

## 1. Introduction

Slavery does not only exist in history, but it continues until today under the name of ‘contemporary slavery’. Estimated number of the modern slavery ranges from around 21 million to 46 million, depending on the definition of slavery and the methods of estimation. Despite this large number of contemporary slavery, some finds it unaccountable as agreed definition of modern slavery does not exist today and adequate statistics are often unavailable. Contemporary slavery has also been synonyms for ‘trafficking in persons’, ‘human trafficking’ ‘debt bondage’, and ‘forced labor’, vaguely referring to the act of compelling a person into recruiting, harboring, transporting, providing or obtaining labor or commercial sex acts through the use of force, fraud, or coercion. Sex slavery, prison labor, bonded labor, and slavery by descent are the common forms of modern slavery. Having so many unclear and vague references, contemporary slavery is often underestimated of its seriousness or has its meaning misunderstood, which tells us about the importance of agreed and discrete definition of modern slavery from its other synonyms. As slavery has been recognized more widely as global epidemic, international efforts are expanding as well, but some countries are scrutinized for not taking ample actions for the issue. Stronger government level actions and regular reminders from UN will be needed for addressing the solution.



Figure 1. Indian boy working at a brick kiln on the outskirts of Jalandhar.

## 2. Definition of Key Terms

**Modern(contemporary) slavery:** According to The Office to Monitor and Combat Trafficking in Persons agency of the United States Department of State, ‘modern slavery’, ‘trafficking in persons’, and ‘human trafficking’ have been used as umbrella terms for the act of recruiting, harboring, transporting,

providing or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion. Generally, contemporary form of slavery meet the conditions that one's labor or service is involuntary, forced, or practiced similar to slavery.

**ILO:** International Labor Organization is consisted of specialized agencies under UN that cope with labor problems, and has its headquarter in Geneva, Switzerland. ILO has its main goal of guaranteeing labor that can freely, fairly, and safely ensure human dignity. It specifically concentrates on child slavery by designating June 12<sup>th</sup> as the International Day Against Child Labor and actively hosting worldwide campaigns and is urging countries for policies to cut child slavery.

**Labor:** Any kind of activities that humans act on other people mentally and physically for living or survival. Every laborers are protected by fundamental labor rights (ILO Declaration of Fundamental Principles and Rights at Work), which are the basic rights guaranteed for laborers' procuring of survivals. Constitutional laws regarding labor rights differ among nations, but in standard it includes right to work, right to organize and form labor union, and right to strike.

**Human trafficking:** The definition of human trafficking by the United Nations is as following. The recruitment, transportation, transfer, harbouring or receipt of persons, 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, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

**Conscription:** Government-forced labor, usually regarding military duty, and also known as *state-sponsored labor*. The term is defined by the International labor Organization as events which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities. Many governments that participate in forced labor shut down their connections with the surrounding countries to prevent citizens from leaving. About 35–40 countries are currently enforcing military conscription of some sort, even if it is only temporary service.

### **3. Background Information**

Today slavery is less about people literally owning other people – although that still exists – but more about being exploited and completely controlled by someone else, without being able to leave. Slavery is called as an economic crime for that reason. According to [antislavery.org](http://antislavery.org), a NGO that works worldwide to cut down on the vicious supply chain and slavery, there are four cases when we can call as ‘slavery’. First, when someone is forced to work through coercion or mental or physical threat. Second, when one is owned or controlled by an ‘employer’, through mental or physical abuse or threat. Third, When someone is dehumanised and treated as a commodity or bought and sold as ‘property’. Last, when someone is physically constrained or have restrictions placed on their freedom of movement. But the problem stands on the issue that people subjected to slavery and the nation of that people are very less likely to recognize the issue as slavery as it has vague and unagreed definition among international society and member nations.

Modern slavery takes various forms, like below.

