- Ratify and implement the UN Trafficking Protocol.
- Ensure that national laws clearly criminalise all forms of modern slavery, and treat this issue separately to irregular migration and people smuggling.
- Publish an annual report on implementation and progress under the National Action Plan for Combating Human Trafficking, including clear data on budget expenditure, and criminal justice statistics on transnational trafficking but also other prevalent forms of modern slavery, such as debt bondage and forced marriage offences.
- Undertake national prevalence estimates on modern slavery, with a specific focus not only on transnational cases but also debt bondage and forced marriage situations.
- Provide budgets to provincial governments to develop and execute action plans, and require reporting on progress.
- Establish a mechanism for coordination across all forms of modern slavery, between government and civil society working on these issues.
- Strengthen efforts to identify and punish those who facilitate and profit from modern slavery, whether this is owners of brick kilns, organisers of physical markets in which victims are sold, or brokers of forced marriages.
- Increase measures to prevent modern slavery, including conducting national community awareness and mobilisation campaigns in local languages, with a particular focus on debt bondage and forced marriage.
- Increase efforts to actively identify and assist victims, strengthen protections for victims of modern slavery and ensure that they are not criminalised, or detained in “women’s shelters.”<sup>106</sup>
- Continue efforts to raise the status of women and girls. In particular, it should consider measures to reduce the incidence of forced and child marriage.
- Find ways to allow the public to more rapidly and publicly report corruption and complicity of government officials in modern slavery.
- Continue efforts directed at addressing the underlying causes of modern slavery – such as poverty, illiteracy, underemployment, violence against women, discrimination and social exclusion.

# INDIA

ESTIMATED NUMBER ENSLAVED **13,300,000 – 14,700,000**  
POPULATION **1,236,686,732 (2012)<sup>107</sup>**  
GDP **\$1.842 TRILLION (2012)<sup>108</sup>**  
GDP/CAPITA **\$1,489 (2012)<sup>109</sup>**  
US TIP REPORT RANKING **TIER 2 (2013)**  
REMITTANCES AS A SHARE OF GDP **3% (2011)<sup>110</sup>**

INDEX RANK

4



## 1. THE PROBLEM

India's challenges are immense. The world's second most populous country with a population of over 1.2 billion people, India exhibits the full spectrum of different forms of modern slavery, from severe forms of inter-generational bonded labour across various industries to the worst forms of child labour, commercial sexual exploitation, and forced and servile marriage. India's own 2008 Integrated Plan of Action to Prevent and Combat Human Trafficking describes the problem as follows: "India is a country of vast dimensions. The formidable challenge is the enormity of the problem, both in number of trafficked persons and increasing number of locations." The 2013 US TIP Report cites figures of an estimated 20 to 65 million Indian citizens in forced labour within India as a result of debt bondage.<sup>111</sup> While this estimate is much larger than the Walk Free estimate, both estimates underscore the enormity of the problem *within* India itself.

Reports consistently note that India's most significant challenge is the high number of Indian citizens in various forms of modern slavery within India's borders. For example, the 2013 US TIP Report that suggests ninety per cent of trafficking in India is internal.<sup>112</sup> Some of this results from internal migration, as migrants can originate from poor rural communities, lured to relatively wealthier cities by brokers on the false pretence of employment. Internally trafficked men, women and children make up significant shares of the workforce in construction, textiles, brick making, mines, fish and prawn processing and hospitality.<sup>113</sup> However it is important to note that many of India's enslaved have not been moved from one place to another – they are enslaved in their own villages. Many are trapped in debt bondage to a local landowner or born into slavery because of caste, customary, social and hereditary obligations.

“MANY OF INDIA'S ENSLAVED HAVE NOT BEEN MOVED FROM ONE PLACE TO ANOTHER – THEY ARE ENSLAVED IN THEIR OWN VILLAGES”

Forced labour has been identified in factory work, agriculture, brick making, mining and quarrying, the textiles and garments industries, domestic work, and forced begging. Bonded labour, whether through debt or other forms of 'bondage' of workers, is rife in stone quarries, brick kilns, construction and mining.<sup>114</sup> The difficulty for internal migrant workers in accessing protections and government entitlements, such as the food rations card, which is based on a worker's residence, is thought to increase vulnerability to exploitation.<sup>115</sup> Likewise for those enslaved in their own area, corruption or non-performance of safety nets (such as the National Employment Guarantee, food rations, primary health care and pensions) and practices of land grabbing and asset domination by high caste groups (or for commercial development) leaves people without protections. Some of those affected by slavery in India do not officially exist – they have no birth registration or ID so it can be hard for them to access protective entitlements.

Cross-border migration affects India on a massive scale. Low skilled migrant workers – both internal and foreign (regular and irregular) – are at particular risk of exploitation. Vast numbers of Nepali and Bhutanese migrants, who are exempt from Indian migration visa regulations, fall victim to unscrupulous recruiters and exploiters who take advantage of their vulnerability as new arrivals. Among these vulnerable cross border

<sup>107</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>108</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>109</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>110</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>111</sup> "US Trafficking in Persons Report 2013", India Country Narrative, p290, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>112</sup> Ibid.

<sup>113</sup> Information from field based sources.

<sup>114</sup> Ibid.

<sup>115</sup> Ibid.

migrants are droves of undocumented Bangladeshis who, as unskilled labourers, are not able to qualify for employment visas,<sup>116</sup> and turn to illegal brokers to facilitate employment.

Sexual exploitation of Indian women, men and transgender people within India, both adults and children,

“SEXUAL EXPLOITATION OF INDIAN WOMEN, MEN AND TRANSGENDER PEOPLE WITHIN INDIA, BOTH ADULTS AND CHILDREN, IS WIDESPREAD”

is widespread.<sup>117</sup> Commercial sexual exploitation takes place in specific established areas but is also now much more dispersed into rural areas, transport hubs, roadside restaurants and houses in suburban areas, extensively using cell phones, making it harder to locate and tackle. Foreign women, largely from Nepal and Bangladesh, have been identified in situations of commercial sexual exploitation.<sup>118</sup>

In 2011, the ILO Committee of Experts “noted the Government [of India’s] indication in its 2008 Report that since the enactment of the Bonded Labour System (Abolition) Act, 1976 (BLSA), 287,555 bonded labourers had been identified, of whom 267,593 had been rehabilitated.”<sup>119</sup> However, the ILO Committee of Experts also noted that “findings from research studies showed that bonded labour in agriculture and in industries like mining, brick kilns, silk and cotton production, and bidi making was likely to be affecting millions of workers across the country.”<sup>120</sup> The ILO Committee of Experts has urged India to undertake national bonded labour surveys. Also, the identification and rehabilitation noted by the ILO Experts happened a long time ago, and in many Indian States local officials are not currently encouraged or supported to find bonded labourers.<sup>121</sup>

The 2012 UNODC Global Report on Trafficking in Persons noted a “global dimension to the [trafficking] flows originating in South Asia.” Indian nationals who have migrated for work have found themselves in modern slavery – often involving recruitment intermediaries and debt bondage – around the world. They have been exploited in various industries including construction, mining, agriculture and hospitality, in manual labour and commercial sexual exploitation, as well as in private domestic work and as domestic staff at Indian diplomatic missions abroad.

### Notable aspects of the problem

The World Bank estimated in 2012 that 32.7% of Indians lived below the international poverty line of less than US\$1.25/day (PPP). Poverty and India’s caste system are significant contributing factors to its modern slavery problem. Indians most vulnerable to modern slavery are those from the ‘lower’ castes (*dalits*), and the indigenous communities (*adivasis*), especially women and children. In surveys of violence and discrimination against women, India is consistently ranked poorly. The low status of women and severity and prevalence of domestic violence in society puts them at risk of modern slavery.<sup>122</sup>

‘Non-labour’ forms of modern slavery, including forced and servile marriage, fraudulent adoption and organ trafficking have been identified in India. Forced marriage is partly fuelled by sex-ratio disparity – those states with worst disparity import girls into servile marriages from poorer states.<sup>123</sup> Commercial surrogacy is legal in India and is an area of concern because of the potential for exploitation to occur, however no cases that would constitute modern slavery have been publicly verified, and surrogacy laws are in the process of being tightened.<sup>124</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

The Government has taken some important steps to set up the infrastructure of a response to various forms of modern slavery. For example, if fully implemented, the social safety net provisions such as the Employment

<sup>116</sup> US Trafficking in Persons Report 2012”, India Country Narrative, pp. 184-185, *US Department of State*: <http://www.state.gov/documents/organization/192595.pdf>

<sup>117</sup> “US Trafficking in Persons Report 2013”, India Country Narrative, p195, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>118</sup> Ibid.

<sup>119</sup> Observation (CEACR) – adopted 2011, published 101st ILC session (2012), Forced Labour Convention, 19030, (No. 29): [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3080704](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3080704)

<sup>120</sup> Ibid.

<sup>121</sup> Information from field based sources.

<sup>122</sup> “India: Worst country in G20 to be a woman?”, (31 July 2012), *BBC Radio Four*: <http://news.bbc.co.uk/1/hi/2012/07/31/210739.pdf>

<sup>123</sup> United States Trafficking in Persons Report 2013, *US Department of State*, p195: <http://www.state.gov/documents/organization/210739.pdf>

<sup>124</sup> “India’s new surrogacy laws are only part of the equation”, (14 March 2013), *Monash University*, Dr Liz Bishop: <http://monash.edu/news/show/indias-new-surrogacy-laws-are-only-part-of-the-equation>



Guarantee could be a best practice to be followed by other countries. However, considering the power and resources of the Indian Government, the Government has not fulfilled its duty to protect its citizens. Until recently, the response to human trafficking focused almost exclusively on the sexual exploitation of women and children, and other forms of human trafficking including those affecting men were barely recognised. National leaders tend not to recognise the violent criminality of bonded labour and instead see it as a vestige of poverty.<sup>125</sup>

India has ratified a number of key Conventions relevant to modern slavery. However, India is one of the few remaining countries in the world not to have ratified the Worst Forms of Child Labour Convention. While not always slavery, these so called “worst forms” of child labour covered by this Convention, occurs on a significant scale in India and are deeply connected to the modern slavery issue. India’s

INDIA	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	No
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

Right to Education – whereby the authorities are required to ensure all children of school going age are in school – is important, as is the Integrated Child Protection Scheme, which is making a difference in some areas. There have been efforts in many places to enforce child labour laws. India has not ratified the Domestic Work Convention.

Until recently, Indian legislation on modern slavery was complicated and confused. However, following amendments to the Penal Code in April 2013, section 370 Penal Code criminalises all forms of human trafficking in accordance with the definition taken from the UN Trafficking Protocol. The definition used in the amended Penal Code appears broad enough, at least on paper, to include most if not all forms of forced labour, bonded labour and forced marriage (as bonded labour and forced marriage are covered within the meaning of the term ‘slavery like practice’). However, it remains to be seen if the Penal Code will be used in this way.

Bonded labour has been criminalised in India, under the Bonded Labour System (Abolition) Act 1976 (BLSA)<sup>126</sup> for close to three decades. However, enforcement has been sporadic and weak. The Act declares that bonded labour is abolished as of 25 October 1975, and that bonded labourers were relieved of their obligation to repay their bonded debt. However, in 2013, bonded labour continues to be prevalent and NGOs report having insufficient resources to empower communities to shed the burden of forced labour.

**“ ENFORCEMENT OF LAWS CRIMINALISING MODERN SLAVERY IS INCONSISTENT, AND THE COMPLICITY OR INTERFERENCE OF GOVERNMENT OFFICIALS HAS BEEN WIDELY REPORTED ”**

Human rights defenders have also been targeted for anti-slavery work: one NGO reported an attack on their workers, as well as victims and officials while in process of assisting bonded labourers to leave the workplace where they had been held in slavery.<sup>127</sup> Penalties under this law are low, set at a maximum of three years imprisonment, compared to ten years under the recent human trafficking amendments to the Penal Code.

NGOs have stated that enforcement of laws criminalising modern slavery is inconsistent, and the complicity or interference of government officials has been widely reported.<sup>128</sup> As a result national and state level responses are not benefitting those in slavery as much as they should, due to complicity of local officials and their avoidance of conflict with locally powerful slaveholders and traffickers. The justice system is very slow generally, so victims have little or no confidence in its capacity to deliver a result.<sup>129</sup> NGOs have also reported a focus on the trafficking of women and children, particularly for sexual exploitation, and less willingness on the part of government and law enforcement to deal with the exploitation of adult males, or to address the far more locally prevalent forms of debt bondage or bonded labour.

<sup>125</sup> “India official: it’s not slavery” (10 March 2011), *CNN Freedom Project*: <http://thecnnfreedomproject.blogs.cnn.com/2011/03/10/india-official-its-not-slavery/>

<sup>126</sup> The Bonded Labour System (Abolition) Act, 1976, *Child Line India*: [http://www.childlineindia.org.in/CP-CR-Downloads/Bonded%20Labour%20System%20\(Abolition\)%20Act%201976%20and%20Rules.pdf](http://www.childlineindia.org.in/CP-CR-Downloads/Bonded%20Labour%20System%20(Abolition)%20Act%201976%20and%20Rules.pdf)

<sup>127</sup> “Human Rights Worker Hospitalized as Brick Kiln Owner and Henchmen Attack Rescued Slaves During Police Raid” (13 June 2013), *Free The Slaves blog*: <http://ftsblog.net/2013/06/13/human-rights-worker-hospitalized-as-brick-kiln-owner-and-henchmen-attack-rescued-slaves-during-police-raid/>

<sup>128</sup> “US Trafficking in Persons Report 2013”, India Country Narrative, p195, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>129</sup> Information from field based sources.

Information is not available about the Indian Government's total budget allocation to responding to modern slavery. It is known that the Indian Government has increased funding of anti-trafficking activities to state governments, however there is notable variation among states' budgetary allocations and responses to the problem of modern slavery.<sup>130</sup> For example, the May 2013 UNODC Country Assessment for India noted that in Uttar Pradesh in India's north and bordering with Nepal,

"the state has not taken any concrete steps to combat trafficking."<sup>131</sup>

In the state of Odisha in India's East, on the other hand, preventative steps have been taken and various initiatives are in place to identify vulnerable communities and provide services to victims.<sup>132</sup>

In 2005, the Ministry of Rural Development introduced the Mahatma Gandhi National Rural Employment Guarantee Act 2005 (NREGA), aimed at enhancing the livelihood security of people in rural areas by guaranteeing one hundred days of wage-employment in a financial year to a rural household whose adult members agree to do unskilled manual work.<sup>133</sup> This scheme provides an alternative for those trapped in bonded labour and the national Government and NGOs are working hard to popularise this. In some states, the ability of NREGA to benefit those in need depends on NGO mobilisation of local populations to pressure local village leaders. More investment in NGO outreach and enforcement of NREGA is needed to ensure its proper implementation. If fully implemented, NREGA would be a programme of global significance in the fight against modern slavery.

The National Advisory Committee to Combat Trafficking focuses on the trafficking of women and children for sexual exploitation. Meetings of the Committee occurred in 2009, 2011 and 2012. Reports of the National Advisory Committee are not publicly available but the main issues discussed are shared through press notes as well as the advisories issued by the Central Government to the state governments to combat trafficking. For example, a 2012 *Advisory on Human Trafficking as an Organised Crime*, issued under the integrated Plan of Action, focuses on the requirements of an effective criminal justice response to human trafficking. This Advisory notes the Central Bureau of Investigation (CBI) is the national lead, and single point of liaison between the Ministry of External Affairs and State parties on conventions and protocols. The Advisory recommends several key action points; primarily the establishment and training of Anti-Human

“ IF FULLY IMPLEMENTED, NREGA WOULD BE A PROGRAMME OF GLOBAL SIGNIFICANCE IN THE FIGHT AGAINST SLAVERY ”

Trafficking Units (AHTU) at State level including the training of local police officers for law enforcement and local intelligence units. According to the Advisory, State police agencies may set up help lines and special desks in police stations and control rooms to address this issue on a real time basis. However, the number of AHTUs that have been established at the State level that meet this standard is unknown.

The Ministry of Home Affairs, along with UNODC, developed standard operating procedures (SOPs) for the identification of victims of trafficking, in 2009. State governments were advised to implement them, but as of March 2013 no evaluation of the implementation of the SOPs has been conducted. Many officials are unaware of relevant laws and procedures, however recent initiatives aimed at increasing awareness of modern slavery among police, such as a new academic course for police run by the Indira Gandhi National Open University,<sup>134</sup> are encouraging.

Significant gaps remain in the support provided to victims of modern slavery in India. Gaps include a failure to provide Release Certificates for rescued bonded labourers, especially in States that do not acknowledge bonded labour.<sup>135</sup> Even for those with Release Certificates there are serious delays in issuing payments of compensation.<sup>136</sup> There is a critical need for clearer, faster and more victim-focused processes of repatriation

“ THE JUSTICE SYSTEM IS VERY SLOW GENERALLY, SO VICTIMS HAVE LITTLE OR NO CONFIDENCE IN ITS CAPACITY TO DELIVER A RESULT ”

<sup>130</sup> For detailed analysis of services on state by state basis, see "Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-Human Trafficking" (May 2013), pp. 61-156, *UNODC Country Assessment Report*: [http://www.unodc.org/documents/southasia//reports/Human\\_Trafficking-10-05-13.pdf](http://www.unodc.org/documents/southasia//reports/Human_Trafficking-10-05-13.pdf)

<sup>131</sup> "Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-human Trafficking" (2013), p151, *UNODC Regional Office for South East Asia*: [http://www.unodc.org/documents/southasia//reports/Human\\_Trafficking-10-05-13.pdf](http://www.unodc.org/documents/southasia//reports/Human_Trafficking-10-05-13.pdf)

<sup>132</sup> Ibid.

<sup>133</sup> "Mahatma Gandhi National Rural Employment Guarantee Act 2005", *Ministry of Rural Development, Government of India*: <http://nrega.nic.in/netnrega/home.aspx>.

<sup>134</sup> "55 CID officials join course against human trafficking" (29 June 2013), *The Times of India*: [http://articles.timesofindia.indiatimes.com/2013-06-29/ahmedabad/40271354\\_1\\_human-trafficking-ignou-officials-ips-officers](http://articles.timesofindia.indiatimes.com/2013-06-29/ahmedabad/40271354_1_human-trafficking-ignou-officials-ips-officers)

<sup>135</sup> Information from field based sources.

<sup>136</sup> Ibid.

and visa assistance for foreign victims, who can sometimes be stuck in shelters for years. Services to foreign migrant workers are *ad hoc* and are mainly delivered by NGOs and IOs. For example, Migrant Resource Centres exist in Kerala and Hyderabad and are run by the Ministry of Overseas Indian Affairs (MOIA) in collaboration with local government and IOM. Limited support and services are available to Indian nationals exploited abroad, through embassies and labour attaches. MOIA has also set up Indian Community Welfare Fund to provide legal, medical and repatriation support to the stranded Indian workers abroad. The Ministry for Women and Child Development funds a number of services run by NGOs for women victims. It is not clear whether any surveys have been carried out regarding client-victim satisfaction with services provided. No services are offered under these programmes to adult male victims. The quality of government run shelter homes ranges from acceptable to very poor, with women in some states being left to languish in these homes, with poor nutrition and medical care, and few opportunities to improve their skills for the future. There is no effective inspection and regulation system in some states, with shelter homes (including those run by NGOs)

“ THE QUALITY OF GOVERNMENT RUN SHELTER HOMES RANGES FROM ACCEPTABLE TO VERY POOR, WITH WOMEN IN SOME STATES BEING LEFT TO LANGUISH IN THESE HOMES, WITH POOR NUTRITION AND MEDICAL CARE, AND FEW OPPORTUNITIES TO IMPROVE THEIR SKILLS FOR THE FUTURE ”

operating as closed systems without any effective protections for the women. Adult women survivors are not necessarily free to leave.

Provisions within the Penal Code allow a victim of trafficking to seek compensation against a perpetrator. No information is available as to whether or not these have ever been successfully used. There is also a state fund for victims of bonded labour under the BLSA, through which victims of bonded labour are entitled to compensation of 20,000 rupees (approx. \$450); however disbursement of funds has been uneven.<sup>137</sup> Women and children in bonded labour in commercial

sexual exploitation do not get access to this standard compensation because their cases are not prosecuted under the BLSA.<sup>138</sup>

### Notable aspects of the response

In 2011, Indian National Human Rights Commission (NHRC), which is mandated by the Supreme Court to monitor the implementation of the BLSA, established a Core Group on Bonded Labour. The Core Group is chaired by NHRC and brings together government and non-government actors working to end bonded labour to review laws and policies, identify best practice, and coordinate the country’s response. It seems the core group has only met once.

On 15 October 2012, the Supreme Court issued a judgment, requiring all states to carry out surveys to identify and release those in bonded labour. It is understood that the State of Karnataka is leading in this regard, with a detailed Karnataka State Action Plan on Bonded Labour 2008, which provides detailed guidance for every responsible official, and specifies the exact support available to victims in the State.<sup>139</sup> Other States are yet to follow this lead. Karnataka has recently trained officials across the whole state in how to carry out these surveys and register individuals found in bonded labour.<sup>140</sup>

Other important directions in the Supreme Court judgment include mandating the rural and urban local bodies to report cases of bonded labour to the District Magistrates who in addition to use of the BLSA, are able to properly and effectively implement the Minimum Wages Act, the Employees Compensation Act, the Inter-State Migrant Workmen Act, and the Child Labour (Prohibition and Regulation) Act.

The enactment of the Protection of Children from Sexual Offences Act in 2012 and the recent increase in activity of the National Commission for the Protection of Children’s Rights are important measures that demonstrate the Government’s renewed commitment to fighting against the exploitation of children.

Sale of sexual services is prevalent but highly stigmatised, and, to the extent that it is ‘organised,’ it is criminalised in India. A 2009 UNDP research paper estimated that there were over 3 million sex workers in India,

<sup>137</sup> “US Trafficking in Persons Report 2011”, India Country Study, pp. 188-191, *US Department of State*: <http://www.state.gov/j/tip/rls/tiprpt/2011/164232.htm>

<sup>138</sup> According to field-based sources in India, if these cases are prosecuted, it is under ITPA or other parts of the penal code (kidnapping, rape etc) – but almost never bonded labour under the BLSA. Under ITPA, or if children are assisted by using the Juvenile Justice Act, there may be some discretionary assistance given but they do not have the same right to a substantial compensation grant. Law enforcement and NGOs do not consider commercial sexual exploitation as bonded labour

<sup>139</sup> Information from field based sources.

<sup>140</sup> Ibid.

a significant proportion of whom were “seasonal migrants and commuters.” Many of these people began this work as children. A focus on brothel raids and ‘rescue’ of victims is a prominent feature of India’s response. There have been several reported instances of women being detained against their will in ‘shelters’ and forced into social programmes.<sup>141</sup> Since the case of *Budhaddev Karmaskar vs State of West Bengal*<sup>142</sup> in the Supreme Court, a committee has been established to “examine the issue of rehabilitation of sex workers and trafficked victims.”<sup>143</sup> Any response should first and foremost respect the human rights of those affected, and ensure that they are not criminalised, detained or forced into ‘rehabilitation’ programmes. Responses to modern slavery should be careful to take into account that while victims of human trafficking need to be assisted to freedom, some adults work in the sex industry for survival.

### 3. WHAT NEEDS TO HAPPEN?

India should:

- Report annually on implementation and progress of efforts to combat all forms of modern slavery, including through provision of criminal justice statistics. This will require the establishment of protocols on the collection and compilation of data.
- Undertake national prevalence estimates on modern slavery.
- Ratify and implement the Convention on the Worst Forms of Child Labour, and the Domestic Work Convention.
- Require States to report on how they have followed up on the Supreme Court Judgement of October 15, 2012, requiring all states to carry out surveys to identify and release those in bonded labour. The efforts currently being made in the State of Karnataka should be promoted and followed by other States.
- Update rules for use in implementing the Bonded Labour Act.
- Update the 2008 integrated Plan of Action to combat human trafficking so that it reflects current conditions, the new law and targets the full spectrum of modern slavery.
- At the State level, develop and implement action plans on bonded labour in every state and union territory, following the example of the Karnataka State Action Plan on Bonded Labour 2008. Appoint a high level responsible officer at the State and District level, who focuses only on tasks related to bonded labour and other forms of modern slavery. Official District Bonded Labour Vigilance Committees should be made active, involving committed NGO representatives and slavery survivors.
- Undertake an assessment to understand whether the AHTUs established are consistently applying relevant laws and guidance, and understand whether all forms of modern slavery are in fact being investigated and prosecuted.
- Strengthen protections for victims of modern slavery and ensure that they are not criminalised. Victims must be protected (including protecting their identities) throughout the duration of their cases and methods of speeding up trials should be implemented. Ensure follow-up with reintegrated survivors.
- Invest in well-supported outreach to typical sites of slave labour to raise awareness about rights.
- Upgrade shelter homes and take steps to ensure that the human rights of shelter home residents are observed and penalties imposed on those who violate their rights. Sheltering of victims (by both NGOs and government) should not in reality be a system of false imprisonment and punishment. The qualification of leadership of these institutions, as well as the training and re-training of staff should be given close attention. A programme of investment in upgrading and of independent participation in unannounced inspections should be initiated.
- Clarify legal, policy and law enforcement responses to commercial sexual exploitation, and respect the human rights of those affected by any response, including those who depend on working in the sex industry for survival, who are not in slavery.
- Ensure ‘raids’ follow victim-centred procedures to ensure they help more than harm.

<sup>141</sup> For example, “25 women rescued in trafficking cases escape,” (21 April 2013), *Times of India*: [http://articles.timesofindia.indiatimes.com/2013-04-21/hyderabad/38709893\\_1\\_rescue-home-rescued-women-uppal](http://articles.timesofindia.indiatimes.com/2013-04-21/hyderabad/38709893_1_rescue-home-rescued-women-uppal)

<sup>142</sup> “Budhaddev Karmaskar vs State of West Bengal” (14 February, 2011), Criminal Appeal No 135 of 2010, *Indian Supreme Court*: <http://indiankanoon.org/doc/1302025/>

<sup>143</sup> “Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-human Trafficking” (2013), p16, *UNODC Regional Office for South East Asia*: [http://www.unodc.org/documents/southasia//reports/Human\\_Trafficking-10-05-13.pdf](http://www.unodc.org/documents/southasia//reports/Human_Trafficking-10-05-13.pdf)

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- Strengthen efforts directed at stamping out corruption and complicity of government officials in modern slavery, including through encouraging innovative, no-cost mechanisms to report suspected official complicity.
  - Continue efforts directed at addressing the underlying causes of modern slavery – such as poverty, illiteracy, underemployment, violence against women, discrimination, lack of access to entitlements such as functioning schools and health services, and social exclusion.
  - Seek to address the “grass is greener over there” stories with information dissemination about the realities of migration, and mobility – and also build specific institutional capacity to inform people and communities about mobility.

# NEPAL

ESTIMATED NUMBER ENSLAVED	250,000 – 270,000
POPULATION	27,474,377 (2012) <sup>144</sup>
GDP	\$19.41 (2012) <sup>145</sup>
GDP/CAPITA	\$707 (2012) <sup>146</sup>
US TIP REPORT RANKING	TIER 2 (2013)
REMITTANCES AS A SHARE OF GDP	22% (2011) <sup>147</sup>

INDEX RANK

5



## 1. THE PROBLEM

Nepal is considered a source, transit and destination country for men, women and children in modern slavery. Within Nepal itself, modern slavery takes the form of forced labour, especially in brick kilns and embroidered textiles, and forced sex work. Historical forms of bonded labour also persist in agriculture, cattle rearing, brick kilns, the stone-breaking industry and domestic work.<sup>148</sup>

Large numbers of Nepali workers migrate for work – overseas remittances alone made up 22% of the economy in 2011.<sup>149</sup> In the 2010-2011 fiscal year, 354,716 Nepali migrated abroad for work.<sup>150</sup> Approximately 90% of the 2.5 million Nepalese women working abroad are undocumented.<sup>151</sup> An estimated 1300 Nepalese citizens go abroad for work every day.<sup>152</sup> Conditions indicative of forced labour, such as withholding of passports and restrictions on movement, have been reported of migrant workers in India, the Gulf countries, Malaysia, Israel, South Korea and Lebanon.<sup>153</sup> The abuse and exploitation of Nepali female migrant workers in Gulf countries led to a ban by the Nepali Government of women migrating for work as domestic workers in the UAE, Qatar, Saudi Arabia and Qatar (since revoked except for women under 30), but that did little to stop or ensure the safety of those who migrated anyway. Official figures show that the number of Nepalese migrating abroad has increased five-fold since 2000.<sup>154</sup>

“ ABUSE AND EXPLOITATION OF NEPALI FEMALE MIGRANT WORKERS IN GULF COUNTRIES LED TO A BAN OF WOMEN MIGRATING FOR WORK AS DOMESTIC WORKERS BUT THAT DID LITTLE TO STOP OR ENSURE THE SAFETY OF THOSE WHO MIGRATED ANYWAY ”

Trafficking of Nepali migrant workers to, and within these destination countries is linked to registered and unregistered recruitment agencies based in Nepal, which are known to charge exorbitant fees for their services, which can increase vulnerability to exploitation. The line between legal and illegal recruitment is often thin with corruption playing a role at many steps in the process. In October 2012, the Labour Minister resigned after he was allegedly caught seeking bribes from foreign recruitment agencies.<sup>155</sup>

### Notable aspects of the problem

In the seven years since the end of Nepal’s decade-long civil war, a prolonged political transition has created favourable conditions for various forms of modern slavery to thrive. A crippled economy, widespread corruption, weak infrastructure, low social mobility and institutionalized ethnic and gender discrimination provide an extremely exploitable work force. The negative effects of the conflict and crippled economic growth encourage Nepali men, women and children to seek work overseas and in poorly-regulated environments, even when they may know the risks this places them in.<sup>156</sup>

<sup>144</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>145</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>146</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>147</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*:

<sup>148</sup> “US Trafficking in Persons Report 2013”, Nepal Country Narrative, p275, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

On traditional forms of debt bondage and domestic work, see “Nepal Belatedly takes action on slavery following Srijana Chaudhary tragedy”, 15 June 2013, *The Guardian*: <http://www.guardian.co.uk/global-development/2013/jun/14/nepal-action-slavery-srijana-chaudhary>

<sup>149</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>150</sup> “Labour Brokerage and Trafficking of Nepali Migrant Workers”, *Verite Report*, p7: [http://www.verite.org/sites/default/files/images/Humanity%20United-Nepal%20Trafficking%20Report-Final\\_1.pdf](http://www.verite.org/sites/default/files/images/Humanity%20United-Nepal%20Trafficking%20Report-Final_1.pdf)

<sup>151</sup> “Illegal Employment Abroad Increases Health Risks for Nepalese Women” (June 11 2013), *Global Press Institute*: <http://www.globalpressinstitute.org/asia/nepal/illegal-employment-abroad-increases-health-risks-nepalese-women>

<sup>152</sup> “Nepalese dying to work” (May 13 2012), *CNN Freedom Project – Ending Modern Day Slavery*: <http://thecnnfreedomproject.blogs.cnn.com/2012/05/13/nepalese-dying-to-work/>

<sup>153</sup> “US Trafficking in Persons Report 2013”, Nepal Country Narrative, p275, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>154</sup> “Nepal: Protect Nepalese migrants from ‘false promises’ of work abroad” (12 December 2011), *Amnesty International News*: <http://www.amnesty.org/en/news/nepal-protect-nepalese-migrants-false-promises-work-abroad-2011-12-12>

<sup>155</sup> “Nepalese Minister Resigns over Bribery Charges”, (21 October 2012), *The Guardian*: <http://www.guardian.co.uk/world/feedarticle/10493096>

<sup>156</sup> Information from field based sources.

Modern slavery within Nepal is tied to widespread ethnic and gender inequalities. Members of the lower social castes, particularly women and children, are frequently denied access to basic rights and infrastructure that might mitigate their risks of enslavement, such as education, healthcare, employment and justice. Domestic violence is implicated in women and girls being vulnerable to exploitation through human trafficking. Members of the lower castes and indigenous ethnic groups are especially vulnerable to forced labour in brick and gravel making, agriculture, domestic servitude, street begging, forced and child marriage, and sexual exploitation.

There are large numbers of children engaged in the workforce, many of whom experience abuse and exploitation. The ILO estimates that more than 600,000 Nepali children work in the worst forms of child labour, which includes conditions of sexual exploitation, hazardous and dangerous working conditions, and forced and enslaved labour.<sup>157</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Nepal is party to a number of key international laws relevant to modern slavery but not the UN Trafficking Protocol. Nepal is party to the more limited SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

In terms of national laws, Nepal passed the Human Trafficking and Transportation Control Act (HTTCA) in 2007. The law criminalizes the selling or purchasing of a person for any purpose, forced sex work, and unlawful organ extraction, punishable by fines and 5-20 years of imprisonment. However, the legislation has many shortcomings: it does not criminalise forced marriage, or address non-prosecution of victims for trafficking-related crimes, and clarifying language is needed on what constitutes the “selling or purchasing of a person.” The law criminalizes all forms of sex work. This has resulted in the arrest of people working in the sex industry, including victims of abuse and exploitation. In some reported instances this has resulted in the increased indebtedness of girls who were already trafficked victims, as a result of having their bail cost added to their debt.<sup>158</sup>

NEPAL	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	No
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

Nepal outlawed bonded labour in 2002 with the Kamaiya Labour Prohibition Act (Kamaiya Act). This Act only stipulates that persons held in bonded labour be freed; no penalties are provided under the law. A government intervention followed the passing of the Kamaiya Act in which Kamaiya labourers were freed, and some were resettled and provided land and job training. However, other Nepali groups held in similar bonded labour systems, such as the Haruwas (bonded plougher),<sup>159</sup> Charuwas (bonded cattle herder),<sup>160</sup> and Haliyas, are not covered by this legislation. In September 2008, Nepal declared Haliya bondage to be outlawed and all Haliya loans annulled. However, no resettlement or rehabilitation programmes were implemented, which has left many freed Haliyas indigent or in a debt bondage system known as *zirayat* to the same landlords from whom they were previously freed. Bonded labour systems are still present for Haruwas and Charuwas<sup>161</sup> and labour relations between local landowners and Kamaiya and Haliya labourers continue to be strained and volatile. Since the Kamaiya system was abolished in 2002, the system of *zirayat* is re-emerging, a practise of share cropping where produce is divided between landlords and tenants, and tenants are required to till additional land for the landlords without any wages.<sup>162</sup>

<sup>157</sup> “Nepal child labour report based on data drawn from the Nepal Labour Force Survey 2008” (31 May 2012), *ILO and Central Bureau of Statistics Nepal*: [http://www.ilo.org/ipcc/Informationresources/WCMS\\_182002/lang-cn/index.htm](http://www.ilo.org/ipcc/Informationresources/WCMS_182002/lang-cn/index.htm)

<sup>158</sup> “US Trafficking in Persons Report 2013”, Nepal Country Narrative, p276, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>159</sup> Assessment of Socio-Economic Status of Bonded Labour (Haruwa/Charuwa) of Siraha District, 20 September 2012, WOREC Nepal: <http://www.worecnepal.org/publication/assessment-socio-economic-status-bonded-labour-haruwa-charuwa-siraha-distinct>

<sup>160</sup> Ibid.

<sup>161</sup> Ibid.

<sup>162</sup> “Information on Nepal, Compliance with ILO Convention No.29 on Forced Labour” (July 2009), *Anti-Slavery International*: [http://www.antislavery.org/includes/documents/cm\\_docs/2009/f/forced\\_and\\_bonded\\_labour\\_in\\_nepal\\_july\\_2009.pdf](http://www.antislavery.org/includes/documents/cm_docs/2009/f/forced_and_bonded_labour_in_nepal_july_2009.pdf)

Due to the recent growth in exported labour,<sup>163</sup> Nepal also passed the Foreign Employment Act (FEA) in 2007. The FEA primarily outlines the necessary steps that foreign-based entities must take to obtain a license to employ Nepali workers. The Government has registered approximately 220 recruitment brokers in 2012, a marked increase from previous years – and clarified lines of responsibility.<sup>164</sup> The Foreign Employment Promotion Board collects fees from departed registered migrants for a welfare fund but most of the funds remain unused.<sup>165</sup>

There is no specialist investigation unit for human trafficking in the Nepal Police or Prosecution service.<sup>166</sup> Statistics on criminal justice interventions demonstrate a bias towards a focus on cross-border trafficking for sexual exploitation and limited or no focus on other forms of modern slavery. In December 2012, the Nepal National Human Rights Commission noted that in 2011, there were 118 cases of trafficking recorded in Nepal police: of these, 4 were trafficking within Nepal and 114 were cross-border trafficking and all the cases were related to sexual exploitation while none of the cases was reported as trafficking for marriage, labour exploitation or for removal of organs.<sup>167</sup>

“ THERE IS NO SPECIALIST INVESTIGATION UNIT FOR HUMAN TRAFFICKING IN THE NEPAL POLICE OR PROSECUTION SERVICE ”

In terms of accountability and coordination, Nepal has a National Plan of Action on Human Trafficking 2011-2016, developed in consultation with civil society. Nepal also has formed a National Committee against Human Trafficking, which includes cross-government representatives and three female nominees with human trafficking expertise, and two female victims of trafficking in persons.<sup>168</sup> The Committee is tasked with formulating and executing national anti-human trafficking policies, plans and programmes, coordinate and monitor work at the district level, and maintain national level statistics about human trafficking. Significantly, Nepal also has a Special Rapporteur on Trafficking in Women and Children. In December 2012, the Special Rapporteur published a 229 page report on anti-trafficking efforts, including detailed analysis of statistics on victim support and criminal justice interventions, and recommendations for reforms.<sup>169</sup> It is not known what budget allocation the Government has given to modern slavery efforts.

Given the high numbers of Nepali migrant workers, it is significant that Nepal has bilateral agreements in place with Malaysia, Bahrain, Japan, Qatar, Saudi Arabia, the UAE, Kuwait and South Korea, and Nepal has trained and posted labour attachés in each of those countries. The Nepali Government also operates safe shelters in Qatar, Saudi Arabia, the UAE and Kuwait; some repatriated slavery survivors are able to receive direct services from NGOs upon repatriation.

“ THERE ARE NO SHELTER SERVICES AVAILABLE FOR MEN ”

In terms of victim support, all facilities that assist victims of trafficking in Nepal are run by NGOs. The Nepal Government has allocated some funding for protection efforts, reported in December 2012 to be 10 million Rs (\$102,000 USD).<sup>170</sup> In June 2013, it was reported that this fund remains

largely unspent.<sup>171</sup> There is operational guidance setting minimum standards for victim care but there is a severe lack of monitoring mechanisms.<sup>172</sup> In 2013, it is still reported that at least some shelters are effectively detaining victims,<sup>173</sup> raising issues about whether services intended to help are in fact abusing rights of the most vulnerable. It appears that there are no shelter services available for men.

<sup>163</sup> In 2012, 354,716 Nepali migrated to other countries for work as stated in “Labour Brokerage and Trafficking of Nepali Migrant Workers”, *Verite Report*, p7: [http://www.verite.org/sites/default/files/images/Humanity%20United-Nepal%20Trafficking%20Report-Final\\_1.pdf](http://www.verite.org/sites/default/files/images/Humanity%20United-Nepal%20Trafficking%20Report-Final_1.pdf)

<sup>164</sup> “US Trafficking in Persons Report 2013”, Nepal Country Narrative, p277, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>165</sup> *Ibid.*

<sup>166</sup> “Trafficking in Persons, especially on Women and Children in Nepal National Report 2011” (December 2012), p14, National Human Rights Commission, *Office of the Special Rapporteur on Trafficking in Women and Children, Nepal*: [http://www.nhrcnepal.org/nhrc\\_new/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20Especially%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf](http://www.nhrcnepal.org/nhrc_new/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20Especially%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf)

<sup>167</sup> “Nepal National Human Rights Commission website” (2013), *Office of National Rapporteur on Trafficking in Women and Children*: [http://www.nhrcnepal.org/nhrc\\_contact.html](http://www.nhrcnepal.org/nhrc_contact.html)

<sup>168</sup> “Trafficking in Persons, especially on Women and Children in Nepal National Report 2011” (December 2012), p14, National Human Rights Commission, *Office of the Special Rapporteur on Trafficking in Women and Children, Nepal*: [http://www.nhrcnepal.org/nhrc\\_new/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20Especially%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf](http://www.nhrcnepal.org/nhrc_new/doc/newsletter/National%20Report%20on%20Trafficking%20in%20Persons%20Especially%20on%20women%20and%20Children%20in%20Nepal%20-%202012.pdf)

<sup>169</sup> *Ibid.*

<sup>170</sup> *Ibid.*

<sup>171</sup> “US Trafficking in Persons Report 2013”, Nepal Country Narrative, p276, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>172</sup> *Ibid.*

<sup>173</sup> *Ibid.*



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### Notable aspects of the response

From 1998-2010, Nepal banned women from migrating to the UAE, Qatar, Saudi Arabia and Kuwait for domestic work. The ban did little to protect Nepali migrant workers, as women and girls continued to migrate illegally to those countries in search of work; their undocumented status only increased their vulnerability to exploitation. In 2012, Nepal reinstated the ban, but limited it to women and girls under the age of 30. Implementation, however, is weak due to a severe lack of resources and endemic corruption. The Nepali Government and the IOM plan to open Migration Resource Centres throughout the country to empower migrant workers, and the police have established specialised units to protect women and children in each of the 75 districts across Nepal. The US TIP Report 2013 called for the ban on migration of women under 30 to be lifted, as such bans drive migration further underground and increase risk of trafficking.<sup>174</sup>

### 3. WHAT NEEDS TO HAPPEN?

Nepal should:

- Lift the ban on women under the age of 30 migrating to the Middle East, and instead put in place stronger outreach and protection systems for women working in these countries.
- Ensure national laws clearly and comprehensively criminalise all forms of modern slavery. Begin this process by ratifying the UN Trafficking Protocol to give national laws a clear basis in international law.
- Establish a commission to oversee the protection of various ethnic groups' and lower castes' human rights.
- Ensure that the new Constitution includes clear provisions against all forms of modern slavery and ensures equal and accessible citizenship rights for women and girls.
- Focus on improving implementation of existing laws including with regard to forced prostitution, exploitative foreign recruitment organisations, child labour, and workplace conditions.
- Increase the Ministry of Labour and Employment's capacity to collaborate with the National Committee to Combat Human Trafficking through hiring and training more labour inspectors to identify and report modern slavery.
- Report on results of investigations into government corruption and complicity in modern slavery.
- Fund monitoring of implementation of operational guidelines for rehabilitation centres, protection and care of victims and survivors of modern slavery.
- Coordinate with NGOs to collect data on regions, organisations and populations that are most affected by trafficking and to streamline response and direct services protocols.
- Establish cross-border collaborations, including on law enforcement, repatriation of victims and provision of services, with India and China.
- Focus on ways to facilitate low cost, quick, safe labour migration, while minimising opportunities for "rent seekers" to profit from that process.
- Ensure that victims of fraudulent brokers can lodge complaints against them from within their home Districts rather than travelling to Kathmandu.

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<sup>174</sup> "US Trafficking in Persons Report 2013", Nepal Country Narrative, p276, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>. See also "Nepal: Protect, Don't Ban Young Women Migrating to the Gulf" (14 August 2012), *Human Rights Watch*: <http://www.hrw.org/news/2012/08/14/nepal-protect-don-t-ban-young-women-migrating-gulf>

# MOLDOVA

ESTIMATED NUMBER ENSLAVED	<b>32,000 – 35,000</b>
POPULATION	<b>3,559,541 (2012)</b> <sup>175</sup>
GDP	<b>\$7,254 BILLION (2012)</b> <sup>176</sup>
GDP/CAPITA	<b>\$2,038 (2012)</b> <sup>177</sup>
US TIP REPORT RANKING	<b>TIER 2 (2013)</b>
REMITTANCES AS A SHARE OF GDP	<b>23% (2011)</b> <sup>178</sup>

INDEX RANK

6



## 1. THE PROBLEM

Moldova is considered primarily a source country for modern slavery, reflecting regional inequalities and trafficking patterns. In proportion to its cost of living, Moldova's GDP per capita provides a comfortable life; however, its GDP is the lowest in Europe, creating a push factor for emigration. In 2011, remittances from Moldovan's working overseas made up 23% of GDP, and forward estimates place the value of remittances in 2012 at \$1,770 million.<sup>179</sup> The primary destination countries for documented Moldovan emigrants are the Ukraine, Russia, USA, Israel, Germany and Belarus.<sup>180</sup> The largest share of documented emigration flows is to Russia and Ukraine, which hosted during 2005-2010, about 80% of the population that left the country each year. It is also important to note that each year, the USA hosts about 10 per cent of the Moldovan emigrants, followed by Israel and Germany with almost 5 per cent of the total emigrants leaving Moldova.<sup>181</sup> About 65% of Moldovan emigrants are less than 39 years old<sup>182</sup> and leave the country for employment opportunities abroad.

“ IN THE UKRAINE, MORE THAN HALF THE VICTIMS OF TRAFFICKING IDENTIFIED AND ASSISTED WERE MEN, WITH 92% OF MEN AND WOMEN TRAFFICKED FOR LABOUR EXPLOITATION ”

Moldovan nationals have been identified in modern slavery situations in many countries, involving exploitation in the sex industry, construction, agriculture, and domestic work. From the statistics of victims assisted by IOM in 2012, it appears that in that year, Moldovan men, women and children were exploited primarily in the Ukraine, but also in Russia, the UAE, Turkey and Kosovo.<sup>183</sup> With regard to victims exploited in the Ukraine, more than half the victims of trafficking identified and assisted were men, with 92% of men and women trafficked for labour

exploitation; and in Russia, 37% of all victims identified were exploited for labour, while 24% were sexually exploited. With regard to victims exploited in Kosovo, the UAE and Turkey, all victims identified were women, and all were trafficked for sexual exploitation.<sup>184</sup>

Moldova is also, to a lesser extent, a site of modern slavery and a transit country for human trafficking. The IOM identified 16 internally trafficked victims in 2012, more than half of whom were minors, with eight exploited for their labour, five for sexual exploitation, one a mixture of both labour and sexual exploitation, and one for begging.<sup>185</sup>

Trafficking for the purpose of organ removal was identified in Moldova in the late 1990s and early 2000s, but has been decreasingly reported.

Unlike most countries, in Moldova, various efforts have been made to estimate the scale of the modern slavery problem. A 2009 paper<sup>186</sup> based on a survey of returned migrant workers and the family members of absent migrant workers conducted in 2006, estimated the number of Moldovans trafficked abroad to be

<sup>175</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>176</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>177</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>178</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>179</sup> Ibid.

<sup>180</sup> “Extended Migration Profile of the Republic of Moldova” (2012), *International Organisation for Migration*: [http://publications.iom.int/bookstore/firec/110\\_emp\\_report.pdf](http://publications.iom.int/bookstore/firec/110_emp_report.pdf)

<sup>181</sup> Ibid.

<sup>182</sup> “Statistical Review 1: Moldova: Migration and Trafficking Survey” (2012), *International Labour Organisation*: [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/data\\_res\\_human.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/data_res_human.pdf)

<sup>183</sup> “Victims of Human Trafficking: A Statistical Profile” (2012), *Moldova, International Organisation for Migration*: [http://www.usaim.org/sites/default/files/IOM%20MD\\_VoT%20Statistical%20Profile%202012.pdf](http://www.usaim.org/sites/default/files/IOM%20MD_VoT%20Statistical%20Profile%202012.pdf)

<sup>184</sup> Ibid.

<sup>185</sup> Ibid.

<sup>186</sup> “The Cross-National Market in Human Beings”, 2009, *Journal of Macromarketing*, Julia R. Pennington, A. Dwayne Ball, Ronald D. Hampton and Julia N. Soulakova: <http://jmk.sagepub.com/content/29/2/119.short>

in the range of 29,000 to 54,000. More recently, the International Labour Organization (ILO) added a module of questions to the 2008 Labour Force Survey, and obtained information on approximately 5600 migrant workers.<sup>187</sup> Roughly 9% of the surveyed migrant workers were victims of forced labour abroad; the ILO therefore estimates that, assuming the surveyed group is representative of all Moldovan migrant workers, the number of Moldovans trafficked for labour in 2008 was 29,500.<sup>188</sup>

### Notable aspects of the problem

Between 2005 and 2010, the IOM noted there are significant differences in relation to the choice of country of destination according to gender. Women mainly left for Italy, Spain, Germany and Cyprus. (In 2010, the number of women who went to Italy accounted for two thirds of the total number of persons leaving

**“ MOLDOVANS MOST VULNERABLE TO HUMAN TRAFFICKING INCLUDE VICTIMS OF DOMESTIC VIOLENCE, FAMILIES IN EXTREME ECONOMIC HARDSHIP, SINGLE MOTHERS AND FATHERS, PERSONS WITH DISABILITIES AND CHILDREN WHOSE PARENTS ARE WORKING ABROAD ”**

Moldova.) Men mostly left for the Russia, Romania, Austria and the Czech Republic.<sup>189</sup> During 2007-2010, the number of documented women living abroad exceeded that of men by 20%.<sup>190</sup>

In 2012 GRETA identified Moldova’s “difficult economic situation, high rate of rural unemployment and the problem of violence against women” as the most significant factors in its citizens’ vulnerability to modern slavery.<sup>191</sup> GRETA noted that groups particularly vulnerable to modern slavery in Moldova include

“women from socially disadvantaged families, women subjected to domestic violence, children left without parental care and children placed in state institutions.” From analysis of client information, IOM found that Moldovans most vulnerable to human trafficking include “victims of domestic violence, families in extreme economic hardship, single mothers and fathers, persons with disabilities and children whose parents are working abroad.”<sup>192</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

The Government is making considerable efforts to address modern slavery. From a legal perspective, Moldova has ratified a number of treaties relevant to modern slavery but not the Slavery Convention or the Supplementary Slavery Convention, nor the Domestic Work Convention.

The Moldovan Constitution prohibits slavery, servitude and forced labour. The Moldovan Criminal Code prohibits trafficking in children, forced or compulsory labour, and trafficking in human beings. The 2005 Law on Preventing and Combating Trafficking in Human Beings (Anti-Trafficking Law) is consistent with international and regional standards.

MOLDOVA	Ratified
Slavery Convention	No
Supplementary Slavery Convention	No
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

From a coordination and accountability perspective, Moldova has a National Committee for Combating Trafficking in Human Beings (National Committee) as the permanent consultative body of the Moldovan Government on modern slavery issues. Established in 2001, the National Committee has been performing its functions efficiently and effectively since 2008. It undertakes law and policy reform and has as its aim the monitoring and coordination of all relevant ministries (including the Ministry of Labour, Social Protection and Family) and other government bodies. While representatives of relevant International Organisations and

<sup>187</sup> “Statistical Review 1: Moldova: Migration and Trafficking Survey” (2012), pp. 6-9, *International Labour Organisation*: [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/data\\_res\\_human.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/data_res_human.pdf)

<sup>188</sup> Ibid.

<sup>189</sup> Ibid.

<sup>190</sup> Ibid.

<sup>191</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova” (22 February 2012), *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

<sup>192</sup> “Migration Health Project Information Sheet – Moldova” (October 2010), *International Organization on Migration*: <http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/health/promotion/Moldova-Health-Project-Info-Fact-Sheet.pdf>

“Victims of Human Trafficking: A Statistical Profile” (2012), *Moldova, International Organisation for Migration*: [http://www.usaim.org/sites/default/files/IOM%20MD\\_VoT%20Statistical%20Profile%202012.pdf](http://www.usaim.org/sites/default/files/IOM%20MD_VoT%20Statistical%20Profile%202012.pdf) “Moldovan Migrants’ Health - Impact of the Socio-Economic Welfare.” *International Organization on Migration*: [www.iom.int/jahia/webdav/shared/shared/mainsite/activities/health/promotion/Moldova-Health-Project-Info-Fact-Sheet.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/health/promotion/Moldova-Health-Project-Info-Fact-Sheet.pdf)

NGOs are actively engaged with the National Committee<sup>193</sup> NGO La Strada has raised the concern that the structure was not finalised and the seat of NGOs is not permanent.<sup>194</sup> Moldova's National Committee clarified its mandate and established a full-time executive secretariat in 2011. Critical for transparency, the Committee publishes a report on activities and progress on the plan annually.

Moldova has a National Plan of Action (NPA) 2012-2013 and is currently drafting a new NPA for implementation beginning fall 2013. The interventions outlined in the current NPA are recognised for setting best practices in the region, and respond directly to various recommendations made by external commentators. Anti-trafficking action at the local level is co-ordinated by territorial commissions for combating trafficking in human beings, which are set up in each region as well as in each administrative district.<sup>195</sup>

“ IN 2012, THE GOVERNMENT REPORTED 171 TRAFFICKING INVESTIGATIONS, COMPARED TO 135 THE PREVIOUS YEAR ”

Moldova has specialist police tasked with investigating and prosecuting modern slavery crimes. The Centre for Combating Trafficking in Persons (CCTP) was established in 2006 under the Ministry of the Interior with a view to improving the investigation and prosecution of cases of human trafficking. It is composed of officials assigned by the Ministry of the Interior, the Prosecutor General's Office, the Customs Service, the National Bureau for Migration and Asylum, the Border Guard Service, the Information and Security Service, and the Centre for Combating Economic Crimes and Corruption. As part of a highly anticipated set of reforms for the Ministry of the Interior, La Strada's former president was installed in 2012 as the director for CCTP and has begun to make changes in the organisation's activities and operations. In 2012, under new leadership, the Centre implemented a series of reforms aimed at prioritising a focus on more complex cases. The number of investigations being conducted is growing: in 2012, the Government reported 171 trafficking investigations, compared to 135 the previous year.<sup>196</sup>

While investigations are growing, reports suggest that the biggest difficulty in prosecuting trafficking is

“ MOLDOVA HAS A SYSTEM OF VICTIM PROTECTION, FOR WHICH THE GOVERNMENT PROVIDES A CLEARLY ARTICULATED BUDGET, IN PARTNERSHIP WITH CIVIL SOCIETY ”

the judiciary; therefore, new interventions are focused on awareness raising, training and capacity building of the judiciary. Problems have been noted with appeal judges overturning convictions with little or no explanation appeal, or giving a token sentence to an offender following conviction.<sup>197</sup>

Moldova has a system of victim protection, for which the Government provides a clearly articulated budget, in partnership with civil

society. In terms of coordination across that system, Moldova's National Referral System for Assistance and Protection of Victims and Potential Victims of Trafficking (NRS) seeks to “establish co-operation and co-ordination between the counter-trafficking actors at every level: state structures, international organisations, non-governmental agencies and individuals at the local, national and transnational levels.”<sup>198</sup> The NRS utilises multi-disciplinary teams (police, social workers, lawyers, prosecutors etc) as the main operational unit of the NRS. The NRS's approach is termed “proactive prevention” and has received praise from NGOs and GRETA, and according to the 2013 US TIP Report “is viewed as a model for other countries in the region.”

Information from NGOs recorded in the 2012 US TIP Report did indicate that victim services were inadequate, especially in certain regions. According to the US TIP Report 2013, the NRS was not active in Transnistria.<sup>199</sup> Nonetheless, in 2012, IOM introduced the NRS methodology in 6 out of 7 regions in Transnistria, meaning this is used informally as best practice but is not yet a fully-fledged system.<sup>200</sup>

<sup>193</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova” ( 22 February 2012) *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

<sup>194</sup> “Abuse of a Position of Vulnerability and other “Means” Within the Definition of Trafficking in Persons” (n.d.), La Strada International, *United Nations Office on Drugs and Crime*: <http://lastradainternational.org/?main=documentation&document=2940&search=moldova&so1=1&so2=1&so3=1&so4=1>

<sup>195</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova” (22 February 2012) *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

<sup>196</sup> “US Trafficking in Persons Report 2013”, Moldova Country Narrative, pp. 265-266, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>197</sup> *Ibid.*

<sup>198</sup> “Victims of Human Trafficking: A Statistical Profile” (2012), *Moldova, International Organisation for Migration*: [http://www.usaim.org/sites/default/files/IOM%20MD\\_VoT%20Statistical%20Profile%202012.pdf](http://www.usaim.org/sites/default/files/IOM%20MD_VoT%20Statistical%20Profile%202012.pdf)

<sup>199</sup> “US Trafficking in Persons Report 2013”, Moldova Country Narrative, pp. 265-266, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>200</sup> “Victims of Human Trafficking: A Statistical Profile” (2012), *Moldova, International Organisation for Migration*: [http://www.usaim.org/sites/default/files/IOM%20MD\\_VoT%20Statistical%20Profile%202012.pdf](http://www.usaim.org/sites/default/files/IOM%20MD_VoT%20Statistical%20Profile%202012.pdf)

In 2012, GRETA also identified a need for increased resources to organisations providing assistance to victims of trafficking.<sup>201</sup> Moldova has recently increased the budget allocated to these services, and established a fund-sharing programme to address this issue. A number of regional centres have funding from state and local governments, a programme that has also been identified as a best practice in the region.

Moldova publishes basic data on criminal justice interventions and victims assisted, in its annual report under the National Committee. However, according to Article 11(3) of the Anti-Trafficking Law, the Ministry of the Interior is responsible for developing, administering and maintaining a database on human trafficking. GRETA notes lack of research and knowledge on labour trafficking, especially of men. In response, the Ministry of Interior and the National Committee's Secretariat are collecting data from several different sources to create a database with a wider perspective. Until this initiative, the Ministry of Interior could only collect information about their own initiated cases. The Secretariat will support the data collection exercise, by collecting data from all law enforcement agencies, prosecution and judiciary, to create a better picture of the problem nationally.

Provisions exist in Moldovan law for compensation to be paid to victims of modern slavery, through a civil action attached to criminal proceedings, under the Anti-Trafficking Law. According to forthcoming IOM research, in the period of 2006-2010 one out of two victims in the analysed cases of trafficking in human beings (article 165) and one out of five victims in cases of trafficking in children (article 206) claimed that they suffered material and moral damage as result of their exploitation. The courts sustained the victims' civil claims in 29 cases. Ten claims were rejected and another 16 were not referred to in the court decision. The fact that the court does not pronounce a decision on a certain issue means its merits have not been resolved.

The average amount of awarded damages was about MDL 11,000 (USD 916) in human trafficking cases, and about MDL 45,000 (USD 3,750) in cases of trafficking in children. Presently, there is an ongoing feasibility study on compensation led by the Permanent Secretariat with expert and financial support from IOM Moldova, with US funding.

“ MOLDOVA IS PAYING SERIOUS ATTENTION TO THIS ISSUE, WITH THE NATIONAL ANTI-CORRUPTION CENTRE REPORTEDLY OPENING 13 CRIMINAL INVESTIGATIONS RELATING TO OFFICIAL COMPLICITY IN HUMAN TRAFFICKING IN 2012 ”

### Notable aspects of the response

Moldova ranks 94th of 176 countries on Transparency International's 2012 Corruption Perceptions Index.<sup>202</sup> Both GRETA and the US TIP Report note the issue of corruption and complicity of Moldovan Government officials in modern slavery.<sup>203</sup> However, it appears that Moldova is paying serious attention to this issue, with the national anti-corruption centre reportedly opening 13 criminal investigations relating to official complicity in human trafficking in 2012.<sup>204</sup> This includes investigations of officials and investigators from the anti-trafficking unit itself, a public housing official, a professor from a State University, an army official and former police officer, and an officer from the national anti-corruption centre. The involvement of the anti-corruption centre with the broader anti-trafficking response is commendable and rarely seen globally.

In around 2006, a number of international donors began to remove funding from victim identification and repatriation programmes in destination countries. Moldova responded by examining how it could harness the resources it had at home, and managed to establish the NRS drawing on existing local services. As a result, the NRS was established and the level of victim identification went up not down, even though funding for victim identification in destination countries was being withdrawn. Also, Moldovan consulates play an important role in identification abroad.

In 2012, GRETA noted the need for protection of Moldovans abroad and measures for repatriation and

<sup>201</sup> "Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova" (22 February 2012), *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

<sup>202</sup> "Transparency International - Country Profiles: Moldova." (n.d.). *Transparency International - the global coalition against corruption*: <http://www.transparency.org/country#MDA>

<sup>203</sup> "Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova" (22 February 2012), *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

<sup>204</sup> "US Trafficking in Persons Report 2013", Moldova Country Narrative, p265, US Department of State: <http://www.state.gov/documents/organization/210741.pdf>

<sup>204</sup> "US Trafficking in Persons Report 2013", Moldova Country Narrative, p266, US Department of State: <http://www.state.gov/documents/organization/210741.pdf>

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assistance of victims need to be strengthened.<sup>205</sup> Given that Moldova already has a system in place to provide support to victims identified at home through the NRS, and to provide outreach through its consulates in countries of destinations, there is arguably a need for destination countries (some of which simply detain victims and deport them) to step forward to share the burden in this regard.

### 3. WHAT NEEDS TO HAPPEN?

Moldova should:

- Work towards, prevention with a focus on groups that are most vulnerable to modern slavery; such as populations living in poverty and those without access to opportunities for education and employment.
- Consider establishing a national compensation scheme for victims of modern slavery, and otherwise strengthening the rights of victims.
- Increase law enforcement efforts under relevant laws prohibiting modern slavery.
- Increase efforts to train prosecutors and members of the judiciary on modern slavery, and ensure accountability systems are in place (e.g.: case watch systems).
- Continue to focus on official complicity in modern slavery, and ensure perpetrators are brought to justice.
- Continue to engage in community awareness-raising and outreach to vulnerable groups, with a focus on safe migration pathways and rights when working abroad.

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<sup>205</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Republic of Moldova” (22 February 2012), *Group of Experts on Action against Trafficking in Human Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA\\_2011\\_25\\_FGR\\_MDA\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/docs/Reports/GRETA_2011_25_FGR_MDA_en.pdf)

# BENIN

ESTIMATED NUMBER ENSLAVED	<b>76,000 – 84,000</b>
POPULATION	<b>10,050,702 (2012)</b> <sup>206</sup>
GDP	<b>\$7,557 BILLION (2012)</b> <sup>207</sup>
GDP/CAPITA	<b>\$752 (2012)</b> <sup>208</sup>
US TIP REPORT RANKING	<b>TIER 2 (2013)</b>
REMITTANCES AS A SHARE OF GDP	<b>3% (2011)</b> <sup>209</sup>

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# 7



## 1. THE PROBLEM

Modern slavery in Benin involves mainly women and children who are trafficked internally or from abroad for the purpose of sexual exploitation, domestic work or forced labour. Children are trafficked into Benin from Niger, Togo, Burkina Faso and Nigeria, and some women from other parts of Africa, are trafficked through Benin, mostly en route to Europe.<sup>210</sup>

Women and children are trafficked within Benin from rural areas to the cities, and children are trafficked into countries in the region like Togo, Nigeria, Ghana, Gabon, Côte d'Ivoire, Cameroon and Guinea.<sup>211</sup> Children from Benin are also trafficked to Congo where they end up in forced labour or sexual exploitation. UNICEF has estimated that at least 1800 children in Congo have been trafficked, and most of these children will have originated from Benin.<sup>212</sup>

### Notable aspects of the problem

The IOM has estimated that more than 40,000 children are victims of trafficking in Benin.<sup>213</sup> The main sectors children work in are domestic service and agriculture, such as farming cotton or cashews. Other forms of forced labour include fishing, mining in quarries, street vending, and work in the transportation industry. Children are also sexually exploited for commercial gain.<sup>214</sup>

“ MORE THAN 40,000 CHILDREN ARE VICTIMS OF TRAFFICKING IN BENIN ”

Domestic service is a form of child labour which is typical to the region of West Africa. In a practice called Vidomegon,<sup>215</sup> girls, some as young as seven years old, are engaged as domestic workers in exchange for accommodation and subsistence. Originally intended to aid children from poor families, this practice often results in conditions of modern slavery for the child as he/she is forced to work long hours, deprived of sleep and food, and abused physically and sexually.

In a practice which runs parallel to the Trokosi system in Ghana, the persistence of the Vudusi, or ‘shrine slavery’ affects young girls in Benin, who are offered as sacrifices to religious shrines, and subsequently forced to live in and care for the shrine, and often being habitually sexually abused.<sup>216</sup>

Benin also has a high rate of child marriage, a practice which in some circumstances can constitute modern slavery. In a survey of married 20 to 24 year old women, 34 per cent of them claimed to have been married before reaching the age of 18.<sup>217</sup>

The minimum age for work in Benin is fourteen years old, and education is free and compulsory until the age of eleven. This creates a gap within which children are vulnerable to modern slavery. Children aged 12 to 14 are legally permitted to carry out ‘light work’, such as domestic work, or temporary work, as long as it does

<sup>206</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>207</sup> “2012 GDP \$US Data”, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>208</sup> “2012 GDP per capita \$US Data”, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>209</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>210</sup> “Children for Sale: UK’s new slave trade” (Jan. 27, 2008), *The Sunday Telegraph*: <http://www.telegraph.co.uk/news/uknews/1576727/Children-for-sale-UKs-new-slave-trade.html>

<sup>211</sup> “Benin - The World Factbook” (2009) *Central Intelligence Agency*: <https://www.cia.gov/library/publications/the-world-factbook/geos/bn.html>

<sup>212</sup> “A Human Rights Report on Trafficking in Persons, Especially Women and Children – Benin” *The Protection Project*: <http://www.protectionproject.org/wp-content/uploads/2010/09/Benin1.pdf>

<sup>213</sup> “Congo, Brazaville and Benin sign accord to fight human trafficking”, 21 September 2011, *UNICEF Press Centre*: [http://www.unicef.org/infobycountry/media\\_59883.html](http://www.unicef.org/infobycountry/media_59883.html)

<sup>214</sup> “Benin: Facts and Figures”, *International Organisation for Migration*: <http://www.iom.int/jahia/Jahia/benin>

<sup>215</sup> “2011 Findings on the Worst Forms of Child Labor” *US Department of Labor’s Bureau of International Labor Affairs*: <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>

<sup>216</sup> “Child trafficking in Benin: Difficult choices and devastating consequences” (3 May 2013), DAGBE: <http://www.dagbe.org/?p=858>; “Vidomégon, les enfants-esclaves du Bénin” (10 March 2011), *Slate Afrique*: <http://www.slateafrique.com/731/vidomegon-enfants-esclaves-benin>; and “A Human Rights Report on Trafficking in Persons, Especially Women and Children – Benin” (n.d.), *The Protection Project*: <http://www.protectionproject.org/wp-content/uploads/2010/09/Benin1.pdf>

<sup>217</sup> “Ghana’s Slaves to the Gods”, *Sarah C. Aird*: <http://www.wcl.american.edu/hrbrief/v7i1/ghana.htm>

<sup>217</sup> “Percentage of women aged 20-24 who were first married/in union before the age of 18” (January 2013), *UNICEF*: [http://www.childinfo.org/marriage\\_countrydata.php](http://www.childinfo.org/marriage_countrydata.php)

not prevent them from attending school.<sup>218</sup> Official birth registration is very low in Benin, with forty per cent of children under five having no birth certificates, impeding their access to education.<sup>219</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Benin has ratified a number of key conventions on modern slavery but not the Slavery Convention itself or the Supplementary Slavery Convention, or the Domestic Work Convention.

Benin was one of the first African countries to pass an anti-human trafficking law in 1961.<sup>220</sup> Since that time, the Government of Benin has been active in implementing laws and ratifying all the key treaties for this purpose. However, it has failed to support their implementation with the necessary financial backing. The national budget implementing existing laws and policies on modern slavery is currently \$0.<sup>221</sup>

The 2006-04 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking criminalises all forms of child trafficking with a penalty of 10 to 20 years imprisonment. However, the law against trafficking does not cover persons above 18 years of age. The law prohibits minors from engaging in dangerous work, according to the Hazardous Work List (in Decree No.2011-29).<sup>222</sup> The Labour Code of Benin prohibits forced labour, but only ascribes a penalty of two months to one year’s imprisonment or a fine.<sup>223</sup>

BENIN	Ratified
Slavery Convention	No
Supplementary Slavery Convention	No
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

Benin does not have any specialist law enforcement capacity to investigate modern slavery.<sup>224</sup> On a more positive note, 126 labour inspectors are employed within the Ministry of Labour and Civil Service to ensure the enforcement of the Labour Code, and their mandate includes protecting against forced labour.<sup>225</sup> However, these inspections only take place in the formal work sector, while the majority of forced child labour is to be found in the informal sector.<sup>226</sup> Also, resources are extremely limited.<sup>227</sup>

The Central Office for the Protection of Minors provides support to child victims, and has a temporary

**“ INSPECTIONS ONLY TAKE PLACE IN THE FORMAL WORK SECTOR, WHILE THE MAJORITY OF FORCED CHILD LABOUR IS TO BE FOUND IN THE INFORMAL SECTOR ”**

reception centre with capacity of 120 children, supported by UNICEF and Terres des Hommes.<sup>228</sup> However, the care of child victims is mostly at the remit of NGOs. There is no government initiated long-term plan for the protection and rehabilitation of victims.

The Government, supported by UNICEF, put in place a National Policy and Action Plan for Child Protection (2008-2012). It also drafted a National Action Plan to Combat Child Trafficking and Labour. Due to

a lack of funding for both of these Action Plans, their implementation has been weak.<sup>229</sup>

Benin has some agreements with neighbouring countries aimed at preventing and responding to modern slavery. In 2005, Benin signed the ‘Agreement Between the Republic of Benin and the Federal Republic of Nigeria on the Prevention, Repression, and Abolition of Human Trafficking, Especially Women and Children’ and is an active member of the Economic Community of Western African States (ECOWAS), having signed

<sup>218</sup> “2008 Findings on the Worst Forms of Child Labour – Benin” (10 September 2009), *United Nations High Commission for Refugees*: <http://www.refworld.org/country,USDOL,,BEN,,4aba3ecf33,0.html>

<sup>219</sup> “2011 Findings on the Worst Forms of Child Labor” *US Department of Labor’s Bureau of International Labor Affairs*: <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>

<sup>220</sup> A 5 July 1961 Act, prohibited the displacement of men, women and children without their consent, cited in “A Human Rights Report on Trafficking in Persons, Especially Women and Children – Benin” (n.d.) *The Protection Project*: <http://www.protectionproject.org/wp-content/uploads/2010/09/Benin1.pdf>

<sup>221</sup> Information from field based sources.

<sup>222</sup> “2011 Findings on the Worst Forms of Child Labor” *US Department of Labor’s Bureau of International Labor Affairs*: <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>

<sup>223</sup> “US Trafficking in Persons Report 2011”, Benin Country Study, pp. 89-90, *US Department of State*: <http://www.state.gov/documents/organization/192594.pdf>

<sup>224</sup> Information provided by field based contacts.

<sup>225</sup> “Guide Methodologique de L’inspection du Travail” *Ministere du Travail et de la Fonction Publique, Direction Generale du Travail, Republique du Benin*: [http://www.ilo.org/wcmsp5/groups/public/---cd\\_dialogue/---lab\\_admin/documents/genericdocument/wcms\\_167754.pdf](http://www.ilo.org/wcmsp5/groups/public/---cd_dialogue/---lab_admin/documents/genericdocument/wcms_167754.pdf)

<sup>226</sup> “2008 Findings on the Worst Forms of Child Labour – Benin”, 10 September 2009, *UNHRC*: <http://www.refworld.org/country,USDOL,,BEN,,4aba3ecf33,0.html>

<sup>227</sup> “Benin 2012 Human Rights Report” *US Department of State*: <http://www.state.gov/documents/organization/204301.pdf>

<sup>228</sup> Information from field based sources.

<sup>229</sup> “US Trafficking in Persons Report 2011”, Benin Country Study, pp. 89-90, *US Department of State*: <http://www.state.gov/documents/organization/192594.pdf>



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their Declaration condemning human trafficking,<sup>230</sup> as well as the Multilateral Agreement to Combat Trafficking in West Africa.<sup>231</sup> With assistance from the International Labour Organisation (ILO), the joint Benin and Nigeria Committee to Combat Child Trafficking developed a 2009 to 2010 Joint Action Plan to combat the Trafficking of Children from Benin to Nigeria, for labour in stone quarries.