#### a) Slavery by descent

Also called as chattel slavery, it enslaves a person to consider him or her as personal property of someone else, so as one can be bought and sold. Its historical root tracks back to conquest, where a conquered person is enslaved just like in Roman Empire or Ottoman Empire. Despite the efforts and trend of abolishing chattel slavery, high number of people are currently enslaved around the world as someone else’s personal properties. Debt bondage can also be passed down to descendants like chattel slavery as well. (More information below)

#### b) government forced labor and conscription

Conscription by government forces its citizens into certain labor or coerced duty for a time period or perhaps for a life-time even, just like in North Korea where the government forces many people to work for the state both inside and outside the nation without getting paid, with the value of all labor coerced to do by North Koreans devoted purely to the country itself. By more subtle means, state-sponsored labor also refers to people tied by accumulated debt, retention of identify papers of threats of denunciation to immigration authorities. Some countries even shut their connections with surrounding countries to prevent citizens from going out of country, making it even harder for international organizations to regularly scrutinize and review the nation’s circumstances.

#### c) Prison Labor

Prison Labor is when prisoners are subjected to forced, unpaid labor. The representative example of this group would be China, as it has a system of labor prisons called Laogai which imprisons millions of prisoners for their free labor. There are also additional forced labor camps in Xinjiang as well. After years of denial, China went back through the issue and Xinjiang government formally legalised the prisons. Forced prison labor occurs in both public and government-run prisons and private prisons.

#### d) Bonded Labor

Also known as debt bondage and peonage, bonded labor occurs when people give themselves into slavery as a security against a loan or when they inherit a debt from a relative. The cycle begins when people take extreme loans under the condition that they work off the debt. The "loan" is designed so that it can never be paid off, and is often passed down for generations. People become trapped in this system working ostensibly towards repayment though they are often forced to work far past the original amount they owe, under the force of threats and abuse. Sometimes the debts are even passed onto future generations.

#### e) forced migrant labor

People may be enticed to migrate with the promise of work, only to have their documents seized and be forced to work under the threat of violence to them or their families. Undocumented immigrants may also be taken advantage of; as without legal residency, they often have no legal recourse. Along with sex slavery, this is the form of slavery most often encountered in wealthy countries such as the United States, in Western Europe, and in the Middle East, most commonly in United Arab Emirates where the majority of the population are foreign migrant workers rather than local Emirati citizens.

#### f) sex slavery

Forced prostitution is the form of slavery most often encountered in wealthy regions such as the United States, in Western Europe, and in the Middle East. It is the primary form of slavery in Eastern Europe and Southeast Asia, particularly in Moldova and Laos. Many child sex slaves are trafficked from these areas to the West and the Middle East. Sexual exploitation can also become a form of debt bondage when enslavers insist that victims work in the sex industry to pay for basic needs and transportation.

#### g) forced marriage and child marriage

Mainly driven by the culture in certain regions, early or forced marriage affects millions of women and girls all over the world. When families cannot support their children, the daughters are often married off to the males of wealthier, more powerful families. These men are often significantly older than the girls. The females are forced into lives whose main purpose is to serve their husbands. This often fosters an environment for physical, verbal and sexual abuse.

#### h) child labor

Children comprise about 26% of the slaves today. Although children can legally engage in certain forms of work, children can also be found in slavery or slavery-like situations. Most are domestic workers or work in cocoa, cotton or fishing industries, and many are trafficked and sexually exploited. In war-torn countries, children have been kidnapped and sold to political parties to use as child soldiers, forced or coerced by armed forces to work as cooks, guards, servants of spies.



Figure 2. A child gold miner in Watsa, northeastern Congo. 2004

#### i) fishing industry

Trafficking victims are often tricked by brokers' false promises of "good" factory jobs, then forced onto fishing boats where they are trapped, bought and sold like livestock, and held against their will for months or years at a time, forced to work grueling in dangerous conditions. Despite some improvements, the situation hasn't changed much since a large-scale survey of almost 500 fishers in 2012, that found almost one in five 'reported working against their will with the penalty that would prevent them from leaving.