### **Notable aspects of the response**

The Brigade de Protection des Mineurs has been active since 1991 as the Government appointed law enforcement unit for child protection.<sup>232</sup> Their responsibility lies in rescue and prevention work,<sup>233</sup> and they are also responsible for collecting data on child trafficking on behalf of the Ministry of Justice. Since 2008, this mechanism has changed to the Central Office for the Protection of Minors (OCPM). It collaborates with the Ministries of Family, Social Protection and Solidarity, Foreign Affairs and Labour. Its mandate includes the prohibiting of human trafficking of all forms, including of adults.<sup>234</sup>

## **3. WHAT NEEDS TO HAPPEN?**

Benin should:

- Allocate a clear proportion of the national budget to responding to this issue.
- Amend existing legislation on human trafficking to include human trafficking of adults.
- Amend existing legislation on forced labour to ensure it includes proportionate penalties.
- Focus on building the capacity of law enforcement to identify and investigate modern slavery cases.
- Increase efforts to collect data on all forms of modern slavery.
- Implement a nationwide awareness campaign to educate people about modern slavery.
- Make the compulsory schooling age higher, and ensure that all children have access to education despite their not having birth certificates.
- Encourage the setting up of local watch committees to empower communities to detect and report modern slavery.
- Develop a victim protection system to ensure the rehabilitation and reintegration of both child and adult victims.

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<sup>230</sup> “A Human Rights Report on Trafficking in Persons, Especially Women and Children – Benin” *The Protection Project*: <http://www.protectionproject.org/wp-content/uploads/2010/09/Benin1.pdf>

<sup>231</sup> Ibid.

<sup>232</sup> “Global Report on Trafficking in Persons” (February 2009), *United Nations Office on Drugs and Crime*: [https://www.unodc.org/documents/Global\\_Report\\_on\\_TIP.pdf](https://www.unodc.org/documents/Global_Report_on_TIP.pdf)

<sup>233</sup> Information from field based sources.

<sup>234</sup> Ibid.

# CÔTE D'IVOIRE

ESTIMATED NUMBER ENSLAVED	150,000 – 160,000
POPULATION	19,839,750 (2012) <sup>235</sup>
GDP	\$24.68 BILLION (2012) <sup>236</sup>
GDP/CAPITA	\$1,244 (2012) <sup>237</sup>
US TIP REPORT RANKING	TIER 2 (2013)
REMITTANCES AS A SHARE OF GDP	NOT AVAILABLE (2011) <sup>238</sup>

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## 1. THE PROBLEM

Côte d'Ivoire is a source, transit and destination country for women and children who are subjected to forced labour and sexual exploitation. The majority of victims are children who end up in situations of forced labour in agriculture, mining, fishing, construction and domestic work. Children are also forced into work as street vendors and shoe-shiners and girls have been trafficked both internally and from neighbouring countries Benin, Burkina Faso, Ghana, Mali, Mauritania and Togo for the purpose of forced domestic work and sexual exploitation.<sup>239</sup>

Women and girls have been trafficked internally and from neighbouring countries such as Ghana and Nigeria for sexual exploitation and domestic servitude.<sup>240</sup>

“ THE MAJORITY OF VICTIMS ARE CHILDREN WHO END UP IN SITUATIONS OF FORCED LABOUR IN AGRICULTURE, MINING, FISHING, CONSTRUCTION WORK ”

### Notable aspects of the problem

Côte d'Ivoire's primary export is cocoa, providing 40 per cent of the world's cocoa, making it the world's leading supplier. It was discovered in 2000 that many children were being subjected to the worst forms of child labour in this sector, forced to work in hazardous conditions.<sup>241</sup> A government report from 2010 estimated that over 30,000 children were in conditions of forced labour in rural areas. Apart from cocoa, children are employed in the production of grains, vegetables, coffee, fruit, cotton, palm, rice and rubber.<sup>242</sup> This estimate, however, does not take into account the larger number of children working on their families' farms under conditions which can be akin to the worst forms of child labour.<sup>243</sup> An estimated 600,000 to 800,000 children are working on small family-owned farms in Côte d'Ivoire.<sup>244</sup>

Political instability in Côte d'Ivoire, following the election of Laurent Gbagbo in 2010 caused civil conflict, from which unconfirmed reports emerged of children being used by the armed forces on both sides as guides, cooks and guards. Because of the conflict, external agencies that had been monitoring the use of child labour were unable to access the relevant areas and confirm these reports, or assess the scale of the problem.<sup>245</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Côte d'Ivoire has ratified a number of the key international treaties relevant to modern slavery but not the Slavery Convention itself, or the Domestic Work Convention.

The Government of Côte d'Ivoire has established special agencies to deal with the worst forms of child labour in the cocoa sector, and has developed hazardous child labour frameworks. In 2007, the Government issued a National Plan of Action with the aim to reduce child slavery by 50 percent over a three-year period – a goal that was not achieved. In 2012, a renewed national plan was launched targeting trafficking, exploitation and child labour. The renewed 2012-2014 National Action Plan, implemented through the Inter-Ministerial Committee and

<sup>235</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>236</sup> “2012 GDP SUS Data”, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>237</sup> “2012 GDP per capita SUS Data”, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>238</sup> “Migration and Remittances Data, Inflows”, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>239</sup> “US Trafficking in Persons Report 2012”, Côte d'Ivoire Country Narrative, pp. 130-132, *US Department of State*: <http://www.state.gov/documents/organization/192594.pdf>

<sup>240</sup> Ibid.

<sup>241</sup> “Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana” (2011) *Payson Centre for International Development and Technology Transfer*, Tulane University: <http://www.childlabor-payson.org/>

<sup>242</sup> “2011 Findings on the Worst Forms of Child Labor”, *US Department of Labor's Bureau of International Labor Affairs*: <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>

<sup>243</sup> Information from field based sources.

<sup>244</sup> “Ending Child Trafficking in West Africa – Lessons from the Ivorian cocoa sector” (December 2010), Paul Robson, *Anti-Slavery International*: [http://www.antislavery.org/includes/documents/cm\\_docs/2011/c/cocoa\\_report\\_for\\_website.pdf](http://www.antislavery.org/includes/documents/cm_docs/2011/c/cocoa_report_for_website.pdf)

<sup>245</sup> Ibid.

the National Oversight Committee for Actions against Child Trafficking, Exploitation and Labour, aims to significantly reduce the worst forms of child labour by 2014. This renewed effort, headed by the First Lady of Côte d'Ivoire, incorporating government agencies, NGOs and the private sector as key actors in the sector, shows stronger ambition and commitment than has been demonstrated before.<sup>246</sup>

Child and forced labour are addressed in Côte d'Ivoire's Constitution. In Article 3 of the Constitution, slavery, forced labour, inhumane and cruel, degrading and humiliating treatment, physical or mental torture, physical violence and mutilation and all forms of debasement of the human being are prohibited. In 2010, Law No. 2010-272 was passed to make the trafficking of children and the worst forms of child labour illegal with the aim to "identify, prevent, and suppress trafficking and hazardous child labour as well as to support victims."<sup>247</sup>

CÔTE D'IVOIRE	Ratified
Slavery Convention	No
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

In terms of policy coordination, there is a Joint Ministerial Committee on the Fight against Trafficking, Exploitation, and Child Labor<sup>248</sup> and also a National Monitoring Committee on Actions to Fight Trafficking, Exploitation, and Child Labor,<sup>249</sup> created to assess and monitor the actions of the Government in the fight against the trafficking, exploitation and child labour. Under the auspices of the First Lady of Côte d'Ivoire, this latter committee is made up of international and non-governmental organisations working in child protection.

Côte d'Ivoire has established a specialist anti-trafficking law enforcement unit, overseen by a police chief and staffed by four police officers and two social workers. This unit investigates cases of child trafficking. New monitoring brigades established as part of the new National Monitoring Committee for Actions to Fight against Trafficking, Exploitation and Child Labor in 2011 also are responsible with investigating trafficking.<sup>250</sup>

There are no government-operated shelters for victims of trafficking, but local NGOs operate two 'multipurpose shelters'.<sup>251</sup> The Government is planning to build shelters for child victims of trafficking, supporting this project with the equivalent of US\$ 206,000.<sup>252</sup>

Distributors and consumers of Côte d'Ivoire's primary export – cocoa – have implemented various efforts in the cocoa industry. The Netherlands, which processes more than 20% of the world's cocoa beans,<sup>253</sup> signed a Letter of Intent in 2010 committing that all cocoa consumed in the Dutch market would be 'guaranteed sustainable' – proscribing therein the worst forms of child labour – by the year 2025. This approach applies pressure on companies to engage product certifiers and to comply with product standards. If successful, this method will have a significant impact of the worst forms of child labour in Côte d'Ivoire and ought to be engaged by all other cocoa processing and distributing nations.

In 2000, a bilateral accord was signed with Mali aiming to prevent child trafficking between the two countries.<sup>254</sup>

### Notable aspects of the response

Since the emergence of reports of child slavery in the cocoa sector, the Ivorian Government has placed a high level of importance on the issue. The 2001 Harkin-Engel Protocol, a public-private agreement that worked

<sup>246</sup> "2011 Findings on the Worst Forms of Child Labor", *US Department of Labor's Bureau of International Labor Affairs*: <http://www.dol.gov/ilab/programs/ocft/2011TDA.pdf>  
<sup>247</sup> "Law No. 2010-272, Prohibiting Trafficking and the Worst Forms of Child Labor," (30 September 2010), Ministry of State & Ministry of Employment, Social Affairs and Solidarity, Republic of Côte d'Ivoire, *International Labour Organisation*, p6: [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_classification=04&p\\_origin=SUBJECT&p\\_country=CIV&p\\_country\\_all\\_any=ALL&p\\_keyword\\_all\\_any=ALL&p\\_start=1](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_classification=04&p_origin=SUBJECT&p_country=CIV&p_country_all_any=ALL&p_keyword_all_any=ALL&p_start=1)

<sup>248</sup> Created by the decree N°2011-365 of 03 November 2011. Led by the Ministry of Labor, bringing together representatives from 13 Ministries, including the Ministry of Justice; the Ministry of Interior; the Ministry of Education; the Ministry of Family, Women and Children; and the Ministry of Agriculture. Cited in "Côte d'Ivoire Country Analysis" (2011) *United Department of State Country Overview*: <http://www.dol.gov/ilab/programs/ocft/2011TDA/CotedIvoire.pdf>

<sup>249</sup> Created by the decree N°2011-366 of 03 November 2011. See African Commission on Human and Peoples' Rights (2011): [http://www.achpr.org/files/sessions/52nd/state-reports/1-1994-2012/rapport\\_initial\\_et\\_cumul\\_rapport\\_priedique\\_1994\\_2012.pdf](http://www.achpr.org/files/sessions/52nd/state-reports/1-1994-2012/rapport_initial_et_cumul_rapport_priedique_1994_2012.pdf)

<sup>250</sup> "Côte d'Ivoire Country Analysis" (2011), *United Department of State Country Overview*: <http://www.dol.gov/ilab/programs/ocft/2011TDA/CotedIvoire.pdf>

<sup>251</sup> Information from field based sources.

<sup>252</sup> "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana" (2011) *Payson Centre for International Development and Technology Transfer*, Tulane University: <http://www.childlabor-payson.org/>

<sup>253</sup> Ibid.

<sup>254</sup> Ibid.

towards the goal of producing cocoa in accordance with the ILO Convention 182 concerning the Worst Forms of Child Labour, has had a significant impact in Côte d'Ivoire. The International Cocoa Initiative was established in 2002, and has since implemented initiatives to regulate the production of cocoa. In 2010 a Declaration of Joint Action Support Implementation of the Harkin-Engel Protocol and a Framework of Action to Support Implementation of the Harkin-Engel Protocol were signed by the Ivorian Government and representatives of the international cocoa industry, renewing their commitment to the goals of the Protocol, and engaging other stakeholders in the industry to eradicate the worst forms of child labour, aiming to reduce it by 70% by the year 2020.<sup>255</sup>

“ IVORIAN GOVERNMENT HAS PLACED A HIGH LEVEL OF IMPORTANCE ON CHILD SLAVERY ”

In 2007 the Government formed the Child Labour Monitoring System (SSTE), which is in charge of implementing certification mechanisms in line with the Protocol. However it is not fully functioning and does not have a wide geographical coverage.<sup>256</sup>

In 2010, the Service Autonome de Lutte Contre le Travail des Enfants (Directorate for the Fight Against Child Labour) was created with the primary aim to develop, monitor and implement the national policies concerning the fight against the worst forms of child labour.<sup>257</sup>

### 3. WHAT NEEDS TO HAPPEN?

Côte d'Ivoire should:

- Carry out household surveys in different regions of the country to assess the scale and nature of modern slavery and the need for services.
- Investigate the conditions wherein children work, placing a special focus on hazardous work in all sectors of employment.
- Continue to prioritise issues of modern slavery, and increase efforts to strengthen the rule of law.
- Create new partnerships and legal mechanisms in collaboration with companies in the cocoa market to commit to a policy of full disclosure regarding the sourcing of their product, similar to the mechanism implemented for the sourcing of minerals under the U.S. Conflict Mineral Law. Such an initiative would require cooperation from governments around the world.
- Working alongside the Ivorian Government, the cocoa industry should contribute greater financial support to mechanisms like the International Cocoa Initiative and country level child labour units, in order to ensure that the targets of the Harkin-Engel Protocol are met.
- Increase victim support programmes, to properly care for children who have been involved in the worst forms of child labour, and reintegrate them into education and society.
- Increase efforts in investigating other forms of modern slavery, and the trafficking patterns of the area, which are unrelated to child labour.

<sup>255</sup> Ibid.

<sup>256</sup> Information from field based sources.

<sup>257</sup> “Law No. 2010-272, Prohibiting Trafficking and the Worst Forms of Child Labor,” (30 September 2010), Ministry of State & Ministry of Employment, Social Affairs and Solidarity, Republic of Côte d'Ivoire, *International Labour Organisation*, p6: [http://www.ilo.org/dyn/natlex/natlex\\_browse.details?p\\_lang=en&p\\_classification=04&p\\_origin=SUBJECT&p\\_country=CIV&p\\_country\\_all\\_any=ALL&p\\_keyword\\_all\\_any=ALL&p\\_start=1](http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_classification=04&p_origin=SUBJECT&p_country=CIV&p_country_all_any=ALL&p_keyword_all_any=ALL&p_start=1)

# THE GAMBIA

ESTIMATED NUMBER ENSLAVED **13,000 – 15,000**  
POPULATION **1,791,225 (2012)<sup>258</sup>**  
GDP **\$917.3 MILLION (2012)<sup>259</sup>**  
GDP/CAPITA **\$512 (2012)<sup>260</sup>**  
US TIP REPORT RANKING **TIER 2 WATCH LIST (2013)**  
REMITTANCES AS A SHARE OF GDP **8% (2011)<sup>261</sup>**

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## 1. THE PROBLEM

Forced begging, child marriage, domestic servitude and forced prostitution, including child sex tourism, are The Gambia's most prevalent forms of modern slavery. Forced begging victims are primarily boys exploited by unscrupulous teachers in local madrassas,<sup>262</sup> but there are cases of madrasa teachers transporting boys to neighbouring nations to beg as well. Women, girls and boys are trafficked to The Gambia from Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau and Benin for commercial sexual exploitation. Gambian victims of modern slavery have been identified in the UK. Women and children are also trafficked within the Gambia for child marriage and domestic servitude.

### Notable aspects of the problem

Children are The Gambia's most vulnerable population, and the concept of child protection was only taken up decisively within the past decade. UNICEF estimates that there are more than 60,000 children in the Gambia that are vulnerable to modern slavery, including orphans and other street children. The Government has cracked down on forced street beggars, or *almudos*,<sup>263</sup> in the past 5 years, turning Gambian victims over to NGOs for care and deporting foreign victims—primarily Senegalese—to their home countries.

The Gambia's economy draws about one-fifth of its GDP from tourism, and the Government and private stockholders have invested heavily in expanding the tourism industry. The Government will need to plan carefully to expand tourism while addressing the risk of abuse and commercial sexual exploitation of children.

Due to unfavourable weather patterns over the past two years, both tourism and agriculture have suffered, adversely affecting the Gambian economy. Increases in forced and child marriage are often linked to decreases in economic stability,<sup>264</sup> and child marriage is traditional to Gambian culture, especially in rural areas. According to UNICEF, 48% of Gambian girls marry before the age of 18.<sup>265</sup>

“CHILD MARRIAGE IS TRADITIONAL TO GAMBIAN CULTURE, ESPECIALLY IN RURAL AREAS”

Under national law, children under the age of 18 are not permitted to marry.<sup>266</sup>

This however, operates subject to Sharia law (which 90% of the population practice<sup>267</sup>) which states that children are permitted to marry on physical maturity, which is often before the age of 18.

In addition to child marriage, it is common practice for children to be sent to live with a relative with access to more opportunities for social mobility. It is understood that these children will assist with household chores in return for room, board and opportunities, but they are often forced into domestic servitude or other forms of sex or labour exploitation.<sup>268</sup>

<sup>258</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>259</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>260</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>261</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>262</sup> Religious school for the study of Islam.

<sup>263</sup> Term for street children in The Gambia.

<sup>264</sup> “Three Things to Know About Child Marriage” (21 May 2013), Rachel Vogelstein, *Council on Foreign Relations Development Channel*: [blogs.cfr.org/development-channel/2013/05/21/guest-post-three-things-to-know-about-child-marriage/](http://blogs.cfr.org/development-channel/2013/05/21/guest-post-three-things-to-know-about-child-marriage/)

<sup>265</sup> “Gambia – The Children – Adolescence”, *UNICEF*: [http://www.unicef.org/gambia/children\\_1266.html](http://www.unicef.org/gambia/children_1266.html)

<sup>266</sup> “Harmonisation of Children's Laws in Gambia” (n.d.), p3, *The African Child Policy Forum*: <http://acerwc.org/wp-content/uploads/2012/05/English-ACERWC-Gambia-Harmonisation-of-Laws-on-Children.pdf>

<sup>267</sup> “The World Factbook: Religions” (2013), *Central Intelligence Agency*: <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html>

<sup>268</sup> “Convention on the Rights of the Child Periodic Report” (2009), *United Nations Committee on the Rights of the Child*: [http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-50-2\\_en.pdf](http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-50-2_en.pdf)

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

The Gambia has ratified several key treaties relevant to modern slavery but not the Slavery Convention or its Supplementary Slavery Abolition Convention, or the Domestic Work Convention.

The Gambia has national laws that criminalise modern slavery: the Tourism Offences Act (2003) prohibits

THE GAMBIA	Ratified
Slavery Convention	No
Supplementary Slavery Convention	No
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

child sex trafficking and provides that it is punishable by 10 years in prison; the Children’s Act (2005) criminalises child trafficking with a penalty of life imprisonment; the Trafficking in Persons Act (2007) prohibits all forms of human trafficking<sup>269</sup> and carries a sentence of 50 years to life in prison.

The Gambia has not allocated any budget to this issue. However, The Gambia’s Ministry of

Social Welfare received US\$11,500 from the US Department of Labour for the purpose of running a national hotline and a shelter. There is also a mixed-needs drop-in centre for street children and other vulnerable children involved in forced begging and other exploitation called the Shelter for Children and the Elderly.

In 2011, the Ministry of Justice established the National Agency Against Trafficking in Persons (NAATIP or TIP Task Force) as its national coordination unit, which operates with a budget of US\$40,000 (with all funds from external sources) and is charged with developing a trafficking database to compile trafficking data from across all government agencies.<sup>270</sup> The Task Force has 14 members who are appointed by the President and their function and responsibilities are laid down in the Trafficking in Persons Act. According to Article 4

of this Act, the ex officio members will be joined by four other persons’ from the private sector, two of whom shall be selected from the non-governmental organisations with keen interest in the prevention and suppression of trafficking, especially in women and children’.<sup>271</sup> Despite the Task Force itself receiving financial support, no fund for victims has been established and there is no funding for repatriation of shelters or support and no training has been undertaken.

“ LITTLE PROGRESS HAS BEEN MADE IN PREVENTION CAMPAIGNS, VICTIM IDENTIFICATION AND PROTECTION AND IN PROSECUTING OFFENDERS ”

The Gambia does not currently have a national referral mechanism to connect victims with services and support. Government agencies that are involved in enforcing anti-trafficking laws include the Tourism Security Unit, the Child Protection Unit, and the Department of Justice, which serves as the Executive Secretariat for the Anti-Trafficking National Task Force. The Department of Justice has also stipulated that all law enforcement agencies have units dedicated to either anti-trafficking or child protection.

“ HOTLINE STAFF ARE NOT TRAINED AND ARE NOT AVAILABLE 24 HOURS A DAY, OR 7 DAYS A WEEK ”

Although The Gambia has passed adequate legislation, received funds and launched a dedicated anti-slavery agency, little progress has been made in prevention campaigns, victim identification and protection, and in prosecuting offenders. There is a gap between the institutional framework and implementation of interventions. The hotline staff are

not trained and are not available 24 hours a day, or 7 days a week. The Ministry of Social Welfare funds are not currently being used for direct services for victims; the shelter and drop in centre do not have adequate resources, so trafficking victims and other vulnerable groups rarely use them. In 2011, there was a court

<sup>269</sup> The Gambia defines trafficking in persons as “(a) the recruitment of, provision of, transportation of, transfer of, harbouring of, receipt of, or trading in, persons; (b) the use of threat, force or other forms of coercion, abduction, kidnapping, fraud, deception, the abuse of power, or a position of vulnerability; or (c) the giving or receipt of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation within or across national borders.” It further defines trafficking as “(a) placement for sale, bonded placement, temporary placement, placement for service, where exploitation by another person is a motivating factor; and (b) transportation of another person within or across an international border for the purpose of exploiting that persons’ prostitution.” Exploitation is defined as “(a) keeping a person in a state of slavery; (b) subjecting a person to practices similar to slavery; (c) compelling or causing a person to provide forced labour or services; (d) keeping a person in a state of servitude, including sexual servitude; (e) the prostitution of a person; (f) illicit removal of human organs; (g) exploitation during armed conflicts.” Gambian law also prohibits “the use of victims of trafficking,” but does not specify whether it is known use or not that is outlawed.

<sup>270</sup> Information from field based sources.

<sup>271</sup> The TIP Task Force includes representatives from the Ministries of Justice (NAATIP), of Foreign Affairs, and of Basic and Secondary Education, the Department of Social Welfare, Gambia Immigration Department, ChildFund/The Gambia (PROTECT Project), Department of Labour, Child Welfare Unit (Police Headquarters), Interpol (Police Headquarters), Child Protection Alliance, Gambia Police Force (Police Headquarters), Center for Street Children and Child Trafficking Studies, and UNICEF. When UNICEF does not attend representatives of the Gambia Armed Forces and the Child & Environment Development Association: Gambia (CEDAG) fill those seats.

case on trafficking but it was dropped. In 2012, there was only one prosecution for trafficking. Despite the punishments provided under the law, the culprit was ordered to pay a nominal fine and he and his victims were repatriated.<sup>272</sup>

### Notable aspects of the response

The Gambia was placed on the Tier 2 Watch List for the third year in a row by the US 2013 TIP Report, and has responded by re-committing itself to addressing the issue. The Gambia's Trafficking in Persons Act does not stipulate the inclusion of social partners in NAATIP activities, nor does it officially name particular civil society partners. However, The Gambia is taking some measures to address the issue of human trafficking within its borders. On 10 April 2013, the National Assembly ratified an agreement between the Ministries of Interior of The Gambia and Taiwan, on

“ THE GAMBIA WAS PLACED ON THE TIER 2 WATCH LIST FOR THE THIRD YEAR IN A ROW ”

‘Co-operation on Immigration Affairs and Human Trafficking Prevention’.<sup>273</sup>

The Government is also receiving assistance from relevant NGOs, such as the Child Protection Alliance (CPA) and UNICEF, on how to move forward. In April 2013, the CPA staged a training course in collaboration with ECPAT Netherlands and The Gambia Tourism Board to prepare the country's Tourism Security Unit to protect children from abuse during the high season.<sup>274</sup> In February 2013, the CPA trained law enforcement officers on methods for protecting child victims and prosecuting their traffickers.<sup>275</sup> The CPA also established five Adolescent Neighborhood Watch Groups in the tourism development area and trained them on sexual abuse and child protection. The Gambia is working with UNICEF and the CPA to advise local parent-teacher associations on the importance of gender parity in education as a means for reducing child marriage. Currently, there are 87 girls for every 100 boys in Gambian schools.

In 2008, the Economic Community of West African States (ECOWAS) developed a Regional Plan of Action against trafficking for West Africa as well as a Multilateral Cooperation Agreement with Central African countries. As a result, 12 of the 16 States in the region have passed national laws that recognise human trafficking as a crime, prescribe penalties, protect victims and establish bodies to fight the phenomenon. ECOWAS requires that all member states adopt a National Plan of Action against Human Trafficking (NPA); accordingly, The Gambia's NPA for 2012-2016 has been adopted.

Aside from training sessions, the CPA is assisting the Government on other aspects of counter-slavery. The CPA identifies and grooms child and youth leaders to voice concerns about their vulnerabilities and to assist in developing solutions. The CPA also hosts community discussions on child sexual abuse, forced begging and domestic servitude in order to educate children about their rights and the resources available to them.

ChildFund International and the group of public and private sector stakeholders involved with the TIP Task Force are working together on a two-year initiative called the PROTECT Project,<sup>276</sup> funded by the US State Department. PROTECT seeks to develop a viable national child protection system that is focused on limiting child trafficking, including forced begging, forced marriage and child sexual abuse. To date, PROTECT has trained more than 320 local stakeholders on identifying, preventing and responding to child trafficking situations. PROTECT'S approach to prevention focuses on raising awareness about children's rights and cultural practices that can be at odds with those rights. It also trains community members to identify and interrupt violations of children's rights, such as situations of forced begging, forced marriage, commercial sexual exploitation of children and domestic servitude.

<sup>272</sup> “US Trafficking in Persons Report 2012”, Gambia Country Narrative, pp. 162-164, US Department of State: <http://www.state.gov/documents/organization/192595.pdf>

<sup>273</sup> “Gambia: Agreement on Immigration Affairs, Human Trafficking Agreement Ratified” Faal & Ceesay, (12 April 2013), *The Daily Observer*: <http://allafrica.com/stories/201304150875.html>

<sup>274</sup> “CPA, stakeholders warm up for campaign against child sex tourism.” Camara, A, ( January 29 2013), *The Daily Observer*: <http://observer.gm/africa/gambia/article/cpa-stakeholders-warm-up-for-campaign-against-child-sex-tourism>

<sup>275</sup> “Gambia: Child Protection Alliance train prosecutors on legal issues.” Camara, S, (March 1 2013), *FOROYAA*: <http://allafrica.com/stories/201303040859.html>

<sup>276</sup> Press Release – Attorney General's Chambers, 8 August 2012, Banjul, Ministry of Justice

### 3. WHAT NEEDS TO HAPPEN?

The Gambia should:

- Implement the provisions of the 2012-2016 National Plan of Action and report publicly on that implementation.
- Build capacity around child protection among all stakeholders, including law enforcement, teachers, communities, social services providers, and private businesses.
- Continue establishing counter-trafficking agreements with neighbouring nations and trade partners on safe migration and human trafficking in order to standardise protocols for identification and protection of victims and the identification and prosecution of perpetrators.
- Train law enforcement to identify victims of modern slavery.
- Build the capacity of law enforcement for investigating and prosecuting modern slavery cases.
- Establish protocols for victims to access medical and psychological treatment, housing, law enforcement, immigration, financial, education, safe repatriation, protective detail, a reflection period, and other protections from further harm.
- Focus more resources on awareness raising and training both the general public and service providers, not only on the risks of modern slavery but the obligations and opportunities for being part of child protection.



# GABON

ESTIMATED NUMBER ENSLAVED **13,000 – 14,000**  
 POPULATION **1,632,572 (2012)**<sup>277</sup>  
 GDP **\$18.66 BILLION (2012)**<sup>278</sup>  
 GDP/CAPITA **\$11,430 (2012)**<sup>279</sup>  
 US TIP REPORT RANKING **TIER 2 (2013)**  
 REMITTANCES AS A SHARE OF GDP **NOT AVAILABLE (2011)**<sup>280</sup>

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## 1. THE PROBLEM

Gabon is considered a destination and transit country for victims of modern slavery originating from other parts of West and Central Africa. Regionally, Gabon has a relatively stable economy and infrastructure, which attracts young people from surrounding areas looking for educational and economic opportunities. Girls and boys under 18 years of age, mostly from Mali, Benin and Togo, are trafficked into and within Gabon. In some cases, young people have crossed the border voluntarily, but end up being forced into modern slavery. There have also been some reports of internal trafficking of girls within Gabon. Girls are primarily trafficked into domestic servitude or sexual exploitation, and boys are trafficked for manual labour and other forms of work in the informal sector. Forced and child marriages are also common in the region, and girls might also be forced to work in restaurants or in market stalls. Other forms of forced labour include street vending and work in small workshops, agriculture, animal husbandry, fishing, and mining.<sup>281</sup> Adult women, mostly from other countries in West Africa, are trafficked to the Gabon for domestic servitude or commercial sexual exploitation.

### Notable aspects of the problem

In a common practice in the West African region, a large number of young girls are entrusted as domestic workers to relatives or wealthy families. This practice is often a form of modern slavery as children are bought and sold without their consent, and forced to work for no pay. Gabon, being a wealthier state than its neighbouring countries, is largely a destination country for victims of this traditional practice.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Gabon has ratified a number of treaties relevant to modern slavery with the exception of the Slavery Convention and the Supplementary Slavery Convention. It has also signed the Economic Community of West African States' (ECOWAS) Abuja Agreement, the multilateral cooperation agreement to combat trafficking in persons, especially women and children in West and Central Africa. Gabon has not ratified the Domestic Work Convention.

GABON	Ratified
Slavery Convention	No
Supplementary Slavery Convention	No
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

Gabon has laws that criminalise the trafficking, forced prostitution and forced labour of children under the age of 18. It defines trafficking as “all forms of forced displacement, bargaining, exchange of children through sale, trade and servitude of children for debts (debt-bondage). It also includes the recruitment, offer and placement of children for the purpose of domestic work or to make profit within for the family, whether for payment or not.” However, there is no specific law on modern slavery or trafficking of men and women. The law criminalises the trafficking of persons under the age of 18 for both labour and sexual exploitation and prescribes penalties of five to 15 years’ imprisonment.<sup>282</sup> Article 4 of the Gabonese Labour Code (Act No. 3/94)

<sup>277</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>278</sup> 2012 GDP SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>279</sup> 2012 GDP per capita SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>280</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>281</sup> “Gabon: UN expert urges action to tackle trafficking of children from West and Central Africa” (23 May 2012) *Office of the High Commissioner for Human Rights*: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12187&LangID=E>

<sup>282</sup> Law No.09/2004 on the Prevention and Fight against Trafficking in Children

criminalises all forms of forced labour, ensuring that ‘all workers (including disabled persons) are equal before the law and enjoy the same protection and guarantees’,<sup>283</sup> with a sentence of one to six months imprisonment, a penalty which is not sufficiently stringent for the serious level of the crime. Despite the laws in place, no case of human trafficking has been brought before the courts, with criminals benefiting from a high level of impunity.

“ THERE IS NO SPECIFIC LAW ON SLAVERY OR TRAFFICKING OF ADULT MEN AND WOMEN ”

Gabon does not have a government mechanism in charge of coordinating the national response against modern slavery. It has the Inter-Ministerial Committee for the Fight against Child Exploitation, which is composed of the Ministry of Justice, the Ministry of Human Rights, the Ministry of Health and Social Affairs, and the Ministry of Labour. The committee is in charge of cooperation between different organisations, communicating with the Government and ensuring the identification and proper care of victims of child exploitation. It has been reported, however, that this committee is inadequately funded and unable to fully carry out its responsibilities.

Though the Government provides some accommodation to some street children and identified child victims of abuse, government shelters are insufficient, inadequately funded and poorly coordinated. There exists no procedure of follow-up or reintegration efforts to assist child victims after their release from the shelters. There are a few shelters specifically for trafficking victims.

“ GOVERNMENT SHELTERS ARE INSUFFICIENT, INADEQUATELY FUNDED AND POORLY COORDINATED ”

The inter-ministerial committee advertises a telephone hotline for child victim, but this service is not free. In coordination with UNICEF, the Government implemented a door-to-door awareness raising campaign to sensitise the public to signs of modern slavery in Gabon’s capital of Libreville.

Some training programmes have been delivered to police, labour inspectors and social workers through the Government and UNICEF,<sup>284</sup> but this initiative reached approximately 80 people, too few to have a serious impact on implementation.

### Notable aspects of the response

Through collaboration with the NGO community, the Government has established a National Action Plan on Child Labour and Trafficking. This plan focuses on ‘building government capacity to enforce laws against trafficking and encouraging civil society to participate in local vigilance committees (LVCs).’<sup>285</sup> LVCs were established in 2001 in an agreement between nine West African nations<sup>286</sup> through an International Programme on the Elimination of Child Labour (IPEC) Project entitled “Combating the trafficking in children for labour exploitation in West and Central Africa.” The primary role of LVCs is “to mobilise the community to take action against trafficking, monitor the well-being of children and migrant behaviour, identify and intercept children at risk of becoming victims of trafficking and coordinate the offering of direct assistance services to children in need.”<sup>287</sup> In these nine nations, LVCs take the lead on prevention, identification, monitoring and repatriation. They accomplish this through community-based child monitoring, institutional presence, and public information events.

The Ministry of Economy has assigned inspectors to examine the implementation of child labour laws around the country. However most inspections are carried out in the capital city, as rural areas, with forested, rough terrain do not allow for easy access.<sup>288</sup> Some Local Vigilance Committees have been set up to monitor cases of child exploitation, trained by the Inter-Ministerial Committee, but no statistics have been released as a result, and their impact is unknown. A Council to Prevent and Combat the Trafficking of Children is in place, responsible for the identification and care of victims, but there has been no activity within this mechanism to date. The Government supports four centres in Libreville and Port Gentil that provide shelter, medical care,

<sup>283</sup> “Slavery in Domestic Legislation – Gabon”, Allain & Lynch, *Queen’s University Belfast*: <http://www.qub.ac.uk/slavery/?page=countries&category=3&country=62>

<sup>284</sup> “US Trafficking in Persons Report 2012”, Gabon Country Narrative, pp. 161-162, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>285</sup> “2011 Findings on the Worst Forms of Child Labor: Gabon”, *US Department of Labor*: <http://www.dol.gov/ilab/programs/ocft/2011TDA/Gabon.pdf>

<sup>286</sup> These nations include Benin, Burkina Faso, Cameroon, Ivory Coast, Gabon, Ghana, Mali, Nigeria and Togo.

<sup>287</sup> “Going the distance to stop child trafficking: Local vigilance committees” (1 May 2010), *International Labour Organization*: [http://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_15435/lang--en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_15435/lang--en/index.htm)

<sup>288</sup> Ibid.

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education and psychosocial services to vulnerable children, some of whom are child trafficking victims.

Education is free in Gabon and compulsory until the age of 16, but it has been found that the cost of books and reports of physical and sexual abuse in schools has led many children to drop out of school, leaving them vulnerable to abuse including modern slavery.

### **3. WHAT NEEDS TO HAPPEN?**

Gabon should:

- Work with donors to ensure that key elements of the criminal justice response to this issue are markedly improved, across investigations, prosecutions and adjudications. This needs to include at a minimum:
  - ▶ Ensure that Gabon’s criminal code prohibits all forms of modern slavery; notably, that the definition is expanded to include adult victims, victims of trafficking for sexual exploitation, and victims of trafficking for illicit organ removal;
  - ▶ Ensuring that the existing hotline becomes a free service;
  - ▶ Capacity building for law enforcement to identify victims of modern slavery, particularly adults; and
  - ▶ Capacity building of law enforcement to ensure they can effectively investigate modern slavery situations. This will need to include ensuring the appropriate mandate, funding and transparency mechanisms are in place.
- Focus on improving victim support, to ensure all victims (and not just child victims) receive protection and assistance.
- Prioritise the Inter-Ministerial Committee in the Government, ensuring a budget to allow for successful coordination across agencies, and ensuring proper delivery of programmes and public reporting on progress.
- Launch a national awareness campaign regarding child slavery.
- Carry out a national survey to build a greater picture of modern slavery.
- Ensure that labour inspections, including for child labour, are carried out in rural as well as urban areas.

# DENMARK

ESTIMATED NUMBER ENSLAVED	700 – 760
POPULATION	5,590,478 (2012) <sup>289</sup>
GDP	\$314.2 BILLION (2012) <sup>290</sup>
GDP/CAPITA	\$56,210 (2012) <sup>291</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	0% (2011) <sup>292</sup>

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## 1. THE PROBLEM

As a country with a high level of GDP, and relatively high levels of immigration, the forms of modern slavery that manifest in Denmark tend to involve exploitation of vulnerable migrants, whether in domestic work, the sex industry or the informal economy. Recent research has highlighted the high numbers of migrants, including a large stream from Eastern Europe, working in the cleaning industry, agriculture and nurseries and as au pairs.<sup>293</sup> The research concluded that while the vast majority of migrants benefit from the opportunity, there are indicators of forced labour in some instances.<sup>294</sup>

Until recently, the most visible form of modern slavery has involved women and children who have been trafficked to Denmark from Eastern Europe, West Africa and Asia for sexual exploitation. According to the Danish Centre for Human Trafficking, in 2007, NGOs offering services to victims of trafficking in Denmark had contact to 250 women who were described as potential victims of human trafficking. From October 2003 to August 2008, 150 women identified as victims of trafficking, have resided at women's shelters throughout Denmark. However, as the Government shifted increasing focus to exploitation outside of the sex industry, an increasing number of victims were identified in forced labour in other industries. Up until 2009 only one person had been identified as a victim of forced labour, but the number rose sharply with the increase in focus – with one new case being identified every month in 2012.<sup>295</sup>

### Notable aspects of the problem

Considered within a broader perspective, modern slavery is not just an issue within Denmark itself. As a leading industrialised nation, Danish businesses are involved in the provision of goods and services globally, resulting in their exposure to modern slavery in their supply chains and their operations in other countries. For example, NGO reports have drawn attention to a Danish company that sought to pro-actively notify their contractors that their employees are working under slave-like conditions, involving confiscation of passports, contracts that change on arrival, and inhumane living conditions.<sup>296</sup> However, the company involved received no response from the contractors, so has been unable to do more than cease to deal with those contractors.<sup>297</sup>

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Denmark has ratified a number of key conventions relevant to modern slavery, and also the COE Convention on Action against Trafficking in Human Beings. Denmark is also a member of the Council of the Baltic Sea States Task Force against Trafficking in Human Beings and participates in its regional anti-trafficking initiatives. Denmark has not ratified the Domestic Work Convention. Denmark has allocated 85 million DKK (approx. US\$15 million) toward eradicating modern slavery in the current National Action Plan

“ DENMARK HAS ALLOCATED 85 MILLION DKK (APPROX. US\$15 MILLION) TOWARD ERADICATING MODERN SLAVERY IN THE CURRENT NATIONAL ACTION PLAN 2011-2014 ”

<sup>289</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>290</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>291</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>292</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>293</sup> “Human Trafficking for Forced Labour in Denmark?”, 2012, *Anders Lisbourg*, p10: [http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced\\_labour\\_Denmark](http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced_labour_Denmark)

<sup>294</sup> “Human Trafficking for Forced Labour in Denmark?”, 2012, *Anders Lisbourg*, p18: [http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced\\_labour\\_Denmark](http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced_labour_Denmark)

<sup>295</sup> “Human Trafficking for Forced Labour in Denmark?”, 2012, *Anders Lisbourg*, p10: [http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced\\_labour\\_Denmark](http://ec.europa.eu/anti-trafficking/entity.action;jsessionid=0232R3jG1BHSp2BGrpNX01PxTspLljz2yZWx4LZpyZdh2nSSsrq!1207144150?path=Publications%2FForced_labour_Denmark)

<sup>296</sup> “Rambolls partners use slave labour”, 21 February 2011, <http://www.danwatch.dk/en/articles/ramboell-partners-use-slaves/6>

<sup>297</sup> “When words are not enough”, 18 January 2012, <http://www.danwatch.dk/en/articles/naar-ord-ikke-er-nok/240>

2011-2014. Denmark's institutional framework for addressing modern slavery includes an Inter-Ministerial Working Group, the Danish Centre against Human Trafficking, the Danish Immigration Service, national and regional referral groups, police training, and collaboration with NGOs.

Denmark first established the Inter-Ministerial Working Group at the same time that it criminalised trafficking in human beings in 2002. The Group serves as the coordinating mechanism for government responses and ensures the implementation of National Action Plan (NAP) elements. The Group is comprised

of representatives from the Department of Gender Equality and the Ministries of Justice, Immigration, Social Affairs, Foreign Affairs, Employment, Taxation, and Interior. The Group issues an annual report on Denmark's progress against the NAP, as well as quarterly reports on the progress of the Government's various programmes and interventions.

Denmark has, since 2007, had various National Action Plans to combat trafficking. While earlier plans focused exclusively on trafficking for sexual exploitation, the current action plan (2011-2014) refers to the need to extend the focus beyond sexual exploitation, to a focus on forced labour in the agriculture, construction and cleaning industries and in organised crime. To this end, the Danish Centre against Human Trafficking (CMM) has build new partnerships with actors in the labour market, including governmental authorities (regulating work and taxation) and trade unions. Two working groups on forced labour have been established, one with government authorities and one with trade unions, the purpose of which is to exchange knowledge on vulnerable sectors, information on methods of identifying victims, and agree on procedures for cooperation. The initiative has reportedly led to an increase in numbers of victims of forced labour identified.

Danish law prohibits trafficking for sexual exploitation and forced labour.<sup>298</sup> The National Centre of Investigation (NCI) within the Danish National Police is, together with the local police districts, responsible for criminal investigations regarding modern slavery. The NCI receives reports and collects data from the local police districts in all cases of human trafficking. It also prepares an annual report to the Danish Parliament including statistics on the number of criminal investigations, prosecutions and convictions. In 2008, a special anti-trafficking unit was established within the Copenhagen Police. However, the unit mainly handles cases that involve trafficking in women for sexual exploitation.<sup>299</sup>

In addition to the reporting that the Inter-Ministerial Working Group does to Parliament, Denmark participates in EUROSTAT data collection. According to the most recent Eurostat figures released in 2013, Denmark identified 53 victims of trafficking in 2010, 47 in 2009 and 28 in 2008.<sup>300</sup> There were 11 convictions for human trafficking 2010, 10 convictions in 2009 and 7 in 2008.<sup>301</sup>

The Director of Public Prosecutions has published guidelines concerning withdrawal of charges against victims of modern slavery, and identification of such victims. These guidelines were provided to the Police Commissioner and the Chief Prosecutor. They provide for the withdrawal of charges if it is certain that the suspect has been a victim of trafficking, that the alleged offence relates to trafficking and that the alleged offence cannot be characterised as a serious crime.<sup>302</sup>

In terms of victim support, Denmark provides shelter, medical and psychological services, a stipend and legal counsel, and a 30 day reflection period for victims of modern slavery to decide on next steps. Recent research suggests that this period is more a time where the victim must prepare for repatriation, rather than a period of reflection.<sup>303</sup>

DENMARK	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

<sup>298</sup> Section 262A of the Danish Criminal Code, <http://ec.europa.eu/anti-trafficking/NIP/Denmark#A2>

<sup>299</sup> "Together Against Trafficking in Human Beings" (2013), *European Commission*: <http://ec.europa.eu/anti-trafficking/NIP/Denmark#A3>

<sup>300</sup> "Trafficking in Human Beings", (2013), p31, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>301</sup> "Trafficking in Human Beings", (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>302</sup> Information from field based sources.

<sup>303</sup> "Balancing protection and prosecution in anti-trafficking policies" *Anette Brunovskis*, Fafo, p30, A comparative analysis of reflection periods and related temporary residence permits for victims of trafficking in the Nordic countries, Belgium and Italy, Nordon: <http://ec.europa.eu/anti-trafficking/download.action?nodePath=/Publications/Balancing+protection+and+prosecution+in+anti-trafficking+policies.pdf&fileName=Balancing+protection+and+prosecution+in+anti-trafficking+policies.pdf>

Denmark has partnered with the International Organization for Migration (IOM) to facilitate safe return and rehabilitation in victims' home countries. Since 2008, IOM had assisted 44 victims of trafficking to return under the project: with Thailand (11), Nigeria (7) and Romania (5) reflecting the largest geographic groupings. Following concerns raised in a 2010 evaluation of the Government's National Action Plan about victim's unwillingness to access repatriation assistance, an evaluation of this programme was conducted.<sup>304</sup> The reflection period has been extended from 3 to 6 months under this project, and the IOM offers a subsistence allowance, reintegration assistance such as income generation, and optional medical assistance. As a result of the evaluation, it is reported that some elements of the assistance level have been adjusted in order to enhance sustainability.<sup>305</sup>

### Notable aspects of the response

Denmark has undertaken an evaluation of the effectiveness of its previous National Action Plan.<sup>306</sup> While the evaluation methodology and depth is not clear from the evaluation report itself, the fact that an evaluation was undertaken at all, and its results made public is a positive step. It is not clear if the evaluation involved interviews with users of the services themselves, namely victims of modern slavery.

The evaluation noted the critical role that the Danish Centre against Human Trafficking (CMM) played in improvements to Denmark's response to human trafficking. The evaluators noted that "it is difficult to see how the protection activities would have achieved the same level of success without CMM's contribution."<sup>307</sup> The CMM was established in 2007 to coordinate victim services, liaise between relevant governmental and nongovernmental actors, and collect data. The CMM collaborates with the National Centre of Investigation to monitor and evaluate anti-trafficking programmes and interventions. The CMM has established a national hotline, as well as a drop-in centre in Copenhagen to serve migrant sex workers. Part of the CMM's new focus will be to train government employees from a spectrum of ministries and departments on recognising, identifying and reporting instances of modern slavery outside of the sex industry.

The Danish Financial Statements Act requires large and public companies to practice integrated reporting. In other words, they must say if they undertake any corporate social responsibility activity, and if they do, they must provide details of their policies, their implementation and results. Public companies are more inclined to report on corporate responsibility anyway, in order to show their investors how they avoid and address current and future threats. However, the law resulted in an increase in the number of businesses reporting on their corporate responsibility policies (from 69% in 2009 to 95% in 2010), actions (from 60% in 2009 to 89% in 2010) and results (from 37% in 2009 to 65% in 2010).<sup>308</sup>

## 3. WHAT NEEDS TO HAPPEN?

Denmark should:

- Focus on building up capacity for investigating modern slavery outside of the sex industry in Denmark.
- Ensure the reflection and recovery period is used for that purpose, not simply as a preparation for repatriation.
- Repeat the evaluation of the National Action Plan, paying particular attention to the voices of survivors of modern slavery who have been 'end-users' or clients of the national response.
- Focus on how Danish companies can play a leading role in eradicating modern slavery from supply chains, and in their global corporate operations.

<sup>304</sup> "Information, Assisted Voluntary Return and Victim Assistance for Vulnerable Migrants from Denmark", (2011), *International Organisation for Migration*: [http://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/Annual\\_Report\\_2011\\_Counter\\_Trafficking.pdf](http://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/Annual_Report_2011_Counter_Trafficking.pdf)

<sup>305</sup> Information from field based sources.

<sup>306</sup> "Evaluation of the Danish Action Plan for Combatting of Trafficking in Human Beings", 2007-2010, *Department for Gender Equality*: [http://ec.europa.eu/anti-trafficking/download.action?nodePath=/National+Info+Pages/Denmark/6.+RESOURCES/6.3+Reports/6.3.1+National+reports+on+implementation/Summary+of+evaluation+of+Action+Plan+2007-2010\\_en.pdf&fileName=Summary+of+evaluation+of+Action+Plan+2007-2010\\_en.pdf&fileType=pdf](http://ec.europa.eu/anti-trafficking/download.action?nodePath=/National+Info+Pages/Denmark/6.+RESOURCES/6.3+Reports/6.3.1+National+reports+on+implementation/Summary+of+evaluation+of+Action+Plan+2007-2010_en.pdf&fileName=Summary+of+evaluation+of+Action+Plan+2007-2010_en.pdf&fileType=pdf)

<sup>307</sup> Ibid.

<sup>308</sup> Sustainable fashion design: learning from Denmark's example (2013) *Guardian Sustainable Business Blog*: <http://www.theguardian.com/sustainable-business/blog/sustainable-fashion-design-denmark>

# FINLAND

ESTIMATED NUMBER ENSLAVED	670 – 740
POPULATION	5,414,293 (2012) <sup>309</sup>
GDP	\$250.0 BILLION (2012) <sup>310</sup>
GDP/CAPITA	\$46,179 (2012) <sup>311</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	0% (2011) <sup>312</sup>

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## 1. THE PROBLEM

Known cases of modern slavery in Finland have primarily involved the exploitation of vulnerable migrants, including children. In her 2012 report, the Finnish National Rapporteur on Trafficking in Human Beings provides two recent case studies: one involving a Vietnamese woman who was promised work in Finland, who borrowed heavily to make the trip, and was then subjected to unpaid, forced labour for more than fifty hours each week in a nail salon, including three days after giving birth. The other case study involves a 16 year old Romanian girl, who came to Finland with her boyfriend having discussed the idea of making money through selling sex but ultimately was forced to provide sexual services to pay off his debt, through threat of violence.<sup>313</sup> The Rapporteur notes that the majority of victims of modern slavery involving sexual exploitation were from asylum seeker backgrounds.<sup>314</sup>

“ THE CLEAR MAJORITY OF IDENTIFIED VICTIMS HAVE BEEN NIGERIA, AND HAVE BEEN VICTIMISED NOT ONLY IN FINLAND BUT IN MEDITERRANEAN COUNTRIES ”

The existing statistics suggest most cases to date have involved forced labour, for example, in the restaurant or gardening business. However, in 2013, the majority of clients accepted by the Joutseno Reception Centre (that provides victim support services) have been victims of sexual exploitation. From 1 January to 30 June 2013 a total of 24 people, one of whom is a minor, have been accepted into the system of assistance. Reflecting statistics since 2006, the clear majority of identified victims have been Nigerian, and have been victimised not only in Finland but in Mediterranean countries.<sup>315</sup> The next largest group of victims are from Thailand and Vietnam, the majority of whom are usually victims of labour related exploitation.<sup>316</sup>

### Notable aspects of the problem

Although immigration to Finland has steadily risen since the late 1980s, a sharp inflow of migrants began in 2006.<sup>317</sup> Finland’s social welfare programmes and trade unions were built to serve a local population with low mobility, and hinge on residence; therefore, the surge in temporary labour migration, transient workers and the informal economy has flourished outside the parameters of Finland’s welfare infrastructure. These are optimal conditions for modern slavery to thrive. The Finnish Government and other institutions such as trade unions, have not yet fully developed means for adequately responding to its immigrant population’s vulnerabilities.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Finland has ratified a number of key treaties relevant to modern slavery, as well as the Council of Europe Convention against Trafficking in Human Beings. Finland has not ratified the Domestic Work Convention.

The budget allocation of Finland to modern slavery is not known. However, Finland is currently implementing its second National Action Plan (NAP) and has programming related to prosecution,

<sup>309</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>310</sup> 2012 GDP SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>311</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>312</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>313</sup> “The Finnish National Rapporteur on Trafficking in Human Beings, Report 2012, Publication 12”, Ombudsman for Minorities, pp.26-34, [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

<sup>314</sup> “The Finnish National Rapporteur on Trafficking in Human Beings, Report 2012, Publication 12”, Ombudsman for Minorities, p21, [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

<sup>315</sup> “Number of victims of sexual exploitation in the system of assistance for the victims of human trafficking has increased”, Press Release 23.07.2013, *Finnish Immigration Service*, [http://www.migri.fi/for\\_the\\_media/bulletins/press\\_releases/press\\_releases/1/0/number\\_of\\_victims\\_of\\_sexual\\_exploitation\\_in\\_the\\_system\\_of\\_assistance\\_for\\_the\\_victims\\_of\\_human\\_trafficking\\_has\\_increased](http://www.migri.fi/for_the_media/bulletins/press_releases/press_releases/1/0/number_of_victims_of_sexual_exploitation_in_the_system_of_assistance_for_the_victims_of_human_trafficking_has_increased)

<sup>316</sup> Ibid.

<sup>317</sup> “Finland’s Balancing Act: The Labor Market, Humanitarian Relief, and Immigrant Integration.” Tanner, A., (n.d.) *Migration Information Source*: <http://www.migrationinformation.org/feature/display.cfm?ID=825>

protection and prevention of modern slavery in all its forms. Following recommendations from a 2011 assessment of Finland’s anti-trafficking institutional framework, the Government is currently drafting a new law on anti-trafficking and a new NAP to go along with it. The inter-ministerial coordination committee, or Inter-Agency Steering Group, also has representatives from the Border Guard, the police, the National Bureau of Investigation, the Office of the Prosecutor General, and various NGOs.

Finland’s National Rapporteur on Trafficking in Human Beings is a function of the Office of the

Ombudsman for Minorities. The National Rapporteur monitors, evaluates and reports on the scope of modern slavery in Finland and issues statements, reports, proposals and recommendations on combating modern slavery and meeting the needs of victims. These publications provide important information on the progress of the Finnish Government against the NAPs, and the Government has been receptive to and proactive about implementing the Rapporteur’s recommendations.<sup>318</sup> The National Rapporteur also works directly with victims and ensures legal advice is provided when necessary, but does not coordinate the country’s response.

In addition to the accountability provided by the National Rapporteur function, Finland also participates in Eurostat data collection on human trafficking. According to the most recent Eurostat figures published in 2013, Finland identified 79 victims of trafficking in 2010, 64 in 2009 and 29 in 2008.<sup>319</sup> There were 0 convictions for human trafficking 2010, 0 convictions in 2009 and 5 in 2008.<sup>320</sup>

**“ THE GOVERNMENT HAS BEEN RECEPTIVE TO AND PROACTIVE ABOUT IMPLEMENTING THE RAPPOURTEUR’S RECOMMENDATIONS ”**

Finland has several national laws criminalising various aspects of modern slavery, including the Criminal Code, the Aliens Act and the Act on the Integration of Immigrants and Reception of Asylum Seekers.<sup>321</sup> Since 2004, each of these laws has been amended to address the issue of modern slavery. As there is no all-encompassing law regarding the various aspects of modern slavery, Finland’s Ministry of the Interior has undertaken The Law

Drafting Project, which seeks to develop one separate law on human trafficking, which will outlaw all forms of trafficking and regulate the victim assistance system. The Ministry of Justice is also working on revising the current anti-trafficking legislation in the Finnish Penal Code. The revisions aim to clarify the definition of trafficking in human beings by differentiating it from procuring and extortionate work discrimination.

While the sale of sexual services in Finland is not prohibited,<sup>322</sup> under immigration law, an individual from outside the EU can be deported from Finland if suspicion arises that he or she is selling sexual services. Deportation is usually combined with a year’s ban on entry – suggesting a heavy disincentive for migrants to interface with the authorities or even seek NGO support, and underscoring the importance of screening for indicators of modern slavery in immigration procedures. Women in sex work are often stigmatised, complicating efforts to identify trafficking victims exploited in the sex industry. This stigma also makes it difficult to meet the burden of proof for trafficking. Alleged traffickers are often convicted for lesser crimes, such as pandering. Finland has had more success identifying and prosecuting labour trafficking cases than cases of trafficking in a sex industry context<sup>323</sup> however, victims of commercial sexual exploitation have had more success in accessing direct services.

While the Parliament recommended establishing a specialist police unit, this was criticised by police for too

FINLAND	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

<sup>318</sup> “The Finnish National Rapporteur on Trafficking in Human Beings: Report 2012,” *Helsinki: Office of the Ombudsman for Minorities*. [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

<sup>319</sup> “Trafficking in Human Beings”, (2013), p31, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>320</sup> “Trafficking in Human Beings”, (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>321</sup> “Child Labour” (2013), *ILO Home*: <http://www.ilo.org/global/topics/child-labour/lang-en/index.htm>

<sup>322</sup> Pimping, procuring and organizing brothels is prohibited, purchasing sex from minors is prohibited. Selling sex in public places is also prohibited. The purchase of sexual services from a victim of human trafficking has been criminalised since October 2006. The Finnish Government is currently in a discussion about prohibiting the purchase of sexual services, but no legislative drafting is yet underway. The Swedish model is currently the primary model under consideration, but alternative models may also be considered.

<sup>323</sup> “US Trafficking in Persons Report 2013”, Finland Country Narrative, p169 , *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>



heavily centralising competence. Finnish police are working toward establishing an expert network in human trafficking and have published guidelines for all police to use in order to improve victim identification and response to their needs.<sup>324</sup>

Finland actively conducts trainings for police, border guards, prosecutors and judges on trafficking victim identification, interview methods, referral to direct services, rights and protections in order to address the issue of victim misidentifications, prosecutions and deportations. The Ministry of Social Affairs and Health has developed new guidelines for occupational safety and health inspectors, specific to non-Finnish workers, to assist in identifying trafficking victims and referring them to the system of victim assistance.<sup>325</sup>

Modern slavery-related prosecutions have both steadily increased over the past decade but victim support services are reportedly largely underutilised. Victims are often unaware of the rights and protections available to them, and law enforcement is only recently discovering how to identify, investigate and prosecute cases of modern slavery. A criminal justice outcome is not necessary for victims to receive support; suspicion of being a trafficking victim is enough to access assistance. Victim support services include immediate assistance, such as shelter, legal counsel, medical and psychological care, language interpretation, and physical protection. Long-term assistance is also provided under law in the form of a reflection period, the option to assist in prosecuting the trafficker, a residence permit, a stipend and/or job placement, and safe repatriation. Issues that are worthy of attention in relation to victim services include the appropriateness of mixed-needs shelters, the lack of clearance for NGO workers to assist law enforcement in victim identification and referrals, and lack of awareness among vulnerable groups about their rights and legal protections against exploitative work.

Finland's Joutseno Reception Center, which assists migrant workers, coordinates the multi-stakeholder group, and houses the expert group on trafficking and victim assistance. The expert group makes case assessments and referrals to service providers. This expert group comprises several stakeholders, including NGO representatives. Shelter is provided by NGOs and private accommodation services, but the shelters are often multi-needs populations rather than shelters that serve trafficking victims exclusively. Given the small number of victims of modern slavery identified in Finland, specialist shelters are not considered to be feasible. However, the numbers being identified are comparable to numbers identified in other countries that do have specialist shelters.

### Notable aspects of the response

The Finnish Government has focused largely on raising public awareness about human trafficking, both among the general public and among professionals who are likely to come into direct contact with trafficking victims. The National Rapporteur suggests that greater attention be paid to decreasing demand for trafficking victims.

Since 2010, the relationship between the National Rapporteur, Parliament and the ministries has been such that the ministries provide open access to all trafficking-related information, the National Rapporteur issues a report on the scope of trafficking in human beings containing recommendations for improvement, and Parliament takes measures over the next year to draft legislation in line with the recommendations. The National Rapporteur also issues an interim report on the progress of that legislation and related current cases. This system of communication and mutual monitoring has proven to be unique and effective.

Finland's progress against modern slavery has been hampered by the lack of a central national coordinator to orchestrate an integrated response to the problem. The National Rapporteur has noted that "integrated action against human trafficking is still insufficient, and the permanent allocation of coordination responsibility for integrated action (to a national coordinator) is yet to take place."<sup>326</sup>

“ FINLAND'S PROGRESS AGAINST MODERN SLAVERY HAS BEEN HAMPERED BY THE LACK OF A CENTRAL NATIONAL COORDINATOR TO ORCHESTRATE AN INTEGRATED RESPONSE TO THE PROBLEM. ”

<sup>324</sup> "The Finnish National Rapporteur on Trafficking in Human Beings: Report 2012," *Helsinki: Office of the Ombudsman for Minorities*, p12 [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

<sup>325</sup> "The Finnish National Rapporteur on Trafficking in Human Beings: Report 2012," *Helsinki: Office of the Ombudsman for Minorities*, p6 [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

<sup>326</sup> "The Finnish National Rapporteur on Trafficking in Human Beings: Report 2012," *Helsinki: Office of the Ombudsman for Minorities*, p5 [http://www.vahemmistovaltuutettu.fi/download/39494\\_SM\\_ihmiskauppa\\_uk\\_web.pdf](http://www.vahemmistovaltuutettu.fi/download/39494_SM_ihmiskauppa_uk_web.pdf)

### 3. WHAT NEEDS TO HAPPEN?

Finland should:

- Establish a central national coordinator on modern slavery.
- Ensure the expert network of police effectively results in a web of specialist police officers within the police department, working in collaboration with local NGOs and other interested ministries.
- Establish shelters that are specifically set up for victims of modern slavery, to minimise re-victimisation and to increase understanding of how to effectively meet victims' needs.
- Develop a more accessible means for providing housing, protection and other rehabilitation services to victims.
- Develop more stringent laws and standards for organisations that routinely hire vulnerable populations, such as document authentication, labour inspectors, and recruiter certification.
- Revise trade unions, tax brackets, and social security programmes that are currently focused on residence, so that they no longer contribute to transient and migrant workers' vulnerabilities to modern slavery.

# LUXEMBOURG

ESTIMATED NUMBER ENSLAVED < 100  
 POPULATION 531,441 (2012)<sup>327</sup>  
 GDP \$57.12 BILLION (2012)<sup>328</sup>  
 GDP/CAPITA \$107,476 (2012)<sup>329</sup>  
 US TIP REPORT RANKING TIER 1 (2013)  
 REMITTANCES AS A SHARE OF GDP 3% (2011)<sup>330</sup>

INDEX RANK  
**150**



## 1. THE PROBLEM

Luxembourg is primarily a destination country for women and children trafficked for sexual exploitation from Romania, Ukraine, Estonia, Kazakhstan, Russia, Bulgaria, Nigeria, France, Belgium, and Brazil. Luxembourg is also a destination country for men, women and children trafficked for labour in the construction and restaurant industries. Luxembourg has a sizable population of unaccompanied minors seeking asylum or refugee status who are especially vulnerable to trafficking for sex and/or criminal activity.<sup>331</sup>

According to Eurostat figures, Luxembourg identified 8 victims of trafficking in 2010, 3 in 2009 and 7 in 2008.<sup>332</sup> There were 4 convictions for human trafficking 2010, 2 convictions in 2009 and 1 in 2008.<sup>333</sup>

### Notable aspects of the problem

Immigrants make up 35.2% of Luxembourg's population, and about half of all migrants to Luxembourg are women.<sup>334</sup> The top source countries for migrants to Luxembourg are Portugal, France, Belgium, Germany, Italy, the Netherlands, the UK, Cape Verde, Spain, and Bosnia & Herzegovina.<sup>335</sup> Luxembourg has a higher GDP and lower immigration restrictions in comparison to its neighbours and is anecdotally considered a transit country, but more data-driven research is needed in this area.<sup>336</sup>

Luxembourg borders Germany, France and Belgium and is included in the tri-state grouping of Belgium, the Netherlands and Luxembourg, referred to as Benelux. Child trafficking in Benelux is complex, in that the focus of anti-trafficking initiatives is on unaccompanied and undocumented migrants, while aid sources assert that most of the victims are trafficked within state borders. Furthermore, the three nations report rates of child trafficking that seem to reflect the scale of their respective anti-trafficking initiatives (that is, countries with a bigger response to modern slavery find higher numbers of cases).

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Luxembourg has ratified the key international and regional treaties relevant to modern slavery with the exceptions of the Slavery Convention and the Domestic Work Convention.

Luxembourg criminalised human trafficking in 1999 by modifying the Criminal Code to include the offences of trafficking in human beings for sexual exploitation and the sexual exploitation of children. Subsequent amendments broaden the definition to include forced labour and services, exploitation

LUXEMBOURG	Ratified
Slavery Convention	No
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

<sup>327</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>328</sup> 2012 GDP SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>329</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>330</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>331</sup> US Trafficking in Persons Report 2013", Luxembourg Country Narrative, p240, *US Department of State*: <http://www.state.gov/documents/organization/210739.pdf>

<sup>332</sup> "Trafficking in Human Beings", (2013), p31, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>333</sup> "Trafficking in Human Beings", (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>334</sup> "Luxembourg Facts and Figures" (March 2012), *International Organisation for Migration*: <http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/european-economic-area/luxembourg.html>

<sup>335</sup> "Migration and Remittances Factbook" (2011), *World Bank*: <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDECPROSPECTS/0,,contentMDK:22759429-pagePK:64165401-piPK:64165026-theSitePK:476883,00.html>

<sup>336</sup> According to field based sources, no data collection report or research on trafficking has been undertaken as of May 2013.

for criminal activities and the removal of organs, and distinguish human trafficking from smuggling and undocumented migration. Punishments for violating this code range from five to ten years in prison. A May 2009 Law on Assistance, Protection and Security of Trafficking Victims<sup>337</sup> mandates a committee to monitor trafficking in human beings, but as of the writing of this report, the subordinate legislation necessary to establish the structure and mission of the committee had not been adopted by the Parliament.

Luxembourg is implementing a National Action Plan on the Equality of Women and Men for 2009-2014 that calls for the implementation of a monitoring system for legislation on human trafficking, but it does not currently have a plan of action specifically on modern slavery. Any national coordination of this issue is currently done on an ad-hoc basis. Luxembourg has not implemented a national referral mechanism for connecting victims with services.

“ LUXEMBOURG DOES NOT HAVE IMPLEMENTATION OF A NATIONAL REFERRAL MECHANISM IN PLACE FOR CONNECTING VICTIMS WITH SERVICES ”

The EU has urged Luxembourg to “establish clear procedural rules in order to guarantee an effective cooperation between the different actors involved in the fight against trafficking of human beings, to define the respective roles of the persons involved and to assure an effective assistance to victims”<sup>338</sup> In December 2012, GRETA administered a country visit to evaluate the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

#### Notable aspects of the response

Luxembourg’s national police force works in close cooperation with those of its border countries within EUROPOL, INTERPOL, the Benelux Treaty, the convention on police cooperation, the Prum Treaty, and other regional agreements. Benelux border guards have been trained to identify possible victims of human trafficking. Until the May 2009 Law on Assistance, Protection and Security of trafficking victims is implemented through subordinate legislation, the police remain the only authorities permitted to formally identify victims. Luxembourg’s vice squad does not currently utilise official guidelines to identify victims from within sex worker communities; it relies on self-identification. Luxembourg signed a memorandum

“ THE GOVERNMENT DID NOT PROVIDE ANY ASSISTANCE OR REPATRIATION TO ANY OF THE 95, MOSTLY ESTONIAN WOMEN, WHO HAD BEEN TRAFFICKED ”

of understanding with IOM to cooperate on assisting victims with safe repatriation and reintegration in January 2008. The beneficiaries of the programme are non-European citizens (asylum seekers, rejected asylum seekers and migrants in irregular situations) willing to return to their home countries. The programme foresees additional assistance for vulnerable cases, including victims of trafficking, in the countries of origin

of the returnees. To date, no such assistance has been given to victims of trafficking. In December 2012, IOM reported to the GRETA delegation one possible case of human trafficking amongst the beneficiaries of the programme.

Luxembourg law enforcement reports that it has yet to encounter a victim of child trafficking in 2012, but it has established special protective measures for child victims of trafficking. NGOs in the country have reported providing services to child victims of sexual exploitation and forced begging, and two child victims of forced labour were identified in 2011.

Victim services provided under the law of Luxembourg, include protection from criminalisation for crimes committed under force, the provision of temporary residence permits, encouragement to participate in investigations and prosecutions of traffickers, a reflection period of 90 days (extended for prosecution participation), and other protection and assistance measures. However, in 2010, however, only three of the 25 victims that participated in investigations and prosecutions were granted a 90-day reflection period and there are no confirmed reports of victim receipt of temporary residency permits in 2011. This is despite the fact that in that year, four offenders were convicted, including a Brazilian man convicted of trafficking three Brazilian women to Luxembourg for sexual exploitation. This particular trafficker was the only one of the

<sup>337</sup> “Loi du 8 mai 2009 sur l’assistance, la protection et la sécurité des victimes de la traite des êtres humains et modifiant le Nouveau Code de procédure civile”, (2009), *European Commission* [http://ec.europa.eu/anti-trafficking/download.action?nodePath=%2FNational+Info+Pages%2FLuxembourg%2F5.+RESOURCES%2F5.1.+Legislation%2FLaw+8+May+2009+Luxembourg\\_fr.pdf&filecName=Law+8+May+2009+Luxembourg\\_fr.pdf&fileType=pdf](http://ec.europa.eu/anti-trafficking/download.action?nodePath=%2FNational+Info+Pages%2FLuxembourg%2F5.+RESOURCES%2F5.1.+Legislation%2FLaw+8+May+2009+Luxembourg_fr.pdf&filecName=Law+8+May+2009+Luxembourg_fr.pdf&fileType=pdf)

<sup>338</sup> “Together Against Trafficking in Human Beings: Luxembourg,” (11 January 2013), *European Commission*: [ec.europa.eu/anti-trafficking/showNIPsection.action?jsessionid=tZmTPbG](http://ec.europa.eu/anti-trafficking/showNIPsection.action?jsessionid=tZmTPbG)

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four convicted in 2011 to serve jail time. It has been reported that the Government did not provide any assistance or repatriation to any of the 95, mostly Estonian women, who had been trafficked in a nightclub in Remich. While the four offenders were convicted, the court issued suspended sentences and one convicted defendant received no jail time.<sup>339</sup>

The Ministry of Cooperation has collaborated with the European Commission and ECPAT to run two campaigns to raise awareness of human trafficking. The campaigns aimed at patrons of the sex industry but the outcomes were not evaluated. NGOs suggest that authorities and the general public have a relatively low awareness of human trafficking within the country. There is a privately led initiative to launch anti-trafficking campaigns targeting high school students and teachers.

### **3. WHAT NEEDS TO HAPPEN?**

Luxembourg should:

- Enact the subordinate legislation necessary to ensure the 2009 Law on Assistance, Protection and Security of Trafficking Victims can be implemented, thereby ensuring procedures for identifying, protecting and assisting victims of modern slavery.
- Ensure that front line service providers and law enforcement receive training in using the proposed victim identification mechanisms.
- Establish a national referral mechanism to ensure that all victims of modern slavery receive appropriate services and support, from identification to repatriation.
- Establish a national plan of action specifically on modern slavery, and mobilise the committee prescribed in legislation, to oversee the plan's implementation.
- Establish a means for victims and witnesses to anonymously and safely report cases of modern slavery.
- Use specialist prosecutors to pursue modern slavery cases, to ensure that sentences that are commensurate with the crime are sought and obtained.
- Engage with judicial institutes to understand why suspended sentences are being used for such serious crimes.

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<sup>339</sup> United States Trafficking in Persons Report 2013" Luxembourg Country Analysis, p241, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

# NORWAY

ESTIMATED NUMBER ENSLAVED	620 – 690
POPULATION	5,018,869 (2012) <sup>340</sup>
GDP	\$499.7 BILLION (2012) <sup>341</sup>
GDP/CAPITA	\$99,558 (2012) <sup>342</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	0% (2011) <sup>343</sup>

INDEX RANK

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## 1. THE PROBLEM

All identified victims of modern slavery in Norway have been non-nationals. Norway is thus considered a destination country for modern slavery, which has been detected in domestic work and nannying, health care, hospitality, construction and commercial sexual exploitation. In particular, false or exploitative au pair arrangements have been highly controversial in Norway and led to the Ministry of Justice to consider abolishing the system because so much abuse has been reported.

As a very wealthy country with a high standard of living, many foreigners migrate to Norway to seek work and economic opportunity. Migrant workers have a high level of formal legal protection, being covered by the same workplace laws as citizens.

A delegation of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) visited Norway to collect information in May 2012, and published its first draft report in May 2013 (the final report is expected in June after Norway gives its comments) along with comprehensive recommendations.<sup>344</sup>

In 2012, one government-funded shelter received "146 contacts from trafficking victims,"<sup>345</sup> 16 of which were men. According to Eurostat figures, Norway identified 36 victims of trafficking in 2010, 30 in 2009 and 35 in 2008.<sup>346</sup> However, GRETA reported a higher number of identified potential (but not necessarily officially recognised) victims of trafficking – between 150 and 200 per year.