Modern slavery is a difficult task for international organizations as enslaved citizens are usually out of contact with surrounding nations or with NGOs. A lack of agreed definition blocks member nations from reviewing their circumstances regarding slavery as well. And if the nation is politically corrupted with government taking the lead at exploiting its citizens for economic benefits, the degree of seriousness increases. Above all, supply chain creates slavery. Typically the final product you purchase has passed through a long chain of producers, manufacturers, distributors and retailers who have all

participated in its production, delivery and sale. It can be very difficult to track a component of an end product back to a particular producer, for example cotton in a T-shirt back to a particular cotton farm. Because of the complexity of supply chains, it is rarely possible to be certain that a product has or has not been produced using slavery. However, the way in which companies operate can increase the likelihood of slavery in the final product. If a brand gives its supplier a large order with a short turnaround time beyond the suppliers' capacity, this could increase the risk of slavery as the supplier may subcontract work to factories that are not regulated by the same standards as the supplier. Company buyers may negotiate such low prices that suppliers are forced to push down the price it pays for the materials it needs, which can have a knock-on effect on those involved in the production of raw materials, increasing the likelihood of the use of slavery.

Companies have a moral responsibility of ensuring that no slavery has been used in producing the products they sell. This should apply not only to goods produced in their own factories but also to their suppliers, and suppliers of their suppliers, all the way down the supply chain. Governments and international bodies should introduce and implement legislation that makes it compulsory for businesses to report on their supply chains.

#### **4. Past Actions of the UN and other NGOs**

**WORLD VISION:** World Vision launched Our End Trafficking in Persons program across the Greater Mekong region to help to prevent and respond to human trafficking and is the largest anti-trafficking program of its kind. And through the process, vulnerable children and youth learned self-protection and parents received job training and financial assistance to improve their incomes. And in 2015, World Vision started funding and cooperating through the regional anti-trafficking project End Trafficking in Persons (ETIP). The regional project works across borders in Cambodia, China, Laos, Myanmar, Thailand and Vietnam to prevent the most vulnerable from being trafficked, to protect survivors of human trafficking, and to promote improved anti-trafficking government policies.

**ILO:** Besides playing a role of speaking up for laborers coerced to work and in dangerous environment without being regularly paying, The ILO created legally binding protocol to bring member nations into closer actions in cutting off contemporary slavery. Forced Labour Protocol, which was adopted by the International Labour Conference in 2014, entered into force on 9th November, a year after it gained its second ratification. It means that all countries that had ratified now had to meet the obligations outlined in

the Protocol. Moreover, in 2014 International Labour Conference, the Director General called for an ILO agenda for fair migration and emphasised the growing concern about abusive and fraudulent recruitment practices affecting migrant workers. In response, the ILO launched a global “Fair Recruitment Initiative” to help prevent human trafficking and forced labour, protect the rights of workers, including migrant workers, from abusive and fraudulent practices during the recruitment process (including pre-selection, selection, transportation, placement and possibility to return).

**UNITED NATIONS:** In 2003, Kofi Annan, the Secretary-General of the United Nations, adopted special measures to prevent exploitation and sexual abuse, pertaining to all peacekeeping missions operating under UN command and control and to all UN staff. This so-called ‘zero tolerance’ policy, applicable only within the UN framework, makes a significant breakthrough in expressly prohibiting UN stakeholders from any “exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour”. Upon this report, Coalition for the Abolition of Prostitution (CAP international) has been chosen to elaborate. CAP international played a role in outlining a rational way for States to meet their obligations to eliminate the exploitation of the prostitution of others whilst protecting the victims thereof.