“ MODERN SLAVERY HAS BEEN DETECTED IN DOMESTIC WORK AND NANNING, HEALTH CARE, HOSPITALITY, CONSTRUCTION AND COMMERCIAL SEXUAL EXPLOITATION ”

In 2012, the Norwegian Government reported identifying and providing services for 274 trafficking victims, including 191 women, 18 men, and 65 children, compared with 272 trafficking victims assisted in 2011.<sup>347</sup>

A large proportion of trafficking victims identified in Norway have been from "Nigeria, Romania and Lithuania, with an increase in the number of victims from Algeria and the Philippines."<sup>348</sup> 42 modern slavery-related prosecutions were initiated in 2011 (32 for commercial sexual exploitation and 12 for labour trafficking).<sup>349</sup> At least 7 trafficking offenders were convicted in 2011, all of whom received custodial sentences. According to Eurostat data there were 0 convictions for human trafficking in 2010, 0 convictions in 2009 and 5 in 2008 in Norway.<sup>350</sup>

### Notable aspects of the problem

The 2012 UNODC Global Report on Trafficking in Persons, the 2013 US TIP Report and the GRETA report all noted that children had been forced into begging and committing petty crimes in Norway. The nationalities of trafficking offenders are not clear from the literature, however the 2012 UNODC Global

<sup>340</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>341</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>342</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>343</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>344</sup> "Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway" (7 May 2013), First Evaluation Round, *Group of Experts on Action Against Trafficking in Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_5\\_FGR\\_NOR\\_with\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_5_FGR_NOR_with_cmnts_en.pdf)

<sup>345</sup> "US Trafficking in Persons Report" (2013), Norway Country Narrative, pp. 287-288, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>346</sup> "Trafficking in Human Beings", (2013), pp. 35-37, Eurostat Methodologies and Working Papers, Eurostat, *European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>347</sup> "US Trafficking in Persons Report" (2013), Norway Country Narrative, pp. 287-288, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>348</sup> "Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway" (7 May 2013), First Evaluation Round, *Group of Experts on Action Against Trafficking in Beings*: [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_5\\_FGR\\_NOR\\_with\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_5_FGR_NOR_with_cmnts_en.pdf)

<sup>349</sup> "US Trafficking in Persons Report" (2012), Norway Country Narrative, pp. 287-288, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>350</sup> "Trafficking in Human Beings", (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

Report notes that a significant majority are foreigners.

Law enforcement and research have established particular patterns of coercion and deception for victims from specific regions and countries: for example, according to the 2013 US TIP report, threats to family and traditional religious practices have been used to coerce African victims, while victims from Eastern Europe are typically trafficked through family organised crime groups.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Norway has ratified all the key international treaties on modern slavery, and the Council of Europe Convention on Action against Trafficking in Human Beings, but not the Domestic Work Convention.

Norway has a National Plan of Action and a strong institutional response coordinated by the National Co-ordinating Unit for Victims of Trafficking (KOM), which has an annual budget of €250,000 (approx. US\$336,000).

Human trafficking is prohibited in Norway, through the Norwegian Human Rights legislation and the General Civil Penal Code. However, GRETA expressed concern that

slavery, practices similar to slavery and servitude were not included as types of exploitation in the legal definition of trafficking in human beings, and has urged Norway to amend its law to include these types of exploitation.

Labour inspectors have previously identified victims of modern slavery but, according to GRETA, their powers and training are limited. The role of labour inspectors in detecting modern slavery is currently under review, according to Norwegian authorities.<sup>351</sup>

NORWAY	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

### Notable aspects of the response

Under the country’s National Plan of Action, government agencies work closely with community sector workers to identify and support victims, regardless of their willingness to assist law enforcement. Norway’s approach is ‘victim-centred,’ placing a high importance on the victim’s human rights and agency services available for victims are “generous and diverse.”<sup>352</sup> Victims who are identified receive a 6 month ‘reflection period’ – with a special immigration status – to decide whether they want to assist law enforcement, pursue residency in Norway, or return to their country of origin. During the reflection period, victims are supported in the community. However, NGOs and GRETA have raised concerns about whether appropriate services

**“ NORWAY’S APPROACH IS ‘VICTIM-CENTRED,’ PLACING A HIGH IMPORTANCE ON THE VICTIM’S HUMAN RIGHTS ”**

exist for male victims of modern slavery, whether significant information is given to victims by Norwegian authorities and if significant services exist for victims (before they are granted a reflection period).

The Norwegian response recognises the importance of international and regional cooperation to end modern slavery. Most victims of modern

slavery in Norway have transited through other European countries on Schengen visas before arrival in Norway.<sup>353</sup> The Norwegian Government has previously supported anti-trafficking programmes in the Balkans and in Asia, southern Africa and South America – the 2013 GRETA report noted that a total of 252,000,000 NOK (over US\$43 million) was spent by Norway on 110 anti-slavery projects abroad between 2000 and 2010.

The purchase of sexual services (but not the sale of sexual services) has been criminalised in Norway since 2009, which was justified at the time as an anti-trafficking measure. However, there is to date no reliable, publicly available data in relation to whether this has had any effect on the numbers of people being subjected to commercial sexual exploitation. During 2013, Norway will conduct an evaluation of the

<sup>351</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway” (7 May 2013), First Evaluation Round, Group of Experts on Action Against Trafficking in Beings: [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_5\\_FGR\\_NOR\\_with\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_5_FGR_NOR_with_cmnts_en.pdf)

<sup>352</sup> “US Trafficking in Persons Report” (2013), Norway Country Narrative, pp. 287-288, US Department of State: <http://www.state.gov/documents/organization/210741.pdf>

<sup>353</sup> Ibid.

<sup>354</sup> “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway” (7 May 2013), First Evaluation Round, Group of Experts on Action Against Trafficking in Beings: [http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA\\_2013\\_5\\_FGR\\_NOR\\_with\\_cmnts\\_en.pdf](http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2013_5_FGR_NOR_with_cmnts_en.pdf)

effectiveness of this ban.<sup>354</sup>

In September 2012, the Norwegian Government published a Guide to Socially Responsible Public Procurement which aims to help public procurers to set and monitor standards for decent working conditions at production sites. It references the UN Guiding Principles on Business and Human Rights.<sup>355</sup>

The Norwegian Government has also:

- ▶ Produced a White Paper on Corporate Social Responsibility (2008-2009) that addresses socially responsible public procurement;
- ▶ Created regulations on pay and working conditions in public contracts, which entered into force on 1 March 2008; and
- ▶ Presented in June 2007, an action plan for 2007-2010 on environmental and social responsibility in government procurement, with which all government agencies are required to comply.

### 3. WHAT NEEDS TO HAPPEN?

Norway should use GRETA's recommendations to refine its response to modern slavery. In particular, Norway should:

- Ensure that where children are identified as having been trafficked, they are not criminalised for activities related to their trafficking.
- Increase focus on identification of modern slavery in industries where the workforce is primarily male, and develop services for male victims of modern slavery.
- Increase long-term shelter options and trauma services for victims of modern slavery.
- Strengthen law enforcement and labour inspectorate awareness of modern slavery beyond just the sex industry.
- Protect the human and labour rights of migrant workers, and ensure they have access to information about their rights and safe migration pathways.
- Monitor cases of exploitation of its own nationals for indicators of modern slavery.
- Raise more public awareness through targeted campaigns.

<sup>354</sup> "Submission No 57 – World Vision Submission" (8 February 2012) Inquiry into Slavery, Slavery-like Conditions and People Trafficking, Human Rights Sub-Committee, *Joint Standing Committee on Foreign Affairs, Defence and Trade*, Australian Government.



# SWEDEN

ESTIMATED NUMBER ENSLAVED	1,200 – 1,300
POPULATION	9,516,617 (2012) <sup>356</sup>
GDP	\$525.7 BILLION (2012) <sup>357</sup>
GDP/CAPITA	\$55,252 (2012) <sup>358</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	0% (2011) <sup>359</sup>

INDEX RANK  
**150**



## 1. THE PROBLEM

Sweden is considered primarily a destination country for modern slavery, which has affected both foreigners and, to a lesser extent, Swedish citizens.<sup>360</sup> According to the US TIP Report 2013, sexual exploitation has been the dominant type of modern slavery but “in 2011 the number of reported labour trafficking cases was larger than the number of reported sex trafficking cases.” Forced criminal behaviour (begging and stealing) has also been detected, and is primarily thought to affect nationals of Eastern European countries. Men, women and children have been identified, with approximately one third of all victims being under the age of 18.<sup>361</sup>

“ THE NUMBER OF REPORTED LABOUR TRAFFICKING CASES WAS LARGER THAN THE NUMBER OF REPORTED SEX TRAFFICKING CASES ”

The reported labour trafficking cases concern victims originating from Eastern Europe and Asia. They have been detected in “domestic service and hospitality, as well as in seasonal labour, when workers travel to Sweden to pick berries or perform construction or gardening.”<sup>362</sup> In 2012, Swedish law enforcement investigated 21 trafficking cases involving sexual exploitation, a decline from 35 in 2011. Law enforcement investigated 48 cases of forced labour, forced begging, or forced criminal activities, in contrast to 62 in 2011.<sup>363</sup>

According to Eurostat data, in 2010, 74 victims of trafficking were identified, 44 in 2009 and 21 in 2008.<sup>364</sup> There were 8 convictions for human trafficking in 2010, 4 convictions in 2009 and 0 in 2008.<sup>365</sup> In 2012, Sweden initiated prosecutions of 35 suspected offenders, and 33 were convicted and received penalties of up to five years in prison.<sup>366</sup>

### Notable aspects of the problem

In 2011, police estimates of the number of people trafficked annually (which may be lower than the number of people in modern slavery) were in the range of 400-600 per year.<sup>367</sup> Poverty, migration or minority status and disability are thought to increase vulnerability to trafficking in Sweden, reflecting regional and global trends. The Swedish Migration Board states that the current migration legislation is such that it provides loopholes that facilitate the exploitation of migrant workers, and recommends that trade unions should be granted more oversight.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Sweden has ratified all key treaties in relation to modern slavery but not the Domestic Work Convention. Sweden has comprehensive human rights protections and in general strong workplace laws and robust institutions. Migrant rights are well protected and migrants are supported by a strong NGO sector. The 2008 Swedish Immigration Law reinforces that all workers have equal rights to fight exploitation. Sweden is in the

<sup>356</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>357</sup> 2012 GDP SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>358</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>359</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>360</sup> United States Trafficking in Persons Report 2012” Sweden Country Analysis, pp. 328 – 329, *US Department of State*: <http://www.state.gov/documents/organization/192597.pdf>

<sup>361</sup> Ibid.

<sup>362</sup> United States Trafficking in Persons Report 2013” Sweden Country Analysis, p348, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>363</sup> Ibid.

<sup>364</sup> “Trafficking in Human Beings”, (2013), pp. 31, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>365</sup> “Trafficking in Human Beings”, (2013), pp. 84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>366</sup> United States Trafficking in Persons Report 2013” Sweden Country Analysis, p348, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>367</sup> “2011 Trafficking in Persons Report - Sweden” (27 June 2011), p1, *UNHRC*: <http://www.refworld.org/topic,50fbce4c9,50fbce4d5,4e12ce45c,0,,SWE.html>

early stages of undergoing evaluation by GRETA who conducted a country visit in May 2013 and their findings should be available by the end of 2013.

Sweden has a National Action Plan, under which 214 million SEK (approx. US\$33.3 million) was spent between 2008 and 2010. The current response still occurs under the 2008-2010 National Action Plan, which was due to be updated in 2011. The National Action Plan focuses on sexual exploitation and does not in a formal sense adequately address modern slavery outside a sex industry context; however, the increased number of forced labour cases identified shows that Swedish authorities are

SWEDEN	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

paying greater attention to this issue. While a new NAP and corresponding mandate has not been drafted, an extension of the 2008-2011 NAP established in April 2013 is currently being implemented. Interventions addressing issues not covered in this NAP, such as labour trafficking and protecting male trafficking victims, are being established. Data is collected and published by the National Rapporteur on Trafficking in Human Beings in the form of Annual Situation Reports with recommendations for improving the country's response. The last available report online dates from 2012.<sup>368</sup>

Modern slavery is comprehensively criminalised under Sweden's Penal Code and penalties for such conduct are severe. The US TIP Report however has raised concerns about the standard of proof in relation to intent in modern slavery cases, even after recent Swedish Government efforts to address inconsistencies.

“ INCREASED NUMBER OF FORCED LABOUR CASES IDENTIFIED SHOWS THAT SWEDISH AUTHORITIES ARE PAYING GREATER ATTENTION TO THIS ISSUE ”

Victim assistance is decentralised so that local municipalities provide direct, immediate assistance to referred parties. Direct services are provided by local stakeholders including municipal bodies, county administration and NGOs. The Stockholm County Administration has taken charge of providing support, training, provision systems, and protocol for victim services, especially coordinating assisted returns with the International Organisation on Migration (IOM). The National Support Method Team is a multi-stakeholder group that works with the Stockholm County Administration to coordinate the sharing of information.

NGOs and regional agencies are funded by the Government to provide shelter, legal assistance, and social services to victims of modern slavery. These services are coordinated by the Stockholm County Administration. NGOs have raised concerns about inconsistency in victim services and there is considerable difference in the services provided between males and females.<sup>369</sup> Temporary visas are available to victims who cooperate with law enforcement, after a 30 day reflection period, but the reflection period is only granted to victims whose cases law enforcement decided to pursue. NGOs suggest that the reflection period is inadequate, and that not all victims are informed of their options with police not widely aware of the operation of the reflection period.<sup>370</sup> Victims who opt not to assist with the investigation, or whose cases are not investigated may be allowed to stay in Sweden or to move within the Schengen Area, but they must find gainful employment or seek asylum. They may also opt to participate in the assisted return programme by the IOM. Permanent visa options are available to victims who have assisted with law enforcement activities. While there is no specialised compensation scheme for victims of modern slavery, the 2012 US TIP Report noted that the Government's Crime Victim Compensation and Support Authority had awarded compensation to victims of modern slavery. Compensation to victims of any crime can range from 10,000 – 325,000 Swedish kronor (approx. US\$1,500 – \$48500). Human trafficking cases in 1999-2009<sup>371</sup> received

<sup>368</sup> “Trafficking in human beings for sexual and other purposes” (2011), *Swedish National Police Board*: [http://www.polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking\\_1998\\_/Trafficking\\_report\\_12\\_20120502.pdf](http://www.polisen.se/Global/www%20och%20Intrapolis/Informationsmaterial/01%20Polisen%20nationellt/Engelskt%20informationsmaterial/Trafficking_1998_/Trafficking_report_12_20120502.pdf)

<sup>369</sup> United States Trafficking in Persons Report 2013” Sweden Country Analysis, p349, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

<sup>370</sup> Ibid.

<sup>371</sup> In this time period, there were 12 cases of human trafficking that requested compensation; 11 of those cases were awarded compensation. In the same time period, there were 22 cases on crimes related to human trafficking that requested compensation; 14 cases received awards. United States Trafficking in Persons Report 2013” Sweden Country Analysis, *US Department of State*: <http://www.state.gov/documents/organization/210741.pdf>

compensation awards ranging from 75,000 – 125,000 Swedish kronor (approx. US\$11,200 – \$18,700).

The Swedish Work Environment Authority (SWEA) is the administrative authority for issues relating to the working environment and carries out inspections at workplaces. It has a broad mandate although information is not available in relation to the frequency of detection of modern slavery by the SWEA.

### Notable aspects of the response

The 2012 US TIP Report praised Sweden’s “creative methods to encourage all relevant actors in the Government... involving non-traditional actors such as the tax authorities to investigate trafficking crimes.” Training on modern slavery is provided to police, customs and immigration officials and tax authorities.

“NGOS SUGGEST THAT THE REFLECTION PERIOD IS INADEQUATE, AND THAT NOT ALL VICTIMS ARE INFORMED OF THEIR OPTIONS”

Purchasing (but not selling) sexual services is criminalised under the 1998 Act Prohibiting the Purchase of Sexual Services, which was a unique approach at the time of its introduction and was justified as an anti-trafficking measure. A 2010 Swedish Government report claimed that “criminalisation of the purchase of sexual services has helped to combat prostitution and human trafficking for sexual purposes,”<sup>372</sup> at the same time noting “that it is difficult to assess the exact extent of human trafficking for sexual purposes in Sweden.” However, the effectiveness of the ban specifically as a counter-trafficking measure has not as been confirmed by independent research. Critics of the ban have argued that it has pushed the sex industry into the informal economy beyond the reach of labour laws, and that it has made sex workers more vulnerable to HIV, violence and exploitative practices.<sup>373</sup> There are conflicting accounts of the size of the illicit sex industry in Sweden, and the proportion of migrant sex workers.

A number of local governments in Sweden include social requirements in contracts, such as compliance with fundamental ILO conventions. These terms are consistent with Swedish procurement law. To address the requirement for effective practices and tools to control a supplier’s compliance with the requirements, the Swedish Association for Local Authorities and Regions produce a sample code of conduct, and also a note on the procedure for incorporating socially responsible public procurement.<sup>374</sup>

## 3. WHAT NEEDS TO HAPPEN?

Sweden should:

- Update its National Action Plan to reflect current conditions and adequately address all forms of modern slavery.
- Evaluate its legislative response to modern slavery, especially in relation the standard of proof required to demonstrate intent and to how it deals with forced marriage.
- Conduct an evaluation of the effectiveness and appropriateness of its victim support programmes, including a survey of users to better understand their experience.
- Ensure that law enforcement authorities are widely familiar with the reflection period provisions.
- Ensure that victims who are unwilling or unable to assist law enforcement have appropriate visa options.
- Ensure that the rights of migrant workers are protected, especially where visas are employer-linked.
- Commission an independent evaluation of the effectiveness of its ban on the purchase of sexual services as an anti-slavery measure, and its effects on the safety of sex workers.
- Conduct targeted outreach and awareness raising to vulnerable groups.

<sup>372</sup> “Evaluation of the prohibition of the purchase of sexual services” (2 July 2010), *Government Offices of Sweden*: <http://www.government.se/sb/d/13420/a/151488>

<sup>373</sup> “Critiques of Swedish Prostitution Law”, *Sex Worker Rights Perspectives on Swedish Prostitution Laws*: [http://www.bayswan.org/swed/swed\\_index.html](http://www.bayswan.org/swed/swed_index.html)

<sup>374</sup> Submission No 57 - World Vision Submission” (8 February 2012) Inquiry into Slavery, Slavery-like Conditions and People Trafficking, Human Rights Sub-Committee, *Joint Standing Committee on Foreign Affairs, Defence and Trade*, Australian Government.

# SWITZERLAND

ESTIMATED NUMBER ENSLAVED	990 – 1,100
POPULATION	7,997,152 (2012) <sup>375</sup>
GDP	\$632.2 BILLION (2012) <sup>376</sup>
GDP/CAPITA	\$79,052 (2012) <sup>377</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	1% (2011) <sup>378</sup>

INDEX RANK

150



## 1. THE PROBLEM

Switzerland is considered a destination country for modern slavery primarily involving sexual exploitation, forced begging and domestic servitude. The women and children who have been reportedly trafficked into Switzerland originate, for the most part, from Central and Eastern Europe, but some victims have also been identified as coming from Latin America, Asia and Africa. In some cases (such as a case prosecuted in 2013 involving 50 victims from Thailand<sup>379</sup>) women have come to Switzerland of their own accord knowing they would work in the sex industry but have then been subjected to effective enslavement and exploitation.

“ MODERN SLAVERY HAS ALSO BEEN IDENTIFIED IN DOMESTIC WORK INCLUDING IN DIPLOMATIC HOUSEHOLDS ”

Modern slavery has also been identified in domestic work including in diplomatic households, and it is thought to occur in a variety of other industries including hospitality, agriculture and commercial cleaning, but it has proven difficult to formally identify.

The true scale of modern slavery in Switzerland is unknown; however, federal police have estimated that there are between 2,000 and 3,000 victims of human trafficking currently residing in the country, which is higher than the Walk Free estimate.<sup>380</sup>

According to Eurostat data, there were 46 victims of trafficking identified in 2010, then 33 in 2009.<sup>381</sup> There were 4 convictions for human trafficking in 2010, 9 convictions in 2009 and 10 in 2008.<sup>382</sup>

### Notable aspects of the problem

The largest proportion of identified victims of modern slavery have involved sexual exploitation of, mostly women and teenage girls, but children have been found to have been forced into begging, pick-pocketing and shoplifting in the larger cities like Zurich, and Geneva. Cases have been identified in the city of Bern, but significant efforts have reduced the occurrence of child exploitation in the region, perhaps having pushed it to a different part of the country.

There have also been cases of forced domestic work, notably in Geneva in the homes of foreign diplomats.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Switzerland has ratified a number of key international conventions relating to modern slavery but not the Domestic Work Convention. In April 2013, the Swiss Government ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

The Swiss Criminal Code outlaws human trafficking in Article 182, prohibiting human trafficking for the purpose of sexual exploitation, the exploitation of labour or the removal of human organs. Violation of this

<sup>375</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>376</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>377</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>378</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>379</sup> “Thai Woman Jailed for Swiss Prostitution Ring”, (22 March 2013), *The New Ages*: <http://www.thenewage.co.za/mobi/Detail.aspx?NewsID=88764&CatID=1020>

<sup>380</sup> *Ibid.*

<sup>381</sup> “Trafficking in Human Beings”, (2013), p31, Eurostat Methodologies and Working Papers, Eurostat, *European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>382</sup> “Trafficking in Human Beings”, (2013), p84, Eurostat Methodologies and Working Papers, Eurostat, *European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

Article carries a sentence of up to 20 years or a fine.<sup>383</sup> The minimum age for sex work is 16 years old, which has been criticised for being too low. Article 27 of the Swiss Criminal Code ensures economic freedom, and the freedom to choose one's profession.<sup>384</sup>

The appointed mechanism charged with preventing modern slavery in Switzerland is the Swiss Coordination Unit against the Trafficking of Persons and Smuggling of Migrants (KSMM). The KSMM is made up of federal and cantonal authorities, as well as NGOs and IGOs. It operates out of the Federal Office of Police.

Switzerland's first National Action Plan against Human Trafficking 2012-2014, was approved by the KSMM in October 2012. The Action Plan is based on the four approaches of prevention, prosecution, protection of victims and partnership. This includes training programmes for authorities in Switzerland. Awareness courses have targeted the police force and immigration services.<sup>385</sup>

A unit dealing with human trafficking and migrant smuggling has been created within the Federal Criminal Police. In response to the issue of forced domestic labour, the Federal Council implemented the Private Household Employees Ordinance which set out stronger guidelines for employers of foreign domestic workers within the diplomatic and international community.<sup>386</sup>

The Swiss Child Protection Foundation is currently convening a working group to develop recommendations for local authorities to provide the best care for child victims of human trafficking. Currently, minors are covered by child protection laws as well as victim assistance programmes, however there have been very few cases of child victims identified and these cases have proven challenging from a victim assistance perspective.

“ A UNIT DEALING WITH HUMAN TRAFFICKING AND MIGRANT SMUGGLING HAS BEEN CREATED WITHIN THE FEDERAL CRIMINAL POLICE ”

Organ transplantation is tightly regulated under a Federal Act since 2008, making human trafficking for the removal of organs very rare in Switzerland.<sup>387</sup>

#### Notable aspects of the response

The Foreign Nationals Act, introduced in 2008, offers protection to identified foreign victims of human trafficking. A 30 day reflection period is offered for victims to decide whether they want to co-operate with the authorities. If they agree, they are entitled to apply for a residence permit in Switzerland for the duration of the legal process of their case. The Swiss Victim Assistance Act entitles counselling and support to all victims whose sexual, physical or psychological integrity has been violated in Switzerland, regardless of their nationality or residential status in Switzerland. The Federal Act on Extra-Procedural Witness Protection offers support to victims who are still in danger.<sup>388</sup>

### 3. WHAT NEEDS TO HAPPEN?

Switzerland should:

- Complete its evaluation of laws under which sex work by minors is permitted, pursuant to the Council of Europe process currently in place.
- Continue to train law enforcement authorities, including frontline workers to recognise signs of modern slavery.
- Increase public awareness within cities surrounding forced child begging and theft.

SWITZERLAND	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

<sup>383</sup> “Overview of important legislation in Switzerland relating to human trafficking” (3 April 2013), *Legal Provisions – Swiss Coordination Unit against Trafficking in Persons*: [http://www.ksmm.admin.ch/content/ksmm/en/home/themen/menschenhandel/rechtliche\\_bestimmungen.html](http://www.ksmm.admin.ch/content/ksmm/en/home/themen/menschenhandel/rechtliche_bestimmungen.html)

<sup>384</sup> Ibid.

<sup>385</sup> Ibid.

<sup>386</sup> Ibid.

<sup>387</sup> “Human Trafficking for the removal of organs” (8 October 2010), *Swiss Coordination Unit against Trafficking in Persons*: <http://www.ksmm.admin.ch/content/ksmm/en/home/themen/menschenhandel/organentnahme.html>

<sup>388</sup> “Victim Assistance, Victim Protection and Return Assistance” (28 May 2013), *Swiss Coordination Unit against Trafficking in Persons*: <http://www.ksmm.admin.ch/content/ksmm/en/home/themen/menschenhandel/opferhilfe-opferschutz.html>

- Increase awareness in source countries of the possibilities of human trafficking and ensure that migrant workers are aware of their rights and where to access help.
- Strengthen regional cooperation efforts in relation to investigations and prosecution of modern slavery crimes.
- Where prosecutions take place, ensure that the sentence reflects the gravity of the crime and that the sentence is fully served.
- Target specific fields of work associated with modern slavery to inform and assist where required.
- Set up and operate a multi-lingual hotline for victims to access help.

# NEW ZEALAND

ESTIMATED NUMBER ENSLAVED **470 – 520**  
 POPULATION **4,433,100 (2012)**<sup>889</sup>  
 GDP **\$167.3 BILLION (2012)**<sup>890</sup>  
 GDP/CAPITA **\$37,749 (2012)**<sup>891</sup>  
 US TIP REPORT RANKING **TIER 1 (2013)**  
 REMITTANCES AS A SHARE OF GDP **NOT AVAILABLE (2011)**<sup>892</sup>

INDEX RANK  
**159**



## 1. THE PROBLEM

Detected cases of modern slavery in New Zealand have primarily involved foreign nationals on board fishing vessels in New Zealand territorial waters. The issue of forced labour on foreign flagged fishing boats in New Zealand’s waters received significant media attention in 2012 after a publication of a report of the University of Auckland Business School (UABS) and a media investigation.<sup>393</sup>

It has also been reported that migrant workers from the Asia-Pacific region have been subjected to modern slavery in agriculture and in the wine-making industry,<sup>394</sup> and investigations are underway into situations involving exploitation of migrant workers in restaurants.<sup>395</sup> Nonetheless the New Zealand Council of Trade Unions (NZCTU) noted in 2012 statements to the ILO Committee of Experts that “that no independent research has been conducted to determine the full extent of any trafficking problem in the country and that at present, there is little evidence of major trafficking in the country.”<sup>396</sup>

### Notable aspects of the problem

Following from the UABS report, “over 120 possible victims of forced labour aboard foreign [mostly South Korean-flagged] chartered vessels in the commercial fishing industry were identified. The majority of these individuals, all men, claimed severe underpayment of wages, and some also alleged experiencing additional abuse [including confiscation of passports, imposition of significant debts, physical violence, mental abuse and excessive hours of work].”<sup>397</sup> The victims were reported to originate from South East Asian countries with the majority from Indonesia but smaller numbers from China, Myanmar and the Philippines. It is likely that the problem of forced labour on fishing vessels is not confined to New Zealand waters but extends throughout the Asia Pacific.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

New Zealand has ratified a number of key treaties in relation to modern slavery but not the Domestic Work Convention.

New Zealand has criminal laws that prohibit various forms of modern slavery, including human trafficking, forced labour, child prostitution, sexual exploitation of children, servitude, slavery itself and servitude.<sup>398</sup> In addition, the crimes allegedly committed against the seafarers in New Zealand waters would potentially have been covered by parts

NEW ZEALAND	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

<sup>889</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>890</sup> 2012 GDP SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>891</sup> 2012 GDP per capita SUS Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>892</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>393</sup> Stringer, Simmons and Coulston, Not in New Zealand Waters, Surely? Labour and Human Rights Abuses aboard Foreign Fishing Vessels, *New Zealand Asia Institute Working Paper Series*: <http://docs.business.auckland.ac.nz/Doc/11-01-Not-in-New-Zealand-waters-surely-NZAI-Working-Paper-Sept-2011.pdf>

<sup>394</sup> “2013 United States Trafficking in Persons Report – New Zealand Country Narrative”, *US Department of State*, p280: <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.

<sup>395</sup> “Employers abusing migrant workers face sanctions”, (13 June 2013), *NewstalkZB*: <http://www.newstalkzb.co.nz/auckland/news/nbpol/1801760785-employers-abusing-migrant-workers-face-sanctions>.

<sup>396</sup> “Forced Labour Convention, 1930, New Zealand” (2013) Direct Request (CEARC) – adopted 2012, published 102nd ILC session, *International Labour Organisation, Information System on International Labour Standards*: [http://www.ilo.org/dyn/normlex/en/Ep=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/Ep=1000:13100:0::NO::P13100_COMMENT_ID:3058243)

<sup>397</sup> “United States Trafficking in Persons Report 2013”, *New Zealand Country Narrative*, p266, *US Department of State*: <http://www.state.gov/documents/organization/192597.pdf>

<sup>398</sup> “Crimes Act 1961,” *New Zealand Legislation, Parliamentary Counsel Office*: <http://www.legislation.govt.nz/act/public/1961/0043/latest/DLM327382.html>

of the Crimes Act 1961, covering assault and sexual assault. However, no prosecutions under these laws have ever been attempted, and gaps in these laws have been noted.<sup>399</sup> The definition of trafficking under New Zealand law, for example, requires cross border movement, out of step with international standards. However, the New Zealand Department of Justice (DOJ) has previously responded to criticism along these lines, stating that such conduct is likely criminalised under other laws: “New Zealand is more likely to deal with the forcible movement of persons within New Zealand (whether for sex work or other purposes) as kidnapping, slavery, or other related forms of offending.”<sup>400</sup> At the time of writing, the New Zealand Government was reviewing its legislative response to modern slavery.

“ PROBLEM OF FORCED LABOUR ON FISHING VESSELS IS NOT CONFINED TO NEW ZEALAND WATERS ”

New Zealand has a National Plan of Action dating from 2009,<sup>401</sup> which is administered and monitored by the Inter-agency Working Group on People Trafficking, led by the Department of Labour. However, this action plan has not been updated since 2009. The national action plan includes clear statements of objectives and measures of success but it does not appear that regular reporting is done against this plan.<sup>402</sup> New Zealand does not have a National Referral Mechanism, or other system for formally identifying victims of modern slavery as victims, except through the criminal justice system. Given New Zealand has so far had zero prosecutions under its human trafficking legislation, this creates problems for the victims who have already come forward and who need help. The size of the Government’s budget allocation on this issue is not known.

New Zealand does not have a specialised law enforcement unit dealing with modern slavery. The Ministry of Business, Innovation and Employment and the Ministry of Social Development have undertaken awareness raising activities with vulnerable communities. Customs, immigration, labour, and police officers undertake online training on identifying victims of trafficking and on victim interview techniques.<sup>403</sup> The numbers of officials trained is not known.

There are no specific victim support services but victims of modern slavery can potentially access services under the general victims of crime system.<sup>404</sup> There have been ad hoc arrangements by NGOs who have provided immediate welfare care, for example, to men who have been exploited in the fishing industry. In some cases the costs for welfare care have been reimbursed but has more often been borne by private individuals, NGOs and church groups.

Victims of modern slavery can access specialised visas related to their victim status, which must be certified by the police. According to information on the Immigration Department’s website, victims can be “granted a 12 month temporary entry class visa provided they have received certification from the Police that they are believed to be victims of people trafficking.” On the temporary visa, victims can access “publicly-funded health and disability services, have access to financial assistance ... and be able to work or, if a child, to study.” Victims can make an application for a permanent visa on expiration of the temporary visa, provided they can “demonstrate they have not obstructed the police investigation... and require ongoing protection.” Victim-witnesses can receive protection, including the protection of their identity, in relation to evidence given in court under the Evidence Act 2006.

“ NO PROSECUTIONS UNDER THESE LAWS HAVE EVER BEEN ATTEMPTED ”

New Zealand has comprehensive workplace and human rights protections, and robust social institutions. Corruption is not a major problem in New Zealand, which tied (with Denmark and Finland) in first place of 176 countries on Transparency International’s 2012 Corruption Perceptions Index.

### Notable aspects of the response

Migrant work visas are linked to employers. This could increase the likelihood of unscrupulous employers exploiting migrant workers, and contribute to a reluctance of migrants to complain about abusive labour

<sup>399</sup> “2013 United States Trafficking in Persons Report – New Zealand Country Narrative”, *US Department of State*, p280: <http://www.state.gov/j/tip/rls/tiprpt/2013/index.htm>.

<sup>400</sup> “Report of the Prostitution Law review Committee on the Operation of the Prostitution Reform Act 2003” (May 2008), *New Zealand Government*: <http://www.justice.govt.nz/policy/commercial-property-and-regulatory/prostitution/prostitution-law-review-committee/publications/plrc-report/documents/report.pdf>

<sup>401</sup> “People Trafficking”, (2009), *Department of Labour, New Zealand Government*: <http://www.dol.govt.nz/publications/research/people-trafficking/people-trafficking.pdf>

<sup>402</sup> Current ‘action items’ cited here: “Inter-Agency Working Group – Action Items,” (2013) *Ministry of Business, Innovation and Employment*: <http://www.dol.govt.nz/publications/research/people-trafficking/action-items.asp>

<sup>403</sup> “2013 United States Trafficking in Persons Report”, New Zealand Country Narrative, p281, *US Department of State*: <http://www.state.gov/documents/organization/192597.pdf>

<sup>404</sup> Ibid.



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conditions. In its 2012 comments on New Zealand’s implementation of the forced labour conventions, the ILO Committee of Experts noted the NZCTU’s concern that “[t]hose found working illegally will be deported by Immigration New Zealand, so there is little incentive for illegal workers to report exploitative employers... [and that] the Plan of Action to Prevent People Trafficking does not address in any depth the issue of non-cooperation with authorities for fear of deportation.”<sup>405</sup>

### 3. WHAT NEEDS TO HAPPEN?

New Zealand should:

- Complete and publish its review of its legislation prohibiting modern slavery.
- Update its National Action Plan to reflect current conditions and emerging patterns of modern slavery.
- Undertake research and publish information on the extent and nature of modern slavery, including the results of any research into slavery on fishing boats and information about investigations and prosecutions of slavery offences.
- Establish a victim support programme specifically designed to meet the needs of victims of modern slavery.
- Evaluate the impact of employer-linked visas on migrant workers’ willingness to complain about exploitative labour conditions.
- Appoint front-line welfare officers who can bridge the cultural gap between fishing crews on foreign fishing vessels, and enforcement officials.
- Conduct targeted outreach and awareness raising to vulnerable groups, including foreign seafarers docking at New Zealand’s ports, migrant agricultural workers and children at risk of exploitation.

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<sup>405</sup> “Forced Labour Convention, 1930, New Zealand” (2013) Direct Request (CEARC) – adopted 2012, published 102nd ILC session, *International Labour Organisation*, Information System on International Labour Standards: [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100\\_COMMENT\\_ID:3058243](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO::P13100_COMMENT_ID:3058243)

# UNITED KINGDOM

ESTIMATED NUMBER ENSLAVED	4,200 – 4,600
POPULATION	63,227,526 (2012) <sup>406</sup>
GDP	\$2.435 TRILLION (2012) <sup>407</sup>
GDP/CAPITA	\$38,514 (2012) <sup>408</sup>
US TIP REPORT RANKING	TIER 1 (2013)
REMITTANCES AS A SHARE OF GDP	0% (2011) <sup>409</sup>

INDEX RANK

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## 1. THE PROBLEM

Different forms of modern slavery affect men, women and children in the UK, and though most of the victims are trafficked into the country from overseas, British citizens are within the top ten countries of origin, for suspected victims of trafficking referred to the UK's National Referral Mechanism.<sup>410</sup> Primarily originating from Africa, Asia and Eastern Europe, victims of modern slavery are forced into sex work, domestic servitude, agriculture, construction, food processing, benefit fraud, coerced criminality, and work in nail salons and food services. The most common countries of origin of identified victims include Nigeria, Vietnam, the United Kingdom, Slovakia, China and Uganda.<sup>411</sup>

Forced labour has been identified within low, unskilled occupations in factories, agriculture, food processing, restaurants, nail salons, construction, door-to-door leaflet delivery and also in the tarmacking and block-paving industries.<sup>412</sup> Children have been found in forced labour in agriculture, construction, hospitality, nail bars as well as in domestic work, forced criminality and benefit fraud.<sup>413</sup> Recent research has identified the vulnerability of asylum seekers and refugees in the UK to forced labour, as a result of their incredibly precarious living situation arguably created by the UK asylum system.<sup>414</sup>

“ CHILDREN HAVE BEEN FOUND IN FORCED LABOUR IN AGRICULTURE, CONSTRUCTION, HOSPITALITY, NAIL BARS AS WELL AS IN DOMESTIC WORK, FORCED CRIMINALITY AND BENEFIT FRAUD ”

Understanding the scale of modern slavery in the UK is difficult. The UK has no official data capture mechanism so the main figures available are from those victims who choose to interact with the UK's National Referral Mechanisms, and also from the UKHTC 2011 baseline assessment (which only a minority of police forces, local government agencies and NGOs contributed to). When this situation is considered in the context of levels of under reporting

and lack of awareness frontline agencies especially amongst social services, it is likely that the Walk Free estimate of 4,200 – 4,600 enslaved is conservative.

According to Eurostat data, there were 182 number of victims identified in 2010 and 141 in 2009.<sup>415</sup> There were 29 convictions for human trafficking 2010, 56 convictions in 2009 and 37 in 2008.<sup>416</sup>

### Notable aspects of the problem

Vietnamese criminal gangs and networks are prominent in the cannabis trade, and children and young adults have been found to have been trafficked from Vietnam into forced labour on cannabis farms. Albanian criminal networks have also been noted moving into this arena.

<sup>406</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>407</sup> 2012 GDP \$US Data', *The World Bank*, <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>408</sup> 2012 GDP per capita \$US Data', *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>409</sup> 'Migration and Remittances Data', Inflows, 2011, *The World Bank*.

<sup>410</sup> 'National Referral Mechanism data' (2012), Statistical Data, The UK Human Trafficking Centre, *Serious Organised Crime Agency*: <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism/statistics>

<sup>411</sup> "2012 United States Trafficking in Persons Report", United Kingdom Country Narrative, pp. 357-359, *US Department of State*: <http://www.state.gov/documents/organization/192598.pdf>; "A Baseline Assessment on the Nature and Scale of Human Trafficking in 2011" (23 August 2012), *United Kingdom Human Trafficking Centre, Serious Organised Crime Agency*: <http://www.soca.gov.uk/news/462-human-trafficking-assessment-published>

<sup>412</sup> "It Happens Here: Equipping the United Kingdom to fight modern slavery" (March 2013), p37, *The Centre for Social Justice*: [http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ\\_Slavery\\_Full\\_Report\\_WEB\(5\).pdf](http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB(5).pdf)

<sup>413</sup> "A Baseline Assessment on the Nature and Scale of Human Trafficking in 2011" (23 August 2012), United Kingdom Human Trafficking Centre, *Serious Organised Crime Agency*: <http://www.soca.gov.uk/news/462-human-trafficking-assessment-published>

<sup>414</sup> 'Exploring Experiences of Forced Labour among Asylum Seekers and Refugees in England', (2 July 2013), *Precarious Lives*: <http://precariouslives.org.uk/>

<sup>415</sup> 'Trafficking in Human Beings', (2013), p31, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>416</sup> 'Trafficking in Human Beings', (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

Rather than being identified as victims, children have been prosecuted for offences connected with their situation of slavery.<sup>417</sup> Children can be forced to perform criminal activities like pick-pocketing, metal theft, drug cultivation and begging, or may be sexually exploited. Some are trafficked into the UK and registered for financial aid from the Government then left destitute. In June 2013, three children from Vietnam who had been trafficked for work in the UK for criminal gangs had their convictions quashed on appeal. The court issued guidance to other courts on how to assess situations involving victims of trafficking, particularly children, who are being prosecuted for crimes.<sup>418</sup> The court noted the Director of Prosecutions will soon issue directions on this to the Prosecution Service on this issue.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

The UK has ratified all key treaties relating to modern slavery, and is a party to the Council of Europe Convention on Action against Trafficking in Human Beings, but not the Domestic Work Convention.

Most forms of modern slavery are criminalised under UK law but relevant provisions are scattered throughout different laws: the Sexual Offences Act 2003 criminalises trafficking for sexual exploitation; the Asylum

and Immigration Act 2004 criminalises trafficking for exploitation; the Coroners and Justice Act 2009 criminalises modern slavery without a precondition of smuggling into the UK, including slavery, servitude and forced or compulsory labour; and the Scottish legislation, Section 22 which refers to traffic in prostitution. Consolidation of the existing offences into a single law would make it easier to apply and clearly identify gaps in the law.

There is also a need for the law to address the issue of non-prosecution of victims for crimes committed while under the control of traffickers, and to ensure all modern slavery crimes are subject to asset recovery provisions.<sup>419</sup> As at September 2013 there are proposals being considered for review of both British and Scottish modern slavery laws.<sup>420</sup>

The budget allocation of the UK on this issue is not known. On 10 April 2013, a question was posed to UK Government on expenditure. The response was “A number of Government Departments and agencies are involved in work to combat human trafficking. Total expenditure for this work is not recorded centrally.”<sup>421</sup> It is known that the Government has made £3 million available to The Salvation Army to run the contract for provision of support to adult victims of trafficking who have been referred through the National Referral Mechanism (NRM).<sup>422</sup>

UNITED KINGDOM	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

### “ BUDGET ALLOCATION OF THE UK ON THIS ISSUE IS NOT KNOWN ”

for Immigration in the Home Office. There is also a Human Trafficking team which operates under the Organised and Financial Crime Unit and works on developing and implementing policy. The Home Office also set up a Joint Strategic Board, comprising NGOs, government agencies, SOCA and UNHTC, to monitor the progress of the Government’s 2011 Human Trafficking Strategy and identify issues and risks related to

In the United Kingdom the response to the existence of human trafficking and modern slavery has been placed in the jurisdiction of several government departments, local government agencies and a wide range of NGOs. Within the Government, the remit for human trafficking is delegated to the Minister

<sup>417</sup> “On the Safe Side: Principles for the safe accommodation of child victims of trafficking” (2011), *End Child Prostitution and the Trafficking of Children for Sexual Purposes, United Kingdom*: [http://www.ecpat.org.uk/sites/default/files/on\\_the\\_safe\\_side.pdf](http://www.ecpat.org.uk/sites/default/files/on_the_safe_side.pdf)

<sup>418</sup> “Court Transcript”, (21 June 2013), *Royal Courts of Justice*: <http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments/l-hvn-thn-t-v-r-judgment.pdf>

<sup>419</sup> Scottish Legislation – Section 22”, (2003), Traffic in Prostitution, UK Human Trafficking Centre, *Serious Organised Crime Agency*: <http://www.soca.gov.uk/about-soca/about-the-ukhtc/relevant-legislation/scottish-legislation>

<sup>420</sup> As of 9 September 2013, there is a proposal for a Bill to comprehensively review Scotland’s laws and strategy on human trafficking, [www.scottish.parliament.uk/paliamentarybusiness/Bills/67134.aspx](http://www.scottish.parliament.uk/paliamentarybusiness/Bills/67134.aspx). In the UK see “Theresa May: Modern Slave Drivers, I’ll End Your Evil Trade.” (25 August 2013), *The Sunday Times*: <http://www.thesundaytimes.co.uk/sto/comment/regularguestcolumn/article1304361.cce>

<sup>421</sup> “Home Department, Human Trafficking” (10 April 2013), *They Work For You*: <http://www.theyworkforyou.com/wrans/?id=2013-04-10a.150248.h&cs=human+trafficking+michael+connarty#g150248.q0>

<sup>422</sup> “Justice, Salvation Army” (26 June 2013), *They Work For You*: <http://www.theyworkforyou.com/wrans/?id=2013-06-26a.160976.h&cs=human+trafficking+salvation+army#g160976.q0>

the issue. The Anti-Trafficking Monitoring Group, comprising of nine different UK-based organisations, was established in 2009.

The Inter-Departmental Ministerial Group (IDMG) on human trafficking, first set up by the previous government in 2005 and then re-assembled in 2010 under the current coalition government is the UK Government's response to the EU Directive which requires that all member states must appoint a 'National Rapporteur' or an equivalent mechanism responsible for monitoring the activities of state institutions with regards to human trafficking. It is also required under this Directive that measures to combat trafficking should be measured and statistics gathered. (Article 19 EU Directive)<sup>423</sup>

In 2006 the United Kingdom Human Trafficking Centre (UKHTC) was opened. This multi-agency centre

“ PROGRAMMES ... DO NOT REACH VULNERABLE COMMUNITIES ALREADY WITHIN THE UNITED KINGDOM, SUCH AS ASYLUM SEEKERS AND REFUGEES ”

brings together expertise and information from a number of organisations, both state-run and non-governmental, including the National Referral Mechanism (NRM), which has the authority to identify and refer victims for care. Victims, or potential victims are referred to the NRM by first responder agencies which include the UK Border Agency, police forces, the Gangmaster's Licensing Authority (a government agency which licenses and regulates certain sectors where workers are particularly

vulnerable), local authorities and several NGOs. In 2012, the United Kingdom Human Trafficking Centre identified received 1,186 referrals of potential victims of human trafficking.<sup>424</sup>

The provision of victim support falls under the remit of the Ministry for Justice and the Government-funded Victim Support Programme with primary contract holder – The Salvation Army and sub-contractors.<sup>425</sup>

Identified victims are given a 45 day reflection period within which they are given accommodation and cared for, and allowed some time to recover from their experience. When a conclusive grounds decision is made, then the Government's support obligations end, so it can be shorter or longer than 45 days. After the reflection period, a conclusive grounds decision is made by the relevant Competent Authority UKHTC or the UK Border Agency as to whether the victim has been trafficked or not. After that, if the victim wishes to remain in the country, the Salvation Army will provide ten hours of 'resettlement' assistance.<sup>426</sup> Outside of this, a number of NGOs provide similar support services such as shelters for victims not engaging the NRM process as well as legal advice.

NGOs play an important role in the UK in fighting modern slavery. Their responsibilities include raising awareness, promoting events, conducting research, campaigning, lobbying. A small number provide safe accommodation and support to victims and 11 provide first response services in correlation with the National Referral Mechanism. The Government part funds a selection of these via the victim support service led by The Salvation Army.<sup>427</sup>

### Notable aspects of the response

Front line police play a critical role in addressing modern slavery within the UK. However, only 10% of officers in England and Wales have undergone training, delivered through an e-learning package. Making comprehensive, detailed training mandatory for all police officers in the UK would have a significant impact on law enforcement and the protection of victims of slavery.<sup>428</sup>

Efforts to prevent trafficking in the UK have focused on transnational trafficking and sexual exploitation. They have been dominated by official training programmes and awareness-raising campaigns targeted at border entry points like airports.<sup>429</sup> Such campaigns have been criticised for not reaching the scale necessary

<sup>423</sup> "Human trafficking: Inter-departmental ministerial group report 2012", *United Kingdom Inter-departmental Ministerial Report*: <https://www.gov.uk/government/publications/human-trafficking-inter-departmental-ministerial-group-report-2012>

<sup>424</sup> 'National Referral Mechanism data' (2012), Statistical Data, The UK Human Trafficking Centre, *Serious Organised Crime Agency*: <http://www.soca.gov.uk/about-soca/about-the-ukhtc/national-referral-mechanism/statistics>

<sup>425</sup> 'Justice, Salvation Army' (26 June 2013), *They Work For You*: <http://www.theyworkforyou.com/wrans/?id=2013-06-26a.160976.h&cs=human+trafficking+salvation+army#g160976.q0>

<sup>426</sup> "It Happens Here: Equipping the United Kingdom to fight modern slavery" (March 2013), p37, *The Centre for Social Justice*: [http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ\\_Slavery\\_Full\\_Report\\_WEB\(5\).pdf](http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB(5).pdf)

<sup>427</sup> 'About the UKHTC' (2008): <http://www.ukhtc.org/about-ukhtc/>

<sup>428</sup> "It Happens Here: Equipping the United Kingdom to fight modern slavery" (March 2013), p37, *The Centre for Social Justice*: [http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ\\_Slavery\\_Full\\_Report\\_WEB\(5\).pdf](http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB(5).pdf)

<sup>429</sup> "A Baseline Assessment on the Nature and Scale of Human Trafficking in 2011" (23 August 2012), United Kingdom Human Trafficking Centre, *Serious Organised Crime Agency*: <http://www.soca.gov.uk/news/462-human-trafficking-assessment-published>

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to target at-risk individuals, and lacking in clarity. Also, programmes such as these do not reach vulnerable communities already within the United Kingdom, such as asylum seekers and refugees, or officials working with these communities as well as those legally entitled to enter the UK without a visa – EU and European Economic Area nationals.

### **3. WHAT NEEDS TO HAPPEN?**

The United Kingdom should:

- Appoint an independent commissioner for modern slavery and human trafficking issues.
- Transfer leadership of modern slavery efforts from the Ministry for Immigration to the Ministry for Policing and Criminal Justice, reflecting the fact that modern slavery is foremost a crime and immigration issues are secondary, or may not even be present in all cases.
- Encourage collaboration between government administrations, local governments and NGOs with a view to share information.
- Pass a modern slavery act to consolidate the legislative response on all aspects of the crime, including all human trafficking and slavery offences, protection of victims from prosecution, obligations to identify and investigate cases of slavery.
- Review and update visa policy, which currently allows foreign national domestic workers to work in the UK for 6 months with no possibility of extension, but restricts them to only one employer for the duration.
- Ensure private interviews are conducted with migrant domestic workers after their arrival to assess their working environments.
- Provide information to overseas workers obtaining visas to sensitise them to their rights, and informing them of the help available.
- Target sea ports and smaller regional airports as well as the larger airports, for awareness campaigns.
- Increase general sensitisation training of front-line professionals as well as specific training for key officers in all agencies so as not to let any potential victims of modern slavery go undetected (the prison system should be included as a frontline agency, offering all concerned the relevant training).
- Reconstruct the National Referral Mechanism into a two-tier system which allows for the recording of data where referrals are not chosen.
- Prioritise victim protection and aftercare, offering further assistance to agencies involved to provide better support to victims of trafficking, especially in reintegration.
- Minimum standards of victim care should be agreed upon and monitored.
- Ensure business is brought to the table on this issue, including through the proper debate and introduction of legislation on transparency in supply chains.

# IRELAND

ESTIMATED NUMBER ENSLAVED **300 – 340**  
 POPULATION **4,588,798 (2012)**<sup>480</sup>  
 GDP **\$210.3 BILLION (2012)**<sup>481</sup>  
 GDP/CAPITA **\$45,832 (2012)**<sup>482</sup>  
 US TIP REPORT RANKING **TIER 1 (2013)**  
 REMITTANCES AS A SHARE OF GDP **0% (2011)**<sup>483</sup>

INDEX RANK  
**160**



## 1. THE PROBLEM

Modern slavery in Ireland affects men, women and children. It is a ‘source’ and ‘transit’ country for victims of trafficking for sexual exploitation, forced labour and forced criminal activity. Similarly to neighbouring United Kingdom, children get trafficked to Ireland to work in cannabis farms. There have also been cases of children being sexually exploited, and exploited through domestic servitude, benefit fraud, sweatshop or restaurant work, illegal removal of organs, illegal adoption, forced begging and pick-pocketing.<sup>434</sup>

For men and women, other forms of modern slavery include domestic, construction, and agricultural work, as well as labour in the catering and entertainment industries.

According to Eurostat data, there were 78 of victims of human trafficking identified in 2010 and 66 in 2009.<sup>435</sup> While covered by the Eurostat data, no information is available about the number of convictions in Ireland for human trafficking in 2010, 2009 or 2008.<sup>436</sup>

### Notable aspects of the problem

According to government statistics, the majority of victims identified of modern slavery are women who have been trafficked for sexual exploitation, but some men and minors have also been involved in this type of exploitation. Women have also been found to be working in conditions of modern slavery as domestic workers, particularly in the homes of foreign diplomats.

Most victims originate from West Africa and some other parts of Africa. Others come from within the European Union including Ireland itself. To a lesser extent, victims originate from non-EU Europe, Asia, particularly South Asia and Latin America.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

The Irish Government has ratified a number of treaties relating to modern slavery but not the Domestic Work Convention. Ireland ratified the Council of Europe Convention on Action against Trafficking in Human Beings in 2010.

In 2008, the Government passed the Criminal Law (Human Trafficking) Act, which criminalises the trafficking of persons for the purposes of labour or sexual exploitation or for the removal of a person’s organs.<sup>437</sup> This Act was an amendment to the 1998 Child

Trafficking and Pornography Act, which covered only persons under the age of 17 years old.<sup>438</sup> In June 2013, Ireland’s existing laws on modern slavery were amended to include reference to trafficking for forced

IRELAND	Ratified
Slavery Convention	Yes
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	No
Domestic Work Convention	No

<sup>480</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>481</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>482</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>483</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>434</sup> “Services for victims of human trafficking” (July 2012), Anti-Human Trafficking Unit, *Department of Justice and Equality*: [http://www.blueblindfold.gov.ie/website/bbf/bbfweb.nsf/page/OACN-8XVHNX1421296-en/\\$File/Services%20for%20Victims%20of%20Child%20Trafficking.pdf](http://www.blueblindfold.gov.ie/website/bbf/bbfweb.nsf/page/OACN-8XVHNX1421296-en/$File/Services%20for%20Victims%20of%20Child%20Trafficking.pdf)

<sup>435</sup> “Trafficking in Human Beings”, (2013), pp. 34-38, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>436</sup> “Trafficking in Human Beings”, (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>437</sup> “Anti-Human Trafficking Measures” *Irish Department of Justice and Equality*: <http://www.justice.ie/en/JELR/Pages/WP09000005>

<sup>438</sup> “Child Trafficking and Pornography Act, 1998” Irish Statute Book, *Office of the Attorney General*: <http://www.irishstatutebook.ie/1998/en/act/pub/0022/sec0002.html#sec2>

begging and trafficking for criminal activities. The Criminal Law (Human Trafficking) Amendment Bill 2013 means that people subjected to all forms of modern slavery are now recognised as victims of a crime, and perpetrators can be prosecuted.<sup>439</sup>

“ CASES OF CHILDREN BEING SUBJECTED TO DOMESTIC SERVITUDE, BENEFIT FRAUD, SWEATSHOP OR RESTAURANT WORK, COMMERCIAL SEXUAL EXPLOITATION, ILLEGAL REMOVAL OF ORGANS, ILLEGAL ADOPTION, FORCED BEGGING AND PICK-POCKETING ”

In 2008, an Anti-Human Trafficking Unit (AHTU) was established, within the Department of Justice and Equality. This led to the publication of the ‘National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009-2012.’

The National Action Plan’s strategy to tackle human trafficking is a four tiered approach, including Prevention, Protection, Prosecution and Child Trafficking. Prevention focuses on training frontline

professionals and a public awareness-raising effort, the ‘Blue Blindfold’ campaign, which has been running since 2008. The four different units in charge of dealing with human trafficking under the National Plan are the Anti-Human Trafficking Unit, the Human Trafficking Investigation and Co-ordination Unit (HTICU), an Anti-Trafficking Team within the National Health Service (HSE), and an anti-trafficking unit in the Legal Aid Board. A data collection mechanism is also in place, within the Anti-Human Trafficking Unit to record reported cases of modern slavery and to measure the scale of the problem and impact of the Government response.

An inter-agency National Referral Mechanism is in place to provide assistance to victims from the point of identification to reintegration into society. Other protective measures are in place to assist victims during the legal process of their case, and with immigration issues if required.

Prosecution is emphasised, with a high priority being placed on human trafficking through the national policing unit, the Garda Síochána (Police). The Human Trafficking Investigation and Co-ordination Unit operates as a centre for expertise, providing guidance to police in investigations and cases related to human trafficking. The Director of Public Prosecutions has appointed particular prosecutors to deal with cases involving human trafficking and equipped them with the knowledge, guidelines necessary for such cases, including sensitisation regarding cases involving victims who broke the law as a result of being in a coerced situation.

Special attention is placed on victims of child trafficking, with a focus on raising public awareness, training professionals, and strengthening inter-governmental agencies.

### Notable aspects of the response

The Human Trafficking Act allows, through the 2010 Immigration, Residence and Protection Bill, for foreign victims to be granted a reflection period of 60 days to remain in Ireland to ‘recover from alleged trafficking and escape the influence of the perpetrators of the alleged trafficking so that he or she can take an informed decision as to whether or not to assist the Garda Síochána or other relevant authorities with any investigation or prosecution arising in relation to the alleged trafficking’.<sup>440</sup>

Identified victims of modern slavery are provided with state-funded support through the Reception and Integration Agency (RIA), under the same programmes run for asylum-seekers. They are given material assistance if necessary, health screenings, and legal aid and advice by the Legal Aid Board.

After an initial reflection and recovery period of 60 days, in some cases victims, originating from outside the EU can be granted a 6 month temporary residence visa, in order to allow enough time to assist in the investigation and prosecution of their case. If a victim volunteers to be returned home, they can be assisted by the IOM. No programme exists to assist victims who are not granted temporary residence in Ireland to safely return to their country of origin, or to reintegrate them. This means victims might be returned to dangerous situations, and increases their risk of being re-trafficked.

The Irish Government, in 2010, provided funding to some civil society organisations working in the field of modern slavery. Ruhama, a group dealing with violence against women, prostitution and human trafficking for the purpose of sex work, as well as the Migrants Rights Centre Ireland, which provides assistance to migrant workers and victims of forced labour, both received funding from the Department of Justice and Equality.<sup>441</sup>

<sup>439</sup> “Irish Government Criminalises Slavery” (28 June 2013), Press Release, *Migrant Rights Centre Ireland*: <http://www.mrci.ie/press-centre/irish-government-criminalises-slavery>

<sup>440</sup> “Immigration, Residence and Protection Bill 2010” *Department of Justice and Equality*: <http://www.inis.gov.ie/en/INIS/IRP%20Bill%202010.pdf/Files/IRP%20Bill%202010.pdf>

<sup>441</sup> “Together Against Trafficking in Human Beings” (25 March 2013) Ireland, *European Commission*: <http://ec.europa.eu/anti-trafficking/showNIPsection.action?country=Ireland>

### 3. WHAT NEEDS TO HAPPEN?

Ireland should:

- Appoint an expert national rapporteur on modern slavery to oversee and coordinate efforts of the agencies involved in responding to this issue.
- Increase the level of priority assigned to modern slavery, with a stronger focus on root causes.
- Coordinate with source countries to prevent human trafficking through awareness campaigns.
- Provide counselling as well as repatriation and reintegration assistance to victims in a way that guarantees a safe return home and eliminates the danger of being exploited again.
- Ensure that the laws surrounding employment visas do not restrict workers to an employer, allowing them to change jobs if conditions are substandard.
- Ensure that awareness campaigns are directed towards vulnerable people, in different languages, in ports and airports and other public spaces.
- Set up a multi-lingual telephone line for victims to access help.
- Target schools for awareness campaigns to educate children and parents about the signs of modern slavery and the services available for support.
- Increase frontline professional training.
- Ensure that all reported cases of modern slavery are recorded and investigated.



# ICELAND

ESTIMATED NUMBER ENSLAVED <100  
POPULATION 320,137 (2012)<sup>442</sup>  
GDP \$13.66 BILLION (2012)<sup>443</sup>  
GDP/CAPITA \$42,658 (2012)<sup>444</sup>  
US TIP REPORT RANKING TIER 1 (2013)  
REMITTANCES AS A SHARE OF GDP 0% (2011)<sup>445</sup>

INDEX RANK  
**160**



## 1. THE PROBLEM

Iceland is a wealthy, sparsely populated Nordic European island nation. Due to its prosperity, geographic isolation and strong institutions, modern slavery occurs on a relatively small scale; however, the country is not immune to this issue.

Modern slavery has primarily been detected in the sex industry, and also to a lesser extent in construction and the hospitality industry. The Intercultural Centre of Iceland, a Reykjavik-based migrant rights centre, has additionally reported cases of possible trafficking for domestic servitude and forced marriage. According to the 2013 US TIP Report, the Government identified “six female sex trafficking victims and one male labour trafficking victim during the reporting period,” all of whom were referred to care.

In recent years, a small number of pregnant victims of trafficking for sexual exploitation have entered Iceland. All of these women originated from African countries and had transited through various European countries before entering in Iceland. It is believed that they were exploited elsewhere in Europe, and that their traffickers sent them to Iceland when they became pregnant. It is thought that this pattern has occurred in other Scandinavian countries.<sup>446</sup>

While covered by Eurostat data, no information is available about victims identified in 2008-2010.<sup>447</sup> The Eurostat report indicates that there were 5 convictions for human trafficking in 2010 (information is not available for any other years).<sup>448</sup>

Iceland experienced the collapse of its financial sector and economy in the late 2008 but the country has now largely recovered. It is unclear whether this economic instability has had an effect on modern slavery in the country.

## 2. WHAT IS THE GOVERNMENT DOING ABOUT IT?

Iceland has ratified all relevant treaties in relation to modern slavery. In June 2012, the Council of Europe Convention on Action against Trafficking in Human Beings came into force in Iceland and the country is now subject to monitoring and periodic reviews of its responses to modern slavery under the Group of Experts on Action against Trafficking in Human Beings (GRETA) process. Iceland has not ratified the Domestic Work Convention.

Iceland	Ratified
Slavery Convention	No
Supplementary Slavery Convention	Yes
UN Trafficking Protocol	Yes
Forced Labour Convention	Yes
Worst Forms of Child Labour Convention	Yes
CRC Optional Protocol on the Sale of Children	Yes
Domestic Work Convention	No

Iceland has a National Action Plan against Trafficking in Human Beings which was updated in April 2013 for the period 2013-16. Article 227a of Iceland’s criminal code prohibits trafficking for sexual exploitation and forced labour. Penalties for such conduct are severe.

<sup>442</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>443</sup> 2012 GDP \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>

<sup>444</sup> 2012 GDP per capita \$US Data, *The World Bank*: <http://data.worldbank.org/indicator/NY.GDP.PCAP.CD/countries>

<sup>445</sup> Migration and Remittances Data, Inflows, 2011, *The World Bank*: <http://go.worldbank.org/092X1CHHD0>

<sup>446</sup> Information from field based source. See also <http://www.dv.is/frettir/2012/11/27/nigerisk-kona-reynir-ad-losna-undan-juju-cidi-islandic/> (Icelandic)

<sup>447</sup> “Trafficking in Human Beings”, (2013), pp. 35-37, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

<sup>448</sup> “Trafficking in Human Beings”, (2013), p84, Eurostat Methodologies and Working Papers, *Eurostat, European Commission*: [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415\\_thb\\_stats\\_report\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130415_thb_stats_report_en.pdf)

Investigations and especially prosecutions are rare under these provisions, which are unsurprising given the small number of victims identified; however Iceland should conduct an evaluation of law enforcement activities to ensure that they are vigorous and broad enough to capture all types of modern slavery.

The 2012 US TIP Report described Iceland's victim services as "robust" but suggested that Iceland needs to strengthen its efforts to detect victims, especially outside the sex industry.

### Notable aspects of the response

Iceland is a member of the Council of the Baltic Sea States Taskforce against Trafficking in Human Beings, the objective of which is "to counteract trafficking in human beings in the Baltic Sea Region through

“ ICELAND HAS ... FUNDED ANTI-TRAFFICKING ACTIVITIES ABROAD, WITH AN EMPHASIS ON ACTIVITIES IN RUSSIA, BELARUS AND THE BALTIC STATES ”

preventive and protective activities.” Iceland has also funded anti-trafficking activities abroad, with an emphasis on activities in Russia, Belarus and the Baltic States.

Once identified, female victims have access to housing and specialised social services. Specialised services are not available to male victims, however according to the US TIP report they have access to general social services. Identified, suspected victims of trafficking have access

to a 6 month reflection period as well as extended visas if they cooperate with law enforcement or can demonstrate "compelling circumstances" – such as the fear of retribution or danger upon returning to their country of origin.<sup>449</sup>

Shelter Kristínarhús (House of Kristine) opened in September 2011 and offers housing and counselling to sex workers and victims of trafficking for sexual exploitation. Kristínarhús is a part of Stigamot, which is the main counselling center in Iceland (based in Reykjavik) for victims of sexual abuse. In total, 20 women stayed in Kristínarhús in 2012. The majority of the women were Icelandic but 9 of the women were foreign, coming from Africa and Eastern Europe. Of the 20 cases, 15 were thought to involve exploitation in the sex industry (the other 5 were living in Kristínarhús due to other forms of sexual violence). In 2012, three children were born while their mothers stayed in Kristínarhús<sup>450</sup> and staff have commented on the challenges and complexities of protecting the interests of children in such situations.<sup>451</sup>

Under Iceland's workplace laws, workers in certain industries are required to be issued with ID cards. These industries include building and construction industries, hospitality, some retail stores, manufacturing, meat processing, and farming. Workplaces in these industries are also subject to inspections, the goal of which to "ensure that employers and their employees comply with relevant legislation, regulations and wage agreements." Information as to the effectiveness of the scheme of workplace ID cards and inspections in detecting modern slavery is unavailable.

Iceland criminalised the purchase, but not the sale, of sexual services in 2009, which was justified at the time as an anti-trafficking measure. An evaluation of the effectiveness of this ban in reducing modern slavery has not been conducted, however, this legislation receives wide public support in Iceland.<sup>452</sup> Strip clubs are also banned in Iceland since 2010. Recent media reports have raised concerns about practices at "champagne clubs," where clients pay for private access to women.<sup>453</sup> It has been alleged that, during visits by reporters, women showed signs of human trafficking.<sup>454</sup>

### 3. WHAT NEEDS TO HAPPEN?

Iceland should:

- Review its legislation prohibiting modern slavery to ensure that it adequately captures all types and modalities of modern slavery.

<sup>449</sup> "US Trafficking in Persons Report 2013", *US Department of State*: <http://www.state.gov/documents/organization/210737.pdf>

<sup>450</sup> Stigamot Annual Report 2012 <http://www.stigamot.is/files/pdf/arsskyrsla2012.pdf> (Icelandic)

<sup>451</sup> *Mbl.is*: [http://www.mbl.is/frettir/innlent/2013/04/03/kljast\\_vid\\_mjog\\_groft\\_ofbeldi/](http://www.mbl.is/frettir/innlent/2013/04/03/kljast_vid_mjog_groft_ofbeldi/) (Icelandic)

<sup>452</sup> Information from field based source.

<sup>453</sup> "Calls for Investigation of Champagne Club", (19 July 2013), *The Reykjavik Grapevine*: <http://grapevine.is/News/ReadArticle/Calls-For-Investigation-Of-Champagne-Clubs>

<sup>454</sup> "Anything you want for Twenty Thousand Kronur", (18 July 2013), *The Reykjavik Grapevine*: <http://grapevine.is/News/ReadArticle/Anything-You-Want-For-Twenty-Thousand-Kronur>

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- Conduct an independent evaluation of the effectiveness of its ban on the purchase of sexual services in preventing modern slavery.
  - Strengthen investigation and prosecution capability in relation to all types of modern slavery.
  - Publish information on the extent and nature of modern slavery, including the results of any research and information about investigations and prosecutions of modern slavery offences.
  - Conduct an evaluation of the effectiveness of its victim support programmes.
  - Ensure that the rights of migrant workers are protected, and conduct an evaluation of its system of workplace identity cards and inspections in preventing modern slavery.
  - Ensure that male victims of modern slavery receive support and services.
  - Ensure that the interests of children are protected in all of its responses to modern slavery.

## CORRELATION TRENDS

In this section we explore how the amount of modern slavery in a country is related to other important factors such as corruption and human development. It is important to uncover these relationships since they can help to determine what effective efforts for ending modern slavery are. These statistical correlations<sup>455</sup> tell us two things, firstly whether there really is a relationship between the occurrence of modern slavery and another factor, and secondly, the strength of that relationship.<sup>456</sup>

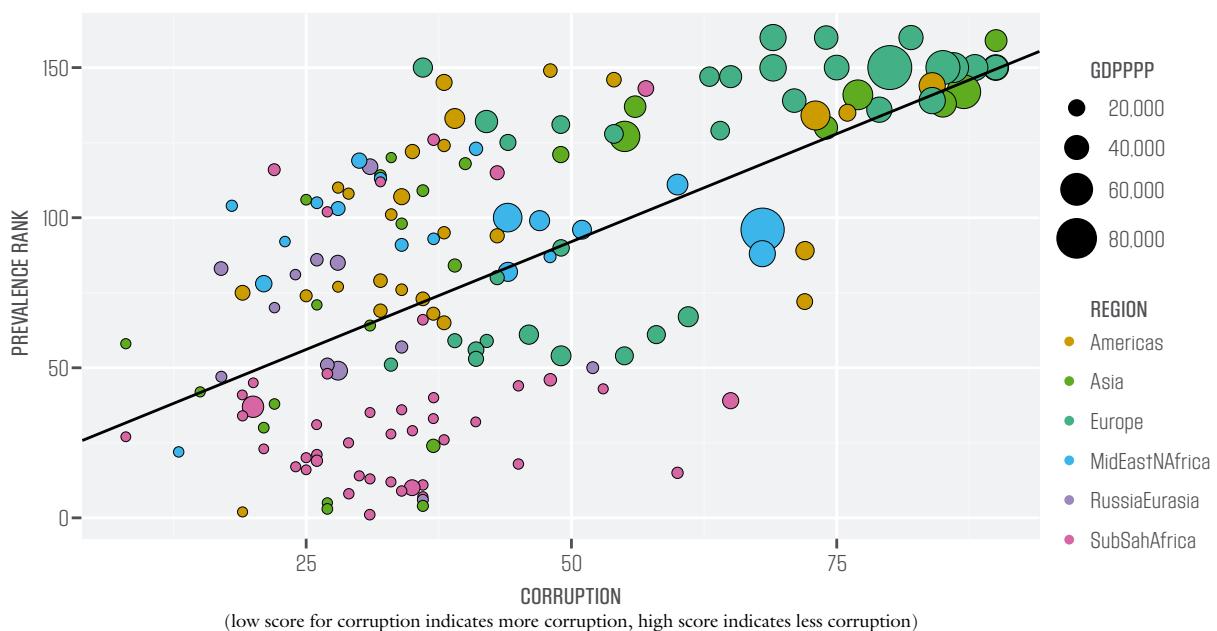
It is important to note that global trends and relationships are broad and generalised findings, and will not represent the unique situation of any one country. In future years we will explore these relationships at the regional level and down to the country level. What is important is that these measurements of co-relationships point to patterns of risk, vulnerability, and interaction in the dynamic crime of modern slavery.

### Modern slavery and corruption

The research literature notes ample examples of corruption being implicated in modern slavery.<sup>457</sup> This is no surprise; if the rule of law is effective it protects citizens from being enslaved. If the rule of law is corrupted, people are not protected and criminals can pay off officials and act with impunity.

This graph examines the relationship between corruption (as measured by the Transparency International Index<sup>458</sup> and prevalence of modern slavery (as measured by the Global Slavery Index). Each dot in the graph represents one of the countries in the Index dataset.

This figure shows a strong relationship between modern slavery and corruption ( $R^2 = .61$ ) which is statistically significant ( $p > .01$ ).



<sup>455</sup> **Correlation** is a measure of the relationship between two variables (such as the amount of slavery and the level of corruption). A correlation indicates whether the relationship exists and, if it does, how strong it is. It can also show whether the two variables move together (slavery and corruption go up and down together), or if they have an “inverse” relationship (when corruption goes up, slavery goes down). A correlation cannot determine whether one variable causes another variable to change (corruption causes slavery), only if there is a relationship between the two variables.

<sup>456</sup> Correlation measures the “**statistical significance**” of a relationship. This means it determines if there really is a relationship between the two variables, or if what seems to be a relationship simply happened by chance. For the correlations in this section all of the relationships we present have only a 1 in 1,000 likelihood of having occurred by chance.