## **5. Major Countries Involved**

**DPRK:** One out of 10 people living in North Korea are forced into modern slavery under the repressive regime of North Korean leader Kim Jong-un, to prop up the regime and keep its population under tight control. 2018 Global Slavery Index compiled by the Walk Free Foundation states that more than 2.6 million people out of 25 million inhabitants of North Korea are subjects of forced labor and exploitation by the state, which is the highest proportion of a single country's population worldwide. Citizens of DPRK are often forced to work in severe conditions without any guarantee of compensation. The common types of modern slavery in DPRK are forced labor, debt bondage, forced marriage and human trafficking. Forced Labour in North Korean Prison Camps are made to work 10-12 hour days, seven days a week and kept in harsh conditions. They are frequently beaten and subjected to degrading treatment and punishment, until one's hands and feet are severely torn and blistered.

**China:** The Global Slavery Index estimates that on any given day in 2016 there were over 3.8 million people living in conditions of modern slavery in China. This estimate does not include figures on organ

trafficking, which tells us that this number of people enslaved is actually underestimated. The Chinese Ministry of Public Security (MPS) publishes some data on trafficking-related investigations and convictions. In 2016, MPS reported investigating 1,004 cases of human trafficking and arresting 2,036 suspects. Out of those cases, 45 were suspected cases of forced labour, involving the arrest of 74 suspects. In one investigated case, the Chinese government reportedly arrested 464 suspects who were involved in labour trafficking of disabled victims. The government also convicted 435 individuals for sex trafficking, 19 individuals for labour trafficking, and 1,302 were convicted in cases in which the type of exploitation was unclear. Most common types of contemporary slavery in China include forced and child marriage, organ trafficking, state-imposed forced labor. China, however, officially asserts that forced labour is a criminal offense as laid out by section 244 in the Chinese criminal code, stating that "whoever forces any person to work by violence, threat or restriction of personal freedom will be criminally liable.". Additionally, article 96 of the Chinese labour law prohibits forced labor. Despite the institutional basis of preventing slavery, the reality hardly reflects these efforts.

**U.K.:** Modern slavery in the UK is thriving. The British Government estimates that tens of thousands of people are in modern slavery in the UK today. Most people are trafficked into the UK from overseas, but there is also a significant number of British nationals in slavery. Citizens are mostly trafficked into forced labour in industries such as construction, hospitality, agriculture, manufacturing and et cetera. Many women and girls are trafficked for sexual exploitation as well. Many people, again mostly women and girls, also end up in domestic slavery. Others, particularly children, are forced into crime such as cannabis production, petty theft or begging. In an effort to scrutinize the process of how supply chain works, the Modern Slavery Act passed in 2015 obligated businesses with annual turnover of £36m or higher to disclose the steps they take to tackle slavery in their supply chains under the Transparency in Supply Chains Provision (TISC). This Act was largely welcomed by civil society, but serious concerns about its limitations have been raised.

**U.S.:** The Global Slavery Index 2018 estimates that on any given day in 2016 there were 403,000 people living in conditions of modern slavery in the United States, a prevalence of 1.3 victims of modern slavery for every thousand in the country. However, the United States does not provide one definitive set of statistics on identified victims, largely because of the federal privacy laws and agency policies that restrict the sharing of personally identifiable information. In 2017, the *Foundations for Evidence-Based Policymaking Act* was introduced in the United States Senate and was passed to the Committee on Homeland Security and Governmental Affairs. The United States' modern slavery specifically has to do with migrants, especially women and children who are more vulnerable due to their lower levels of



education, inability to speak English, immigration status and lack of infamiliarity with U.S. employment protections. Moreover, they often work in jobs that are hidden from the public view and unregulated by the government. In response to the contemporary slavery, United States Federal Law criminalises trafficking in persons, which includes both sex trafficking and forced labour. Forced labour (section 1589), trafficking with respect to peonage, slavery, involuntary servitude, or forced labour, (section 1590), and sex trafficking of children or by force, fraud, or coercion (section 1591) are prohibited under Chapter 77, Title 18 of the US Criminal Code.