<sup>457</sup> See for example, Human Rights Watch (2010), *From the Tiger to the Crocodile: Abuse of migrant workers in Thailand*, New York, Human Rights Watch.

<sup>458</sup> Data used is from 2012, available from [http://www.transparency.org/whatwedo/pub/corruption\\_perceptions\\_index\\_2012](http://www.transparency.org/whatwedo/pub/corruption_perceptions_index_2012)

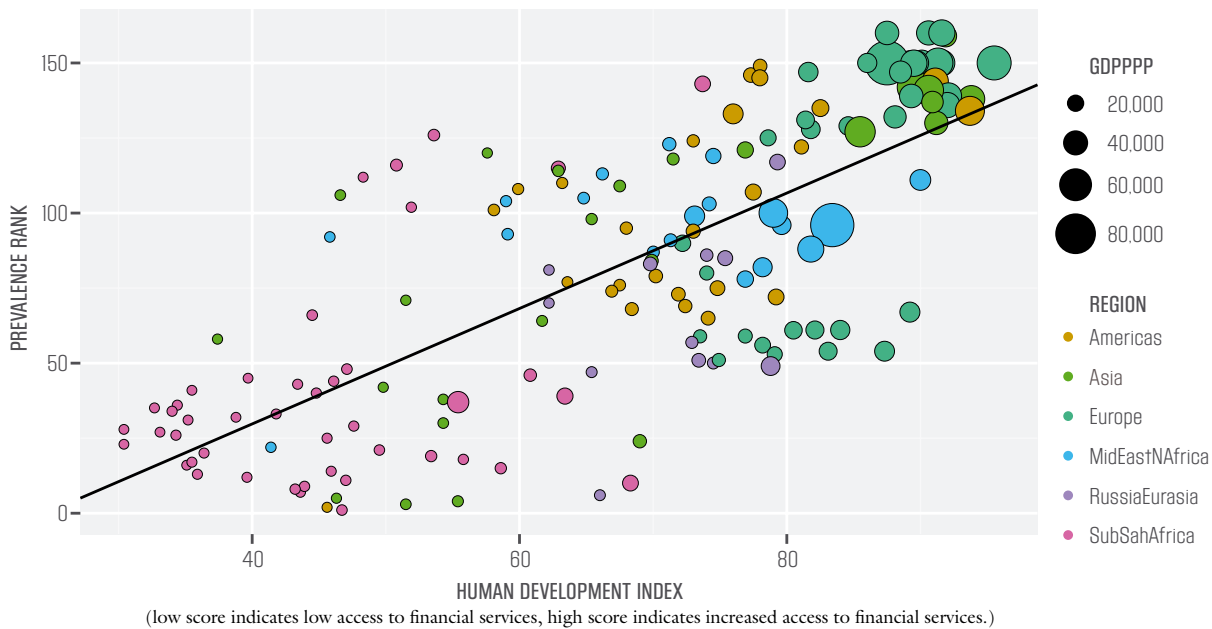
## Human Development

The research literature frequently draws connections between levels of human development (including factors such as availability of health care, education and levels of income) and modern slavery.

This graph examines the relationship between human development (as measured by the UNDP Human Development Index)<sup>459</sup> and prevalence of modern slavery (as measured by the Global Slavery Index).

Note the downward sloping shape of the graph, which suggests higher levels of modern slavery correlate with lower levels of the Human Development Index (and conversely, lower levels of modern slavery correspond to higher levels of HDI).

The level of a country's human development reflects its economic wellbeing, which in turn affect the poverty levels and deprivation a citizen might face. On the other hand, higher levels of educational attainment, elevated health care, and the chance of effective citizenship, all tend to allow people to protect themselves from vulnerability to modern slavery. This finding is statistically significant ( $p > .01$ ) and the correlation score ( $R^2 = .74$ ) points to a strong relationship between modern slavery and development.

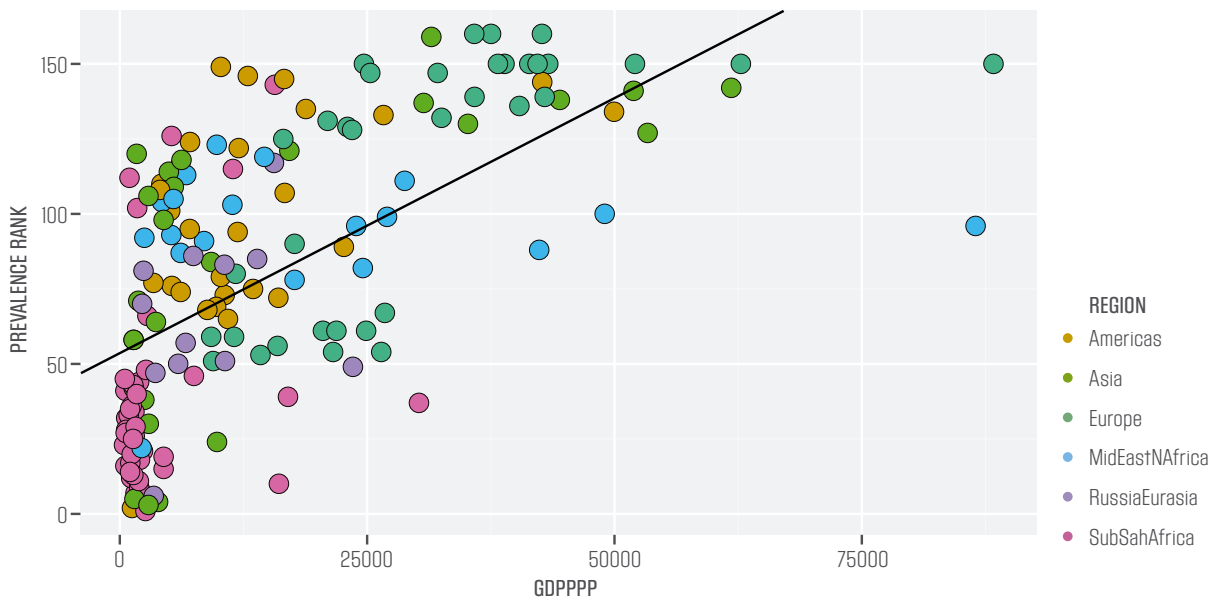


<sup>459</sup> "Human Development Index", (2012), UNDP: <http://hdr.undp.org/en/reports/regional/latinamericathecaribbean/name,24269,en.html>

## GDP

The research literature points to poverty as one of the factors that increase vulnerability to enslavement. Also, a lack of economic development can mean inadequate resources are available to maintain an effective criminal justice or labour protection system.

This graph examines the relationship between prevalence of modern slavery (as measured by the Global Slavery Index) and GDP per capita in terms of purchasing power parity (as measured by the World Bank Development Indicators<sup>460</sup>). A bivariate regression analysis reveals that the finding is statistically significant ( $p > .01$ ) and relatively strong ( $R^2 = .63$ ).

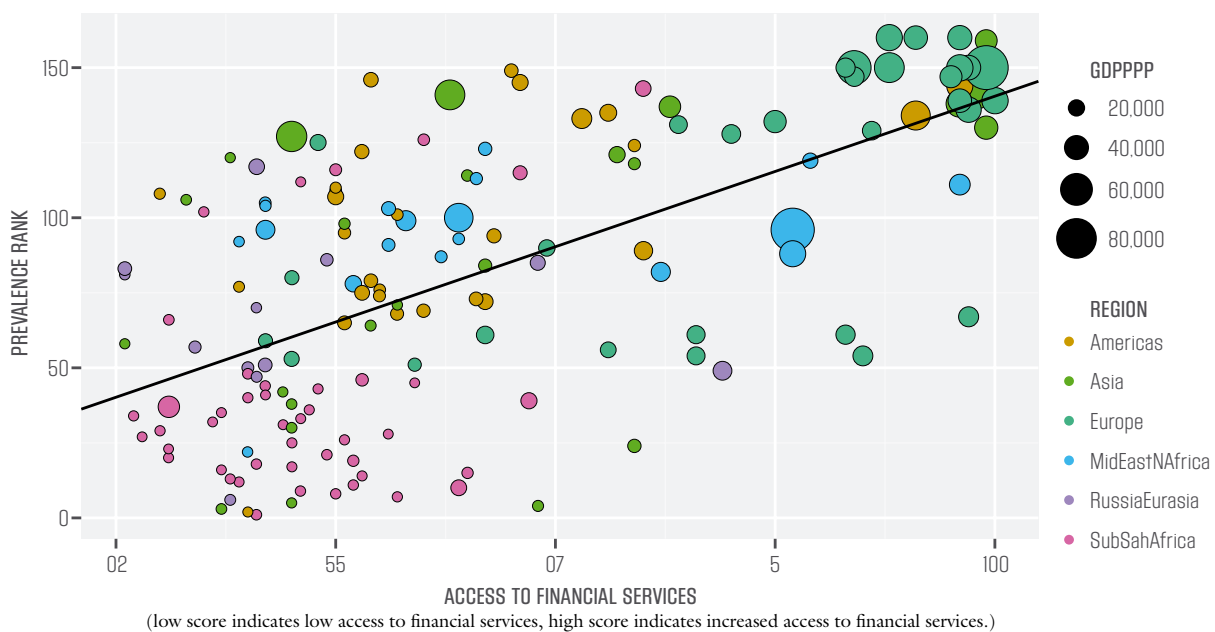


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## Access to Financial Services

A common pathway into modern slavery is through debt. When access to legal sources of credit is not possible, the poor and vulnerable will sometimes turn to other types of lending, even to the mortgaging of their own lives – resulting in modern slavery. Access to financial services can be crucial for upward social mobility. Without access to credit, there is often little the average family can do to improve its lot in life.

This graph examines the relationship between prevalence of modern slavery (as measured by the Global Slavery Index) and access to financial services that the average citizen can obtain in a given country (as measured in 2007 for the World Bank<sup>461</sup>). The figure shows a negative relationship between access to financial services and the prevalence of slavery in a country. This finding is statistically significant ( $p > .01$ ) and suggests a strong relationship ( $R^2 = .63$ ).



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<sup>461</sup> See: [http://siteresources.worldbank.org/INTFR/Resources/Cross\\_Country\\_Variation\\_In\\_Household\\_Access.pdf](http://siteresources.worldbank.org/INTFR/Resources/Cross_Country_Variation_In_Household_Access.pdf).







Section Three

APPENDICES

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## APPENDIX 1: METHODOLOGY

### HOW IS THE INDEX CONSTRUCTED?

Modern slavery is a hidden crime and exists in many forms. For these reasons it can be very difficult to measure. While the Global Slavery Index uses the most recent information sources and has called on the advice of experts, the estimation of the amount and types of modern slavery is very much a work in progress. By far the best method of estimating the extent of any crime, including any form of modern slavery, is the use of representative random sample surveys. These are particularly difficult to accomplish for modern slavery, but some have now been conducted.<sup>462</sup> Pending the availability of more national surveys, we have used the best information available to us to build our estimates. We encourage further work and engagement with national statistics offices to improve data on the prevalence of modern slavery, and we hope that the Global Slavery Index will stimulate research in this area.

While the precision of our estimates will improve as we move forward, we believe that modern slavery can be detected and adequately estimated both directly and indirectly.

The Index reflects a weighted combined measure of 3 factors:

- a) Estimate prevalence of modern slavery in each country (this makes up the majority of the Index measure, accounting for 95% of the total)
- b) A measure of the level of human trafficking to and from each country (accounts for 2.5%)
- c) A measure of the level of child and early marriage in each country (accounts for 2.5%)

The reason for including each of these variables and the source of the underlying data is described below.

#### a) Estimating the number of people in modern slavery

The estimate of the number of people in modern slavery, country by country, is based on two types of information. The first type of information was obtained from a review of the public record, also referred to as secondary source information – published reports from governments, the investigations of non-governmental and international organisations, and journalistic reports across all media.<sup>463</sup> These included: reports of government agencies, including serials such as the US State Department *Country Reports on Human Rights Practices* but also stand alone reports such as the *Incidence of Bonded Labor in India; Area, Nature and Extent*, carried out by Lal Bahadur Shastri, National Academy of Administration, in India; reports by the International Labor Organization, such as the *Stopping Forced Labor* Report, the reports on each sessions of the ILO including the reports of the Committee of Experts on the Application of Conventions and Resolutions, and the reports of the Committee on the Application of Standards; reports by experts,<sup>464</sup> reports by non-governmental organisations, such as those of Anti-Slavery International and Human Rights Watch; and media reports on labour abuses.

From the information gathered from secondary sources and analysis by the research team, an estimate was made of the prevalence of slavery in each of the 162 countries. These estimates were then presented to experts with personal knowledge of a country, a region, or an industry, often with a promise of anonymity. They compared the information that had been collected with their own knowledge and suggested which points might be exaggerations, which might be under- or over-estimates, and which might be indicative of the social reality. In the process, they often suggested further sources of information. The experts were asked to frame their response within a specific working definition of slavery so that there would be conceptual comparability between their assessments.

Until recently the analysis of secondary sources was the only method available to estimate modern slavery,

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<sup>462</sup> See for example, ILO, “Statistical Review 1: Moldova: Migration and Trafficking Survey”, (2012), *Bureau International du Travail*, Enquête National sur le Travail des Enfants au Niger (2009) Volet: Travail forcé des adultes et des enfants, INS Niger, October 2011; Julia R. Pennington, A. Dwayne Ball, Ronald D. Hampton and Julia N. Soulakova, “The Cross-National Market in Human Beings”, (2009), *29 Journal of Macromarketing*. Other sectoral and location specific surveys have been conducted but they do not provide national figures in the same way as representative random sample surveys.

<sup>463</sup> An explanation of how secondary source information can be used to generate national prevalence estimates can be found in: K Bales, “International Labor Standards: Quality of Information and Measures of Progress in Combating Forced Labor,” *Comparative Labor Law and Policy*, Vol. 24, No. 2, Winter 2004.

<sup>464</sup> Examples of expert research that was relied on are research of the ILO Social Finance Unit and Institute for Human Development in their work on debt bondage; the work of Dr. Anne Keiland of the World Bank on child trafficking in West Africa; reports from experts such as Jok Madut Jok, the Sudanese historian based in the US, who has written about contemporary enslavement in Sudan; or the work of Bianca Le Breton who lives, and studies labor exploitation, in Brazil.

but recent research has made possible an additional and different type of information – information about prevalence gained through representative random sample surveys. This is the second type of information used in our estimate of prevalence.<sup>465</sup> These representative samples (meaning they are collected randomly and thus can reliably represent the larger population) yield a statistical estimate of the prevalence of slavery based on first-hand reports by individuals. Information gained in this way is superior to secondary sources, but is available for a limited number of countries. Because this type of information does not exist for many countries, the Index uses representative sample data to statistically extrapolate the prevalence of modern slavery for select countries that have not yet had random sample surveys.

As only a limited number of representative surveys have been conducted, it was necessary to try to group the 162 countries so that the ratio of prevalence that is most relevant could be applied. To do this, a country-by-country assessment was made based on commonalities between the survey countries and the remaining countries on such factors as GDP, levels of in- and out-migration, levels of conflict and stability. The aim was to use both statistical comparisons where available and expert knowledge to group countries along the hypothesised range of prevalence proportions. For example, the prevalence ratio from the UK study was assumed to be relevant to other European island nations such as Ireland and Iceland, whereas the prevalence ratio for USA was assumed to be relevant to developed Western European countries such as Germany. Clearly, this method does not have the precision of a global random and representative sample; rather it is the best estimation that can be derived from the extrapolation within an assumed range. We look forward to future representative samples adding data points to the extrapolation.

These two indicators inform our estimate of the number enslaved people. We are the first to acknowledge that these estimates have flaws. This is due to the fact that modern slavery is a criminal activity and hidden from view, and from investigation and measurement in all countries. Secondary source reports can rarely

### EXAMPLE 1: UKRAINE – ESTIMATING PREVALENCE FROM A POPULATION SURVEY

In 2006 a representative sample population survey team visited 1,345 households in Ukraine. As part of a larger questionnaire, a member of the household was asked these questions:

- 1 “How many members of your close family traveled abroad because they were offered a domestic or nursing job, but on arrival were locked and forced to work for no pay?”
- 2 “How many members of your close family traveled abroad because they were offered a job, but on arrival they were locked and forced to work at an enterprise/on construction/in the agricultural field for no or little pay?”
- 3 “How many members of your close family traveled abroad because they were offered employment, but upon arrival to a country of destination their passport was taken away and they were forced to work to work in the sex business?”

On the basis of the answers to these questions it was determined that there were 21 trafficked and enslaved people in the sample, or 0.0155 of the 1,345 families interviewed. Adjusted for the average number of families in Ukraine, this ratio suggests a mean estimate of 115,662 trafficked people in Ukraine. For the Global Slavery Index we present this information as a range from 110,000 to 120,000. A randomly sampled representative survey is the best method for estimating the prevalence of modern slavery, for this reason the Global Slavery Index will be commissioning more such surveys.

<sup>465</sup> “Statistical Review I: Moldova: Migration and Trafficking Survey”, (2012), *Bureau International du Travail*, Enquête National sur le Travail des Enfants au Niger (2009) Voler: Travail forcé des adultes et des enfants, INS Niger, October 2011; Julia R. Pennington, A. Dwayne Ball, Ronald D. Hampton and Julia N. Soulakova, “The Cross-National Market in Human Beings”, (2009), 29 *Journal of Macromarketing*. Estimates for Haiti were drawn from Smucker, Glenn R. (ed.), Y-F Pierre, and J-F Tardieu, *Lost Childhoods in Haiti: Quantifying Child Trafficking, Restaveks, and Victims of Violence*, Pan American Development Foundation and U.S. AID/ Haiti Mission, November 2009.

Additionally, estimated prevalence ratios were constructed for the United Kingdom and the United States since there has been no surveys. The UK estimate was derived from a Memorandum to the (Parliamentary) Joint Committee on Human Rights – Inquiry into Human Trafficking, the Home Office submitted evidence suggesting there were about 4,000 victims of trafficking in the UK in 2003. See: Joint Committee for Human Rights, Human trafficking, 13 October 2006, HL 1127 2005-06. This estimate was then divided by the UK population for 2003 of 59,834,900 (Source: Office for National Statistics; National Assembly for Wales; General Register Office for Scotland; Northern Ireland Statistics and Research Agency). The US estimate was based on two sources: “Hidden Slaves: Forced Labor in the United States”, (2004) *Free the Slaves*: [http://www.law.berkeley.edu/files/hidden\\_slaves\\_report.pdf](http://www.law.berkeley.edu/files/hidden_slaves_report.pdf)

“Human Rights Center, University of California, Berkeley”, (2004); and “The Office to Monitor and Combat Trafficking in Persons”, (2010) *U.S. State Department*, as reported by the Congressional Research Service, (7-5700/RL34317): <http://fpic.state.gov/documents/organization/147256.pdf>.

Certain assumptions were made as we worked with these estimates. Firstly, we assume no country can have an indicative fraction below 0.0. Second, we assume the calculated fraction for the United Kingdom (.00007), with its tightly controlled borders and comparatively efficient system of law enforcement is the minimum proportion of a country’s population caught in trafficking/slavery. In other words, we assume the value for the UK is the lower bound for the range. Third, we assume that a mean value of .00013, taken as the mean of the UK and U.S. proportions, can be used as the extrapolated population proportion for most Western European countries. Fourth, we assume the mean value of .002204, taken of the proportions of Belarus, Bulgaria, Moldova, Romania, and Ukraine, can be extrapolated as the population proportion for other Eastern European countries. Fifth, the proportion derived from the sample data for Haiti is likely to be at or near the upper end of the range of prevalence proportions.

**EXAMPLE 2: GERMANY – ESTIMATING PREVALENCE FROM STATISTICAL EXTRAPOLATION**

As of this writing, no representative sample survey of prevalence has been carried out in Germany. Without such information, we need to employ other methods with which we can estimate the number of enslaved. In lieu of representative sample survey data (which is our most preferred method) we turn to other estimates from which we can extrapolate a measure of prevalence for Germany. Extrapolation is a process of estimating, beyond the original observed data, an unknown value in relation to a known one. In locating data for additional known values, the work done by Pennington et al.<sup>466</sup> is useful, from which we have survey data for five countries – Belarus, Bulgaria, Moldova, Romania, Ukraine. Although these are Eastern European countries, they help us construct an upper range of modern slavery into which we can interpolate a value for Germany. However, because we also need data beyond Eastern Europe from which to consider a lower bound of modern slavery (into which we can situate Germany), we turn to two additional estimates for which survey data are available – the United States<sup>467</sup> and the United Kingdom.<sup>468</sup>

Combined, we have seven measures from which we are able to extrapolate an estimate for Germany (along with other Western European nations) based on several key assumptions from Datta and Bales.<sup>469</sup> First, we assume that Germany must have a modern slavery estimate that is at least greater than zero. That is, we know that Germany must have at least some prevalence of modern slavery – it cannot be slave free, since no country is. Second, we assume the estimate of modern slavery for the United Kingdom (.007% of the population), with its tightly controlled borders and comparatively efficient system of law enforcement, is the lower bound for modern slavery in Europe, and thus provides a reference point for our estimate of Germany. Third, we assume that a mean value of the UK (.007% of the population) and US (.019% of the population) can be used as the extrapolated population proportion for most Western European countries, like Germany. Fourth, we assume that mean of Belarus, Bulgaria, Moldova, Romania, and Ukraine, can be used at the upper bound of modern slavery in Europe. Together, these assumptions give us a reasonably sound foundation upon which to interpolate a figure for the number of enslaved in Germany.

We interpolate the percentage of the number of enslaved in Germany as .00013% of the population. Given that Germany had a population of 81,889,839 in 2012 (based on data from the World Bank), we can now calculate the prevalence of modern slavery in Germany as  $.00013 * 81,889,839$ , which gives us an estimate of 10,646 people in modern slavery in 2012. This gives us a range of roughly 10,000 to 11,000 people in modern slavery in Germany.

Although this prevalence estimate is based on a mathematical calculation, we note with strong caution that this figure is at best an approximation of modern slavery in Germany, *and not the true figure*. Because modern slavery is a hidden crime, the true number is most likely higher than our estimate.

be validated against the reality they claim to represent. Representative surveys, especially when conducted to explore criminal activity, face significant problems in mis-reporting, under-reporting, and have sample selection challenges. While setting out those caveats, the Global Slavery Index offers this estimate as a work in progress for two reasons. Firstly, the problem of modern slavery is too pressing to wait the many years that would be required before much more complete survey coverage is achieved. Secondly, we offer this estimate in the spirit of transparent and open research following accepted scientific practice and aimed at ensuring objectivity, utility, and integrity of shared information. We consider the estimates to make an important and genuine contribution to the scholarship and debate about the size of modern slavery in particular countries. Even if not as precise as data from national surveys, they represent well-informed estimates based on a review of the available information. Our datasets and research instruments are available at: [www.globalslaveryindex.org](http://www.globalslaveryindex.org)

The prevalence estimates used in this Index are in Appendix 2. The data has been rounded according to the following protocol:

- For countries with more than 100 but less than 1,000 estimated enslaved people the estimate was rounded to the nearest 10<sup>th</sup>
- For countries with more than 1,000 but less than 10,000 estimated enslaved people the estimate was rounded to the nearest 100<sup>th</sup>

<sup>466</sup> “The Cross-National Market in Human Beings”, (2009), Pennington, Julie, Dwayne Ball, Ron Hampton, and Julia Soulakova, *29 Journal of Macromarketing* (2), pp. 119-134

<sup>467</sup> The U.S. estimate is based on two sources: “Hidden Slaves: Forced Labor in the United States”, (2004), *Free the Slaves & the Human Rights Center at the University of California, Berkeley*; and information from the “Trafficking in Persons: U.S. Policy and Issues for Congress”, (2010), *U.S. State Department*, as reported by the Congressional Research Service Report.

<sup>468</sup> The UK estimate is based on information from a Memorandum to the (Parliamentary) Joint Committee on Human Rights in October 2006.

<sup>469</sup> Monti Narayan Datta and Kevin Bales, “Slavery in Europe Part 1: Estimating the Dark Figure,” *Human Rights Quarterly*, Volume 35, No. 4. Fall 2013.

- For countries with more than 10,000 but less than 100,000 estimated enslaved people the estimate was rounded to the nearest 1000<sup>th</sup>
- For countries with more than 100,000 but less than 1,000,000 estimated enslaved people the estimate was rounded to the nearest 10,000<sup>th</sup>
- For countries with more than 1,000,000 enslaved people the estimate was rounded to the nearest 100,000<sup>th</sup>

#### b) Data on level of human trafficking to and from a country

Data were coded from country reports in the 2013 US Department of State Trafficking in Persons Report. Trafficking IN and OUT were extracted by the research team, and coded to an ordinal scale of 1-4, where 1 reflects a relatively low level of cross-border human trafficking and 4 reflects a high level of cross-border human trafficking.<sup>470</sup> Trafficking levels are important in the understanding of modern slavery for many countries, especially the richer countries. As a rule, human trafficking flows from poorer countries to richer countries, and the modern slavery that occurs in the richest countries tends to be the enslavement of foreign-born persons, not of their own citizens.

#### c) Data on child marriage in each country

The data source for the information on child marriage in each country is from UNICEF ([http://www.childinfo.org/marriage\\_countrydata.php](http://www.childinfo.org/marriage_countrydata.php)). This data provides estimates of the percentage of women, aged 20-24, who were married or in a union before the age of 18. Using these data, the researchers created an ordinal child marriage measure, on a scale of 1-5, where 1 = least child marriage and 5 = most child marriage.

The variable on child marriages is included on the assumption that increased levels of child marriage, or indeed early marriages will be highly correlated with increased levels of enslavement. While not all marriages of persons under the age of 18 constitute a form of enslavement, some certainly will. In this regard it is relevant to recall that forced marriage, servile marriage and some forms of child marriage are classified under international law as “practices similar to slavery.”<sup>471</sup>

### EXAMPLE 3: NEPAL – ESTIMATING PREVALENCE FROM SECONDARY SOURCES

When there are no surveys or the opportunity to extrapolate from surveys of neighboring countries, it is necessary to fall back on secondary source information. Secondary sources vary dramatically from country to country. In the best situations there are a number of sources available and all will be searched out and their data considered and tested. For the country of Nepal these included:

- 1 Reports of government agencies (including law enforcement, immigration, trading and business statistics, etc.);
- 2 Reports produced by international agencies, such as the International Labour Organization, the United Nations, or the World Bank;
- 3 Reports by experts, these are often commissioned by governments or international agencies, or possibly by non-governmental organisations;
- 4 Reports by non-governmental organisations, both local and international;
- 5 The work of academic experts; and,
- 6 Press and media reports.

All of these reports must be considered carefully – is this organisation or this government seeking to conceal or present the data in a particular to fit their agenda? Were staff used to collect information trained to do research or simply well-meaning volunteers? Is anything being lost in translation? Each piece of information must be weighed against other information and not accepted on face value. Once a combination of these have suggested an estimation of prevalence, then that is tested as well by asking country and issue experts to balance it against their specialist knowledge and comment and suggest adjustments. The judgments of experts are helped by ensuring that they are all working to the same definition of modern slavery, and this are using the same ‘measuring stick’ in their consideration. At the end of the process is an estimate that can be compared to estimates arrived at by other methods, and which can be constantly tested and reconsidered as new information

<sup>470</sup> Codebook is available on the Index website: <http://www.globalslaveryindex.org>

<sup>471</sup> The relevant text of the 1956 UN Slavery Convention calls on all nations to bring about the complete abolition or abandonment of the following institutions and practices:

(c) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

(iii) A woman on the death of her husband is liable to be inherited by another person;

(d) Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.

## WEIGHTING

The estimate of prevalence is given significantly greater emphasis in the calculation of the Index. In the Index calculation, the estimate of prevalence is counted as 95% of the value of category. Together, the estimate of human trafficking in and out of each country contributes 2.5% to the overall Index score, and the estimate of child marriage counts as 2.5% of the total Index score.

## NORMALISATION PROCESS

Data in the Global Slavery Index come from a number of credible yet disparate sources. In their raw form, many of the variables used on the Global Slavery Index are difficult to compare. In order to make meaningful comparisons, we require a method to examine each variable in relation to the other along the same linear scale, from a minimum of 1 to a maximum of 100. To do this, we employ a normalisation procedure based upon the formula:  $y = 1 + (x-A) * (100-1)/(B-A)$

This formula allows us to create a linear transformation of each variable used in the Global Slavery Index, in which comparisons are straight forward. In this process, a given variable has one value (call it A) that maps to the minimum value of 1 and another value (call it B) that maps to the maximum value of 100. This ensures ease of comparison of all variables in the index.

## HOW IS THE RANKING OF RISK CONSTRUCTED?

The ranking of risk is based on an assessment of 33 quantitative indicators that reflect five key dimensions that might create or support a risk of enslavement: a country's anti-slavery policies; a country's respect for human rights; a country's level of human and economic development; the stability of the Government and the institutions of the country; and the level of discrimination against women in a country. All of these indicators are generated by respected sources external to the Global Slavery Index and were selected by the research team, on the basis of statistical testing of their relationship to the prevalence of modern slavery.

The variables that are included in each of these five dimensions are as follows:

### a) Slavery Policy

1. Prevention measure (drawn from Cho, Dreher, & Neumeyer, 2012)<sup>472</sup>
2. Protection measure (drawn from Cho, Dreher, & Neumeyer, 2012)
3. Prosecution measure (drawn from Cho, Dreher, & Neumeyer, 2012)
4. Presence of law enforcement training (drawn from US TIP report, 2013)
5. Migration regulation (drawn from US TIP report, 2013)
6. Monitoring of labor practices (drawn from US TIP report, 2013)
7. Parallel legal systems (drawn from information in CIA FactBook, 2013)

### b) Human Rights

1. Access to Legal & Property Rights (World Bank, 2012)
2. Civil liberties (Freedom House, 2013)
3. Freedom of Assembly (CIRI Human Rights Data – Binghamton, 2010)
4. Freedom of Religion (CIRI Human Rights Data – Binghamton, 2010)
5. Freedom of Speech (CIRI Human Rights Data – Binghamton, 2010)
6. Political Rights (Freedom House, 2013)
7. Worker's Rights (CIRI Human Rights Data – Binghamton, 2010)

### c) Development

1. Access to Financial services (World Bank, 2007)
2. Cell phone users (World Bank, 2011)
3. Credit information (World Bank, 2012)
4. GDP-PPP (UNDP, 2012)
5. HDI (UNDP, 2012)
6. International Debt (World Bank, 2012)

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7. Internet activity (World Bank, 2011)
  8. Literacy (UNDP, data from various years as available by country)
  9. Social safety net (John Dixon's "A Global Ranking of National Security Systems", 2010-2011)

#### **d) State Stability**

1. Corruption (Transparency International, 2012)
2. Governance (World Bank, 2011)
3. Independence of judiciary (CIRI Human Rights Data – Binghamton, 2010)
4. Peace Index (Global Peace Index – Vision of Humanity, 2012)
5. Political instability (The Economist Intelligence Unit, 2009-2010)
6. Violent crime (UNODC, 2011)
7. Weapons access (Global Peace Index – Vision of Humanity, 2013)

#### **e) Women's rights and discrimination**

1. Gender Gini coefficient (World Bank, data from various years as available by country)
2. Women's economic rights (CIRI Human Rights Data – Binghamton, 2010)
3. Women's political rights (CIRI Human Rights Data – Binghamton, 2010)

The scores of each of these indicators were normalised to ensure numerical compatibility and then averaged to yield the score for each dimension of risk. The average of all five dimensions for a country yields the overall risk score for that country. More information is available on each variable in the Codebook, along with the full citation of sources, with the full dataset at the Index website.

### **HOW WERE COUNTRY RESPONSES ASSESSED?**

The country studies are intended to be a short and sharp summary of major features of the problem of modern slavery as it manifests in each country, the Government response to it and what needs to happen to improve the situation.

While the country studies are written in summary form, they are based on a review of a much larger set of information. A guide to understanding the country studies follows.

#### **Section 1: The problem**

This section is intended to identify the major features of the problem as it manifests in each country. How big is the problem thought to be, who does it affect and how and where is the problem? This section is based primarily on a review of recent research literature.

#### **Section 2: What is the government doing about it?**

This section is based on a review of available information covering: government accountability, commitment and coordination; criminal justice responses; victim support services; and other factors affecting vulnerability (see Table 1 on page 116). Key points were selected by the researchers reflecting their own judgement about: which points were most notable or outstanding, for a short summary; and which information shed most light on the strengths and weaknesses of the response as it really operates in practice, rather than simply documenting institutional mechanisms (irrespective of whether or not they work).

This list of indicators was drawn from pre-existing work on effectiveness of responses,<sup>473</sup> a review of feedback and discussion on this issue provided at a working session of around 20 global experts, held in the United Arab Emirates in October 2012,<sup>474</sup> and a review of ideas put forward by the Advisory Group to the Index.

For some countries, information is available about many of the points noted below. However, for most of the countries with higher prevalence, very little of this information is available. Efforts will be made to reflect this information deficit in future years of the Index, as this fact in itself tends to reflect the level of focus on the issue in a country.

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<sup>473</sup> In particular, the "International Quality Standards", (2011), included in ASEAN, *Progress Report on Criminal Justice Responses to Trafficking in Persons in the ASEAN Region*: [http://www.ungift.org/doc/knowledgehub/resource-centre/ASEAN\\_Progress\\_Report\\_TIP.pdf](http://www.ungift.org/doc/knowledgehub/resource-centre/ASEAN_Progress_Report_TIP.pdf); Gallagher, A and Holmes, P, "Developing an Effective Criminal Justice Response to Human Trafficking: Lessons from the Front Line", (2008), 18(3) 1; *International Criminal Justice Review* 318; "Handbook on Performance Indicators for Counter-Trafficking Projects", (2008), IOM: [http://www.iom.int/jahia/webdav/shared/shared/mainsite/published\\_docs/brochures\\_and\\_info\\_sheets/pi\\_handbook\\_180808.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/published_docs/brochures_and_info_sheets/pi_handbook_180808.pdf);

<sup>474</sup> 1-2 October 2012, transcript of discussions held by Walk Free.

**TABLE 1:**  
**INFORMATION CONSIDERED IN “WHAT IS THE GOVERNMENT DOING ABOUT MODERN SLAVERY?”**

**Commitment, accountability and coordination**

<b>Key question</b>	To what extent are leaders: committed to comprehensively tackle this issue; accountable for that commitment; have committed resources; have taken steps to ensure they have access to information to inform policy; and are facilitating coordination of policies and programmes?
<b>Key indicators</b>	<ul style="list-style-type: none"> <li>■ Size of government budget allocation to the problem</li> <li>■ Recent notable political commitments</li> <li>■ Ratifications of key treaties (that is, UN Trafficking Protocol; CRC Optional Protocol on the Sale of Children; Forced Labour Convention; Worst Forms of Child Labour Convention; Slavery Convention; Supplementary Slavery Convention; and where relevant European Trafficking Convention)</li> <li>■ Is there a national plan of action? Are there gaps in coverage or duplication?</li> <li>■ Is information published each year indicating progress against national plan of action?</li> <li>■ Is there a coordination mechanism across government responses?</li> <li>■ Is there a coordination mechanism between government and civil society?</li> <li>■ Is information available that gives government’s reliable information about the problem and risk factors? (e.g.: research programmes)</li> <li>■ Are statistics published that indicate government activity on this issue (investigations, prosecutions, convictions)?</li> </ul>

**Criminal justice responses**

<b>Key question</b>	What is the extent to which the criminal justice system facilitates the identification and prosecution of all forms of modern slavery.
<b>Key indicators</b>	<ul style="list-style-type: none"> <li>■ Laws criminalise all forms of modern slavery, as per international standards (slavery, human trafficking, forced labour, worst forms of child labour).</li> <li>■ Are victims recognised as victims and not prosecuted?</li> <li>■ Victim compensation available either from the offender on conviction or from the State where no conviction.</li> <li>■ Witness protections in place for in and out of court.</li> <li>■ Laws support cross-border investigations / prosecutions.</li> <li>■ Are penalties proportionate?</li> <li>■ Specialist police unit exists and has: mandate, budget &amp; training.</li> <li>■ Front line police in hot spot areas are trained on this issue.</li> <li>■ Protection is provided to victims by police as needed.</li> <li>■ Proportion of prosecutors who have had training on this issue in past 5 years?</li> <li>■ Victim protections in court are used?</li> <li>■ Is there evidence of witness tampering?</li> <li>■ Proportion of judges who have had training on this issue in past 5 years?</li> <li>■ Evidence of interference in cases?</li> <li>■ Are cases of corruption / interference in the system being investigated?</li> </ul>

**Victim support services**

<b>Key question</b>	What is the extent to which Governments are ensuring that victim-support services exist; their capacity is proportionate to the size of the problem; and does this actually meet the needs of victims?
<b>Key indicators</b>	<ul style="list-style-type: none"> <li>■ Coverage of victim support services: (types: information services; physical and mental health; training and education; legal assistance; shelter)</li> <li>■ Capacity (State provided or NGO?; Budget if state provided; number of clients; has any form of evaluation been conducted in past 2 years?)</li> </ul>



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### Other factors affecting vulnerability

<b>Key question</b>	Are there any particular locally relevant factors that have been identified in the research as being relevant to vulnerability (eg. migrant workers, discrimination, human rights and conflict)?
<b>Key indicators</b>	<ul style="list-style-type: none"><li>■ Severe unemployment level?</li><li>■ Particular size / shape / nature of informal economy?</li><li>■ Are there sectors of the labour force that are really discriminated against?</li><li>■ Are there vulnerable sectors of workforce not covered by labour law?</li><li>■ Is there a lack of support and legal advice services for workers in vulnerable sectors?</li><li>■ Are visa or other aspects of immigration laws unfair? (e.g.: workers required to live on site or with employer; not permitted to change employer?)</li><li>■ Is there widespread practice of holding passports, and the practice is not illegal?</li><li>■ Are there a lack of protections for overseas workers (e.g.: no labour attaches?)</li><li>■ Lack of services for vulnerable migrant workers (legal advice, assistance to regularise, assistance to leave abusive employer, repatriation in an emergency)?</li><li>■ Are there sectors of the community that are subject to particularly extreme discrimination and exclusion?</li><li>■ Lack of response to conflict situations in the country?</li><li>■ Lack of response to severe corruption?</li><li>■ Other as identified in the research?</li></ul>

### Section 3: What needs to happen?

This section reflects an informed but subjective review of the information collected and analysed. Looking at the totality of the information available, where do the highest priorities for action seem to be?