## **6. Future Outlook / Solutions**

1. The most fundamental yet important solution to the issue is setting a clear definition of contemporary slavery so the subjected nations can realize that their citizens are in danger of being trafficked. And further, understanding the circumstances of such nations with slavery in its borders are usually conflicted with poverty and political corruption, sending individual rapporteurs and experts in that field from both official NGOs and within that nation should be accompanied at the best. For example, UN special rapporteurs on contemporary form of slavery visited Italy from 3 to 12 October of 2018. During their visit, they focused on labor exploitation in agriculture and also engaged in monitoring policies and laws which the Government of Italy implemented to prevent and address labor exploitation. Such individual rapporteurs and experts basically aim to gather first-hand information about the nation's labor, living and working conditions of migrant workers. They suggest immediate and effective measures in eradicating forced labor within that nation as well. It will largely help the country to distinguish between labor and slavery without having too much economical and political burden. Additionally, to open up an international summit between member nations and the United Nations Human Rights Committee to negotiate on the definition of modern slavery and setting unified guideline is the most urgent thing to be engaged in.
2. To prevent the exploitation of foreign or migrant workers that leads them to have their identity and travel documents seized, be threatened with deportation into danger, and subjected to life-threatening conditions and terrible violence, requiring greater transparency and regulate foreign labor recruiters with official, binding legislation is an important approach to take. Transparency would be one of the standards of assessing contracts and its terms. Even under dictatorial or authoritarian regime, it's important to set clear and binding contract between the government and the UNHRC to the extent that contract is strong enough to put government into action such as scrutinizing its labor recruiters and their procedure in putting foreign laborers into work. For

example, in 2013, UNICEF has succeeded in providing basic vaccinations to children aged 5 to 8 under the Kim regime of DPRK after number of negotiations with the government. Because its regime is exceptionally dictatorial, UNICEF decided to directly give out vaccinations rather than delivering the kits to the government, and as a result, hundreds of infants saved their lives from fatal diseases. This example shows that under authoritarian regime which is hard to ensure transparency, it could be better to set off an independent platform from NGO to carry out specific procedure just like UNICEF did. To add, foreign labor recruiters should be tied to official institutions by legal legislation so as to prevent them from exploiting foreign laborers. Requiring recruiters to register with the Department of State and authorizing the department to require a bond will engage in reducing migrant slavery by great number. Additionally, establishing legal legislations that are consisted of enforcement mechanisms against recruiters that violate the provisions of law and a higher degree of scrutinizing the supply chain and import process would be necessary to track down the fundamentals of exploitation.

3. Encourage the civil society to work together more closely with denser connection and network of information within certain nations. Humanity United, for example, brought together the Alliance to End Slavery and Trafficking (ATEST), which now has grown to the coalition of 14 leading human rights organizations, focusing on a range of issues from cooperation with law enforcement to assisting survivors to preventing trafficking in the first place. When coalition builds between different understanding groups and interest groups, requiring legislative reforms, appropriations advocacy, and implementation of international and domestic laws by the Executive Branch could have a stronger voice and power. Using this power of civil society and coalition, holding regular summits and negotiations, speaking up about the issue world wide to bring people's attention, and discussing sustainable solutions to human trafficking and modern slavery including establishing baselines and impact will elevate people's perceptions of issue's seriousness. Advancing the voices of survivors to vividly deliver the seriousness of modern slavery would be effective as well. Stronger civil society is the first step of bringing government, business, and interest groups together.

## **7. Conclusion**

Multiple legislations and newly created international laws are passing the House and being introduced to the Senate of the member nations, and the Administration committee is getting into actions of cleaning its own supply chains. These trends show that the issue of worldwide slavery is getting higher recognition of

its emergency, with its stakeholders taking further steps to address the problem. However, despite advancing institutionalized laws and both international and domestic policies, the complex nature of supply chain and corrupted government blocking the international efforts are the biggest obstacles to propel the solution forward.

## **8. Sources**

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