#### Which countries are covered and why?

In this first year of the Index, it was not possible to cover all 162 countries. Accordingly, a decision had to be made about selecting a sub-set for special focus, and it was decided to focus on countries at the more extreme ends of the Global Slavery Index.

#### Accordingly, the countries included are:

- The ten countries with the worst ranking in the Index (Mauritania, Haiti, Pakistan, India, Nepal, Moldova, Benin, Cote d'Ivoire, the Gambia, Gabon) (included in the body of the main report);
- The ten countries with the best ranking in the Index (Iceland, Ireland, United Kingdom, New Zealand, Switzerland, Sweden, Norway, Luxembourg, Finland, Denmark) (included in the body of the main report);
- The ten countries with the highest estimated absolute numbers in modern slavery (India, China, Pakistan, Nigeria, Ethiopia, Russian Federation, Thailand, Democratic Republic of the Congo, Myanmar and Bangladesh) (available on the website); and
- A selection of other major countries of particular interest, either because they are major sending, transit or destination countries (eg: Yemen and the United States), or their response is emerging to be particularly innovative (eg: Brazil and Philippines) (available on the website).

The country studies were prepared by a small group of researchers. While the research was conducted primarily in English, the research team included researchers with French, Creole, German, English and Arabic language skills.

## APPENDIX 2: DATA TABLES

**Table 1: Ranking by prevalences of population in modern slavery, plus national population, plus estimate of absolute numbers of population in modern slavery per country**

Country Name	Rank	Population <sup>475</sup>	Calculated Number of Enslaved <sup>476</sup>	Estimated Enslaved (Lower Range) <sup>477</sup>	Estimate Enslaved (Upper Range)
Mauritania	1	3,796,141	151,353	140,000	160,000
Haiti	2	10,173,775	209,165	200,000	220,000
Pakistan	3	179,160,111	2,127,132	2,000,000	2,200,000
India	4	1,236,686,732	13,956,010	13,300,000	14,700,000
Nepal	5	27,474,377	258,806	250,000	270,000
Moldova	6	3,559,541	33,325	32,000	35,000
Benin	7	10,050,702	80,371	76,000	84,000
Côte d'Ivoire	8	19,839,750	156,827	150,000	160,000
Gambia	9	1,791,225	14,046	13,000	15,000
Gabon	10	1,632,572	13,707	13,000	14,000
Senegal	11	13,726,021	102,481	98,000	110,000
Ethiopia	12	91,728,849	651,110	620,000	680,000
Sierra Leone	13	5,978,727	44,644	42,000	47,000
Togo	14	6,642,928	48,794	46,000	51,000
Cape Verde	15	494,401	3,688	3,500	3,900
Eritrea	15	6,130,922	44,452	42,000	47,000
Guinea	17	11,451,273	82,198	78,000	86,000
Ghana	18	25,366,462	181,038	170,000	190,000
Republic of the Congo	19	4,337,051	30,889	29,000	32,000
Guinea-Bissau	20	1,663,558	12,186	12,000	13,000
Cameroon	20	21,699,631	153,258	150,000	160,000
Sudan	22	37,195,349	264,518	250,000	280,000
Democratic Republic of the Congo	23	65,705,093	462,327	440,000	490,000
Thailand	24	66,785,001	472,811	450,000	500,000
Uganda	25	36,345,860	254,541	240,000	270,000
Burkina Faso	26	16,460,141	114,745	110,000	120,000
Somalia	27	10,195,134	73,156	69,000	77,000
Niger	28	17,157,042	121,249	120,000	130,000
Tanzania	29	47,783,107	329,503	310,000	350,000
Laos	30	6,645,827	50,440	48,000	53,000
Central African Republic	31	4,525,209	32,174	31,000	34,000
Liberia	32	4,190,435	29,504	28,000	31,000
Malawi	33	15,906,483	110,391	100,000	120,000
Chad	34	12,448,175	86,329	82,000	91,000
Mozambique	35	25,203,395	173,493	160,000	180,000

<sup>475</sup> 2012 Population Data, *The World Bank*: <http://databank.worldbank.org/data/views/reports/tableview.aspx>

<sup>476</sup> The calculated number of enslaved is a figure obtained by multiplying the estimated proportion of the population enslaved in each country (derived from random sample surveys and secondary source estimates) by the current population. Although this is a calculation, it is not the true number of enslaved in each country, given that the “dark figure” of slavery (that is, the underreported number of enslaved) is considerably higher than the reported number. We therefore urge due caution in inferring that the calculated number represents the true number of enslaved. It is, most likely, a gross underestimate.

<sup>477</sup> Our rounding protocol was as follows. For countries with more than 100 but less than 1,000 estimated slaves the estimate was rounded to the nearest 10<sup>th</sup>. For countries with more than 1,000 but less than 10,000 estimated slaves the estimate was rounded to the nearest 100<sup>th</sup>. For countries with more than 10,000 but less than 100,000 estimated slaves the estimate was rounded to the nearest 1,000<sup>th</sup>. For countries with more than 100,000 estimated slaves the estimate was rounded to the nearest 10,000<sup>th</sup>. For countries with more than 1,000,000 slaves the estimate was rounded to the nearest 100,000<sup>th</sup>.

Country Name	Rank	Population <sup>475</sup>	Calculated Number of Enslaved <sup>476</sup>	Estimated Enslaved (Lower Range) <sup>477</sup>	Estimate Enslaved (Upper Range)
Mali	35	14,853,572	102,240	98,000	110,000
Equatorial Guinea	35	736,296	5,453	5,200	5,800
Cambodia	38	14,864,646	106,507	100,000	110,000
Botswana	39	2,003,910	14,298	14,000	15,000
Zambia	40	14,075,099	96,175	90,000	100,000
Burundi	41	9,849,569	71,146	68,000	75,000
Myanmar	42	52,797,319	384,037	360,000	400,000
Rwanda	43	11,457,801	80,284	76,000	84,000
Lesotho	44	2,051,545	14,560	14,000	15,000
Zimbabwe	45	13,724,317	93,749	89,000	98,000
Namibia	46	2,259,393	15,729	15,000	17,000
Uzbekistan	47	29,776,850	166,667	160,000	180,000
Nigeria	48	168,833,776	701,032	670,000	740,000
Russia	49	143,533,000	516,217	490,000	540,000
Georgia	50	4,511,800	16,227	15,000	17,000
Azerbaijan	51	9,297,507	33,439	32,000	35,000
Albania	51	3,162,083	11,372	11,000	12,000
Montenegro	53	621,081	2,234	2,100	2,400
Czech Republic	54	10,514,810	37,817	36,000	40,000
Hungary	54	9,943,755	35,763	34,000	38,000
Bulgaria	56	7,304,632	27,739	26,000	29,000
Armenia	57	2,969,081	10,678	10,000	11,000
Afghanistan	58	29,824,536	86,089	82,000	90,000
Bosnia and Herzegovina	59	3,833,916	13,789	13,000	15,000
Serbia	59	7,223,887	25,981	25,000	27,000
Croatia	61	4,267,000	15,346	15,000	16,000
Poland	61	38,542,737	138,619	130,000	150,000
Slovakia	61	5,410,267	19,458	18,000	20,000
Vietnam	64	88,775,500	248,705	240,000	260,000
Peru	65	29,987,800	82,272	78,000	86,000
Djibouti	66	859,652	2,929	2,890	3,100
Slovenia	67	2,058,152	7,402	7,000	7,800
Suriname	68	534,541	1,522	1,500	1,600
Ecuador	69	15,492,264	44,072	42,000	46,000
Tajikistan	70	8,008,990	23,802	23,000	25,000
Bangladesh	71	154,695,368	343,192	330,000	360,000
Uruguay	72	3,395,253	9,978	9,500	10,000

## APPENDICES CONTINUED

Country Name	Rank	Population <sup>475</sup>	Calculated Number of Enslaved <sup>476</sup>	Estimated Enslaved (Lower Range) <sup>477</sup>	Estimate Enslaved (Upper Range)
Colombia	73	47,704,427	129,923	120,000	140,000
Paraguay	74	6,687,361	19,602	19,000	21,000
Venezuela	75	29,954,782	79,629	76,000	84,000
Bolivia	76	10,496,285	29,886	28,000	31,000
Guyana	77	795,369	2,264	2,200	2,400
Libya	78	6,154,623	17,683	17,000	19,000
Dominican Republic	79	10,276,621	23,183	22,000	24,000
Macedonia	80	2,105,575	6,226	5,900	6,500
Kyrgyzstan	81	5,582,100	16,027	15,000	17,000
Saudi Arabia	82	28,287,855	57,504	55,000	60,000
Turkmenistan	83	5,172,931	14,711	14,000	15,000
China	84	1,350,695,000	2,949,243	2,800,000	3,100,000
Kazakhstan	85	16,797,459	46,668	44,000	49,000
Ukraine	86	45,593,300	112,895	110,000	120,000
Jordan	87	6,318,000	12,843	12,000	13,000
United Arab Emirates	88	9,205,651	18,713	18,000	20,000
Chile	89	17,464,814	37,846	36,000	40,000
Turkey	90	73,997,128	120,201	110,000	130,000
Algeria	91	38,481,705	70,860	67,000	74,000
Yemen	92	23,852,409	41,303	39,000	43,000
Morocco	93	32,521,143	50,593	48,000	53,000
Brazil	94	198,656,019	209,622	200,000	220,000
El Salvador	95	6,297,394	10,490	10,000	11,000
Bahrain	96	1,317,827	2,679	2,500	2,800
Qatar	96	2,050,514	4,168	4,000	4,400
Philippines	98	96,706,764	149,973	140,000	160,000
Oman	99	3,314,001	5,739	5,500	6,000
Kuwait	100	3,250,496	6,608	6,300	6,900
Guatemala	101	15,082,831	13,194	13,000	14,000
Kenya	102	43,178,141	37,349	36,000	39,000
Iran	103	76,424,443	65,312	62,000	69,000
Iraq	104	32,578,209	28,252	27,000	30,000
Syria	105	22,399,254	19,234	18,000	20,000
Papua New Guinea	106	7,167,010	6,131	5,800	6,400
Mexico	107	120,847,477	103,010	98,000	110,000
Nicaragua	108	5,991,733	5,798	5,500	6,100
Mongolia	109	2,796,484	4,729	4,500	5,000
Honduras	110	7,935,846	7,503	7,100	7,900
Israel	111	7,907,900	8,096	7,700	8,500
Madagascar	112	22,293,914	19,184	18,000	20,000
Egypt	113	80,721,874	69,372	66,000	73,000
Indonesia	114	246,864,191	210,970	200,000	220,000
South Africa	115	51,189,307	44,545	42,000	47,000
Angola	116	20,820,525	16,767	16,000	18,000
Belarus	117	9,464,000	11,497	11,000	12,000

Country Name	Rank	Population <sup>475</sup>	Calculated Number of Enslaved <sup>476</sup>	Estimated Enslaved (Lower Range) <sup>477</sup>	Estimate Enslaved (Upper Range)
Sri Lanka	118	20,328,000	19,267	18,000	20,000
Lebanon	119	4,424,888	4,028	3,800	4,200
Timor-Leste	120	1,210,233	1,020	970	1,100
Malaysia	121	29,239,927	25,260	24,000	27,000
Argentina	122	41,086,927	35,368	34,000	37,000
Tunisia	122	10,777,500	9,271	8,800	9,700
Jamaica	124	2,712,100	2,386	2,300	2,500
Romania	125	21,326,905	24,141	23,000	25,000
Swaziland	126	1,230,985	1,302	1,200	1,400
Brunei	127	412,238	417	400	440
Lithuania	128	2,985,509	2,909	2,800	3,100
Estonia	129	1,339,396	1,496	1,400	1,600
Japan	130	127,561,489	80,032	76,000	84,000
Latvia	131	2,025,473	2,040	1,900	2,140
Italy	132	60,917,978	7,919	7,500	8,300
Trinidad and Tobago	133	1,337,439	486	460	510
United States	134	313,914,040	59,644	57,000	63,000
Barbados	135	283,221	46	<100	<100
Germany	136	81,889,839	10,646	10,000	11,000
South Korea	137	50,004,000	10,451	9,900	11,000
Australia	138	22,683,600	3,167	3,000	3,300
France	139	65,696,689	8,541	8,000	9,000
Netherlands	139	16,767,705	2,180	2,100	2,300
Hong Kong, SAR China	141	7,154,600	1,543	1,500	1,600
Singapore	142	5,312,400	1,105	1,100	1,200
Mauritius	143	1,291,456	535	510	560
Canada	144	34,880,491	5,863	5,600	6,200
Panama	145	3,802,281	548	520	580
Costa Rica	146	4,805,295	679	650	710
Portugal	147	10,526,703	1,368	1,300	1,400
Spain	147	46,217,961	6,008	5,700	6,300
Cuba	149	11,270,957	2,116	2,000	2,200
Austria	150	8,462,446	1,100	1,000	1,200
Belgium	150	11,142,157	1,448	1,400	1,500
Greece	150	11,280,167	1,466	1,400	1,500
Denmark	150	5,590,478	727	700	760
Finland	150	5,414,293	704	670	740
Luxembourg	150	531,441	69	<100	<100
Norway	150	5,018,869	652	620	690
Sweden	150	9,516,617	1,237	1,200	1,300
Switzerland	150	7,997,152	1,040	990	1,100
New Zealand	159	4,433,100	495	470	520
United Kingdom	160	63,227,526	4,426	4,200	4,600
Ireland	160	4,588,798	321	300	340
Iceland	160	320,137	22	<100	<100

**Table 2: Absolute estimate, sorted from highest to lowest (with numbers rounded).**

Country Name	Calculated Number Enslaved <sup>478</sup>	Estimated Enslaved, Lower Range <sup>479</sup>	Estimated Enslaved, Higher Range
India	13,956,010	13,300,000	14,700,000
China	2,949,243	2,800,000	3,100,000
Pakistan	2,127,132	2,000,000	2,200,000
Nigeria	701,032	670,000	740,000
Ethiopia	651,110	620,000	680,000
Russia	516,217	490,000	540,000
Thailand	472,811	450,000	500,000
Democratic Republic of the Congo	462,327	440,000	490,000
Myanmar	384,037	360,000	400,000
Bangladesh	343,192	330,000	360,000
Tanzania	329,503	310,000	350,000
Sudan	264,518	250,000	280,000
Nepal	258,806	250,000	270,000
Uganda	254,541	240,000	270,000
Vietnam	248,705	240,000	260,000
Indonesia	210,970	200,000	220,000
Brazil	209,622	200,000	220,000
Haiti	209,165	200,000	220,000
Ghana	181,038	170,000	190,000
Mozambique	173,493	160,000	180,000
Uzbekistan	166,667	160,000	180,000
Côte d'Ivoire	156,827	150,000	160,000
Cameroon	153,258	150,000	160,000
Mauritania	151,353	140,000	160,000
Philippines	149,973	140,000	160,000
Poland	138,619	130,000	150,000
Colombia	129,923	120,000	140,000
Niger	121,249	120,000	130,000
Turkey	120,201	110,000	130,000
Burkina Faso	114,745	110,000	120,000
Ukraine	112,895	110,000	120,000
Malawi	110,391	100,000	120,000
Cambodia	106,507	100,000	110,000
Mexico	103,010	98,000	110,000
Senegal	102,481	98,000	110,000
Mali	102,240	98,000	110,000
Zambia	96,175	91,000	100,000
Zimbabwe	93,749	89,000	98,000
Chad	86,329	82,000	91,000
Afghanistan	86,089	82,000	90,000

<sup>478</sup> The calculated number of enslaved is a figure obtained by multiplying the estimated proportion of the population enslaved in each country (derived from random sample surveys and secondary source estimates) by the current population. Although this is a calculation, it is not the true number of enslaved in each country, given that the “dark figure” of slavery (that is, the underreported number of enslaved) is considerably higher than the reported number. We therefore urge due caution in inferring that the calculated number represents the true number of enslaved. It is, most likely, a gross underestimate.

<sup>479</sup> Our rounding protocol was as follows. For countries with more than 100 but less than 1,000 estimated slaves the estimate was rounded to the nearest 10<sup>th</sup>. For countries with more than 1,000 but less than 10,000 estimated slaves the estimate was rounded to the nearest 100<sup>th</sup>. For countries with more than 10,000 but less than 100,000 estimated slaves the estimate was rounded to the nearest 1,000<sup>th</sup>. For countries with more than 100,000 but less than 1,000,000 estimated slaves the estimate was rounded to the nearest 10,000<sup>th</sup>. For countries with more than 1,000,000 slaves the estimate was rounded to the nearest 100,000<sup>th</sup>.

Country Name	Calculated Number Enslaved <sup>478</sup>	Estimated Enslaved, Lower Range <sup>479</sup>	Estimated Enslaved, Higher Range
Peru	82,272	78,000	86,000
Guinea	82,198	78,000	86,000
Benin	80,371	76,000	84,000
Rwanda	80,284	76,000	84,000
Japan	80,032	76,000	84,000
Venezuela	79,629	76,000	84,000
Somalia	73,156	69,000	77,000
Burundi	71,146	68,000	75,000
Algeria	70,860	67,000	74,000
Egypt	69,372	66,000	73,000
Iran	65,312	62,000	69,000
United States	59,644	57,000	63,000
Saudi Arabia	57,504	55,000	60,000
Morocco	50,593	48,000	53,000
Laos	50,440	48,000	53,000
Togo	48,794	46,000	51,000
Kazakhstan	46,668	44,000	49,000
Sierra Leone	44,644	42,000	47,000
South Africa	44,545	42,000	47,000
Eritrea	44,452	42,000	47,000
Ecuador	44,072	42,000	46,000
Yemen	41,303	39,000	43,000
Chile	37,846	36,000	40,000
Czech Republic	37,817	36,000	40,000
Kenya	37,349	36,000	39,000
Hungary	35,763	34,000	38,000
Argentina	35,368	34,000	37,000
Azerbaijan	33,439	32,000	35,000
Moldova	33,325	32,000	35,000
Central African Republic	32,174	31,000	34,000
Republic of Congo	30,889	29,000	32,000
Bolivia	29,886	28,000	31,000
Liberia	29,504	28,000	31,000
Iraq	28,252	27,000	30,000
Bulgaria	27,739	26,000	29,000
Serbia	25,981	25,000	27,000
Malaysia	25,260	24,000	27,000
Romania	24,141	23,000	25,000
Tajikistan	23,802	23,000	25,000
Dominican Republic	23,183	22,000	24,000

## APPENDICES CONTINUED

Country Name	Calculated Number Enslaved <sup>478</sup>	Estimated Enslaved, Lower Range <sup>479</sup>	Estimated Enslaved, Higher Range
Paraguay	19,602	19,000	21,000
Slovakia	19,458	18,000	20,000
Sri Lanka	19,267	18,000	20,000
Syria	19,234	18,000	20,000
Madagascar	19,184	18,000	20,000
United Arab Emirates	18,713	18,000	20,000
Libya	17,683	17,000	19,000
Angola	16,767	16,000	18,000
Georgia	16,227	15,000	17,000
Kyrgyzstan	16,027	15,000	17,000
Namibia	15,729	15,000	17,000
Croatia	15,346	15,000	16,000
Turkmenistan	14,711	14,000	15,000
Lesotho	14,560	14,000	15,000
Botswana	14,298	14,000	15,000
Gambia	14,046	13,000	15,000
Bosnia and Herzegovina	13,789	13,000	15,000
Gabon	13,707	13,000	14,000
Guatemala	13,194	13,000	14,000
Jordan	12,843	12,000	13,000
Guinea-Bissau	12,186	12,000	13,000
Belarus	11,497	11,000	12,000
Albania	11,372	11,000	12,000
Armenia	10,678	10,000	11,000
Germany	10,646	10,000	11,000
El Salvador	10,490	10,000	11,000
South Korea	10,451	9,900	11,000
Uruguay	9,978	9,500	10,000
Tunisia	9,271	8,800	9,700
France	8,541	8,000	9,000
Israel	8,096	7,700	8,500
Italy	7,919	7,500	8,300
Honduras	7,503	7,100	7,900
Slovenia	7,402	7,000	7,800
Kuwait	6,608	6,300	6,900
Macedonia	6,226	5,900	6,500
Papua New Guinea	6,131	5,800	6,400
Spain	6,008	5,700	6,300
Canada	5,863	5,600	6,200
Nicaragua	5,798	5,500	6,100
Oman	5,739	5,500	6,000



Country Name	Calculated Number Enslaved <sup>478</sup>	Estimated Enslaved, Lower Range <sup>479</sup>	Estimated Enslaved, Higher Range
Equatorial Guinea	5,453	5,200	5,800
Mongolia	4,729	4,500	5,000
United Kingdom	4,426	4,200	4,600
Qatar	4,168	4,000	4,400
Lebanon	4,028	3,800	4,200
Cape Verde	3,688	3,500	3,900
Australia	3,167	3,000	3,300
Djibouti	2,929	2,800	3,100
Lithuania	2,909	2,800	3,100
Bahrain	2,679	2,500	2,800
Jamaica	2,386	2,300	2,500
Guyana	2,264	2,200	2,400
Montenegro	2,234	2,100	2,400
Netherlands	2,180	2,100	2,300
Cuba	2,116	2,000	2,200
Latvia	2,040	1,900	2,100
Hong Kong, SAR China	1,543	1,500	1,600
Suriname	1,522	1,500	1,600
Estonia	1,496	1,400	1,600
Greece	1,466	1,400	1,500
Belgium	1,448	1,400	1,500
Portugal	1,368	1,300	1,400
Swaziland	1,302	1,200	1,400
Sweden	1,237	1,200	1,300
Singapore	1,105	1,100	1,200
Austria	1,100	1,000	1,200
Switzerland	1,040	990	1,100
Timor-Leste	1,020	970	1,100
Denmark	727	700	760
Finland	704	670	740
Costa Rica	679	650	710
Norway	652	620	690
Panama	548	520	580
Mauritius	535	510	560
New Zealand	495	470	520
Trinidad and Tobago	486	460	510
Brunei	417	400	440
Ireland	321	300	340
Luxembourg	69	<100	<100
Barbados	46	<100	<100
Iceland	22	<100	<100

**Table 3: Data from the risk analysis by country and mean**

Country Name	Slavery Policy	Human Rights	Development	State Stability	Discrimination	Mean
Afghanistan	89.39	86.02	93.05	79.55	48.14	79.23
Albania	32.82	34.81	37.05	57.11	42.68	40.90
Algeria	92.93	90.00	46.07	50.10	32.35	62.29
Angola	71.71	62.94	62.46	64.20	62.62	64.78
Argentina	25.75	29.37	30.89	53.44	22.26	32.34
Armenia	4.54	77.24	38.28	57.47	39.71	43.45
Australia	4.54	10.02	16.60	13.38	6.38	10.18
Austria	4.54	2.95	13.25	15.30	2.65	7.74
Azerbaijan	39.89	89.03	36.27	60.84	42.02	53.61
Bahrain	89.39	78.70	38.55	37.47	67.00	62.22
Bangladesh	71.71	60.33	65.21	59.65	40.70	59.52
Barbados	71.71	15.63	36.66	25.87	34.00	36.77
Belarus	57.57	93.01	35.84	56.41	36.65	55.90
Belgium	4.54	3.68	19.37	15.35	19.44	12.48
Benin	61.11	35.46	76.97	53.48	46.08	54.62
Bolivia	50.50	34.81	52.74	61.37	49.71	49.83
Bosnia and Herzegovina	39.89	56.27	36.78	48.43	44.09	45.09
Botswana	89.39	34.89	47.33	28.89	64.60	53.02
Brazil	25.75	27.66	34.66	56.68	48.39	38.63
Brunei Darussalam	36.36	85.86	44.30	27.74	50.50	48.95
Bulgaria	22.21	34.73	30.71	49.48	15.47	30.52
Burkina Faso	57.57	38.06	84.24	60.32	47.07	57.45
Burundi	78.79	67.65	80.19	69.89	41.69	67.64
Cambodia	71.71	74.64	56.23	65.31	45.50	62.68
Cameroon	32.82	77.49	71.75	61.67	57.32	60.21
Canada	4.54	2.46	16.44	10.91	19.11	10.69
Cape Verde	54.04	15.63	44.39	34.29	55.92	40.85
Central African Republic	85.86	66.19	78.61	77.90	60.71	73.85
Chad	85.86	66.19	84.15	77.05	58.07	74.26
Chile	36.36	12.70	27.58	24.49	46.24	29.48
China	64.64	91.06	41.96	48.82	53.02	59.90
Colombia	39.89	56.43	36.87	65.04	60.38	51.72
Democratic Republic of the Congo	92.93	85.04	84.12	80.47	61.87	80.89
Republic of the Congo	71.71	47.33	67.14	67.21	53.27	61.33
Costa Rica	57.57	14.90	36.21	32.51	23.08	32.85
Côte d'Ivoire	64.64	66.92	75.91	74.79	48.47	66.15
Croatia	39.89	39.69	28.42	32.49	31.02	34.30
Cuba	78.79	88.13	49.22	44.74	17.50	55.68
Czech Republic	8.07	20.51	21.10	25.09	35.65	22.09
Denmark	39.89	1.98	16.80	3.75	1.00	12.68
Djibouti	71.71	75.37	72.59	47.89	47.23	62.96
Dominican Republic	43.43	36.93	39.89	61.25	53.19	46.94
Ecuador	43.43	48.71	37.58	53.04	43.92	45.34
Egypt	39.89	77.89	40.68	55.13	39.62	50.64
El Salvador	29.29	24.17	43.02	66.26	54.10	43.37

Country Name	Slavery Policy	Human Rights	Development	State Stability	Discrimination	Mean
Equatorial Guinea	92.93	82.69	53.68	63.52	50.50	68.66
Eritrea	96.46	96.59	86.04	56.83	67.00	80.58
Estonia	46.96	12.70	20.52	25.74	32.92	27.77
Ethiopia	25.75	91.14	81.10	62.43	49.80	62.04
Finland	8.07	8.07	21.59	9.52	3.40	10.13
France	18.68	25.14	20.88	21.10	19.20	21.00
Gabon	39.89	47.57	50.28	55.41	48.47	48.33
Gambia	50.50	64.07	81.45	56.79	42.27	59.02
Georgia	50.50	56.27	38.57	55.45	48.31	49.82
Germany	11.61	31.48	13.76	14.94	4.56	15.27
Ghana	68.18	25.06	67.11	48.01	49.55	51.58
Greece	36.36	34.00	25.39	43.89	31.52	34.23
Guatemala	39.89	35.95	46.35	59.86	60.38	48.49
Guinea	71.71	59.36	82.57	71.11	57.74	68.50
Guinea-Bissau	85.86	61.72	82.63	69.77	54.51	70.90
Guyana	61.11	39.04	67.71	50.20	50.95	53.80
Haiti	61.11	49.93	80.11	65.16	74.11	66.08
Honduras	46.96	52.94	57.22	76.27	61.29	58.94
Hong Kong, SAR China	64.64	10.02	18.40	10.67	58.23	32.39
Hungary	61.11	22.86	28.30	22.27	39.95	34.90
Iceland	39.89	4.41	16.26	11.17	1.00	14.55
India	71.71	51.23	50.29	57.10	41.77	54.42
Indonesia	39.89	59.77	49.67	51.85	42.27	48.69
Iran	96.46	91.63	42.82	57.58	67.83	71.26
Iraq	68.18	84.56	61.68	76.56	50.71	68.34
Ireland	22.21	10.51	18.35	17.77	20.52	17.87
Israel	29.29	50.66	19.79	34.55	35.57	33.97
Italy	29.29	30.67	21.47	38.99	21.92	28.47
Jamaica	32.82	29.77	48.30	56.86	51.78	43.91
Japan	61.11	12.62	16.13	12.18	45.66	29.54
Jordan	64.64	85.37	49.27	44.88	54.43	59.72
Kazakhstan	36.36	82.20	30.26	58.05	38.14	49.00
Kenya	68.18	60.50	54.81	69.37	64.60	63.49
South Korea	18.68	22.38	24.91	20.63	18.04	20.93
Kuwait	89.39	75.21	30.87	38.32	100.00	66.76
Kyrgyzstan	64.64	73.50	46.08	59.56	44.09	57.57
Laos	54.04	93.50	62.11	51.07	44.50	61.04
Latvia	39.89	40.58	26.19	33.57	44.42	36.93
Lebanon	68.18	53.10	34.91	62.36	83.50	60.41
Lesotho	68.18	37.09	70.07	46.88	46.57	53.76
Liberia	78.79	42.78	82.71	63.11	45.74	62.63
Libya	96.46	84.56	47.05	65.64	34.00	65.54
Lithuania	36.36	35.63	21.60	28.54	34.25	31.27
Luxembourg	36.36	14.41	6.42	9.77	17.62	16.91
Macedonia	32.82	32.62	33.54	55.47	38.88	38.67

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Country Name	Slavery Policy	Human Rights	Development	State Stability	Discrimination	Mean
Madagascar	82.32	78.87	78.66	59.20	50.62	69.94
Malawi	64.64	37.90	86.79	46.96	46.41	56.54
Malaysia	71.71	80.00	32.65	37.37	52.36	54.82
Mali	78.79	44.08	82.80	62.14	41.44	61.85
Mauritania	82.32	61.96	75.31	64.80	47.65	66.41
Mauritius	61.11	27.25	37.80	21.38	34.00	36.31
Mexico	43.43	51.64	38.60	61.22	43.10	47.60
Moldova	8.07	61.64	42.48	53.37	30.44	39.20
Mongolia	68.18	32.13	41.05	44.10	44.34	45.96
Montenegro	32.82	33.43	31.93	44.90	38.96	36.41
Morocco	85.86	68.46	44.31	47.68	47.98	58.86
Mozambique	64.64	42.05	77.85	54.17	40.95	55.93
Myanmar	75.25	88.78	68.96	63.88	83.50	76.08
Namibia	75.25	37.17	47.61	36.65	67.00	52.74
Nepal	61.11	67.33	65.30	58.87	41.28	58.78
Netherlands	1.00	18.31	14.71	14.74	6.71	11.09
New Zealand	11.61	9.29	17.35	6.77	11.09	11.22
Nicaragua	15.14	60.90	63.80	61.54	47.65	49.81
Niger	71.71	54.73	84.46	55.56	31.77	59.64
Nigeria	54.04	75.86	60.57	69.08	65.51	65.01
Norway	4.54	19.53	14.90	9.31	2.49	10.15
Oman	61.11	72.45	36.16	34.08	34.00	47.56
Pakistan	78.79	71.88	59.99	68.92	38.96	63.71
Panama	57.57	28.23	30.64	55.75	46.08	43.65
Papua New Guinea	89.39	44.73	66.33	49.52	78.25	65.64
Paraguay	39.89	32.13	42.03	62.28	57.49	46.77
Peru	39.89	47.33	38.91	48.17	53.93	45.65
Philippines	36.36	33.35	48.18	60.51	38.71	43.42
Poland	8.07	24.65	23.28	30.15	42.35	25.70
Portugal	25.75	13.92	25.32	17.92	23.99	21.38
Qatar	61.11	84.64	22.10	26.47	59.14	50.69
Romania	22.21	51.80	34.98	42.82	27.96	35.96
Russia	50.50	86.83	24.47	66.33	47.32	55.09
Rwanda	71.71	84.07	69.84	44.13	45.17	62.98
Saudi Arabia	78.79	92.20	31.06	53.35	83.50	67.78
Senegal	54.04	48.31	77.91	57.06	57.57	58.98

Country Name	Slavery Policy	Human Rights	Development	State Stability	Discrimination	Mean
Serbia	22.21	36.68	35.90	52.23	37.14	36.83
Sierra Leone	71.71	30.99	85.66	52.78	60.30	60.29
Singapore	18.68	61.23	19.58	27.66	42.93	34.02
Slovakia	15.14	22.95	24.38	40.80	24.65	25.58
Slovenia	8.07	6.85	22.08	15.65	28.95	16.32
Somalia	96.46	95.85	94.89	86.06	67.00	88.05
South Africa	43.43	26.44	38.78	54.52	55.34	43.70
Spain	22.21	20.26	20.40	22.50	20.85	21.24
Sri Lanka	61.11	75.78	43.60	58.58	47.48	57.31
Sudan	85.86	96.59	81.20	81.79	43.35	77.76
Suriname	50.50	30.59	49.44	36.27	57.90	44.94
Swaziland	71.71	68.46	53.17	46.98	67.74	61.62
Sweden	1.00	8.32	16.79	11.05	1.83	7.80
Switzerland	32.82	8.80	15.05	11.46	20.02	17.63
Syria	92.93	94.88	58.58	63.79	43.76	70.79
Tajikistan	32.82	92.36	56.88	63.76	39.62	57.09
Tanzania	46.96	54.56	79.41	56.68	45.25	56.57
Thailand	54.04	65.86	36.36	45.06	47.23	49.71
Timor-Leste	64.64	26.20	61.71	52.16	51.53	51.25
Togo	61.11	70.66	76.30	54.35	42.60	61.00
Trinidad and Tobago	71.71	27.42	31.39	43.68	36.48	42.14
Tunisia	68.18	76.67	38.40	48.65	48.39	56.06
Turkey	43.43	70.33	37.31	45.23	46.41	48.54
Turkmenistan	71.71	97.07	53.17	66.38	47.89	67.25
Uganda	32.82	76.02	71.18	61.95	61.79	60.75
Ukraine	61.11	52.29	39.16	59.40	35.98	49.59
United Arab Emirates	36.36	84.80	29.18	35.57	50.50	47.28
United Kingdom	15.14	16.85	15.93	18.24	20.27	17.29
United States	8.07	10.75	15.56	26.86	29.37	18.12
Uruguay	39.89	13.92	28.43	27.04	51.62	32.18
Uzbekistan	54.04	97.07	43.70	63.53	44.50	60.57
Venezuela	32.82	82.04	40.52	72.72	40.20	53.66
Vietnam	39.89	90.65	41.97	48.98	43.59	53.02
Yemen	92.93	95.29	64.84	69.44	67.33	77.97
Zambia	57.57	50.58	69.39	61.56	59.31	59.68
Zimbabwe	89.39	93.09	63.98	72.77	66.59	77.16



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