

Has slavery been abolished? Combating contemporary slavery

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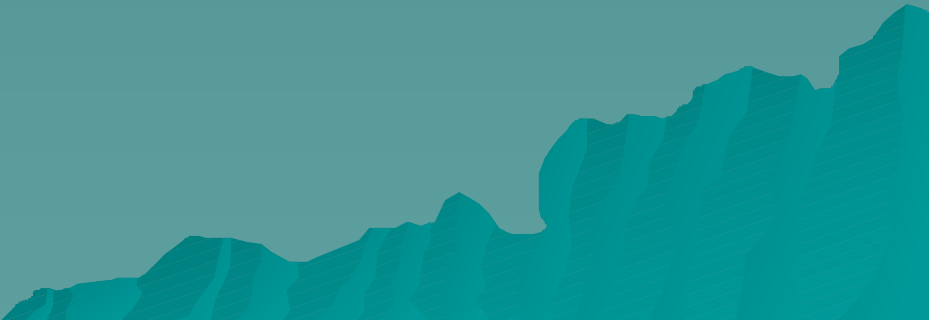
Global Ethics and Contemporary slavery

- ◆ Usually Ethics asks questions like:

Public morality: What does justice require? What does a just world look like?

Personal morality: What is the right action?
How ought we to live?

Contemporary forms of slavery

- ◆ Descent-based
 - ◆ Bonded labour
 - ◆ Forced marriage
 - ◆ Child labour
 - ◆ Trafficking in human beings
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Contemporary slavery and global ethics

- ◆ Ethical questions arising in the case of contemporary slavery are initially answered easily: slavery is morally wrong and illegal under international law and national law
- ◆ However, disagreement about various approaches to combating contemporary slavery highlight that there is no consensus on the ethical basis for such policies

Recent research results

- ◆ Czech Republic, Portugal Ireland, UK
- ◆ Two-year study with local partners doing interviews with professionals and migrant workers
- ◆ Anti-Slavery International lead partner
- ◆ Academic role in research design and implementation as well as analysis and reporting

Definition of trafficking

- ◆ Palermo Protocol (2000) first agreed definition; obligation to implement nationally;
- ◆ Three elements:
 - Recruitment, transfer, harbouring, or receipt;
 - Threat or use of force, other forms of coercion, abduction, fraud, deception, the abuse of power or of vulnerability, giving or receiving payments or benefits to achieve consent;
 - Having control over another person for the purpose of exploitation, including at a minimum: sexual exploitation, forced labour or services, slavery or similar practices, servitude or the removal of organs

Present difficulties

- ◆ Lack of internationally compatible definitions on national level
- ◆ Lack of use of new trafficking legislation in court cases
- ◆ Lack of inclusion of other industries
- ◆ Lack of victim support systems and especially for 'other industries'

Case study

- ◆ *Polish workers in food packaging were brought to a house. They had no idea where they were; they spoke no English.*
- ◆ *They were subcontracted in a complex chain of labour agencies.*
- ◆ *Inside: no furniture, mountains of rubbish, soiled mattresses on the floor and a terrible smell.*
- ◆ *They were threatened with eviction and loss of two weeks' wages if they spoke out.*
- ◆ *Pay: withheld; no minimum wage paid; deceit at recruitment stage.*
- ◆ *Tax deducted at a high rate, yet tax office has no record. Most did not register since the £50 required was an impossible amount. This made them undocumented.*
- ◆ *Health and safety regulations; the electric cooker had no plug, its wires pushed straight into the socket.*

Case study

- ◆ *A, B and C, Romanian nationals, lived all their lives in an orphanage and came to Portugal to pick fruit.*
- ◆ *They were promised work abroad by a local.*
- ◆ *The transportation (with 7 others) was arranged and on their arrival they were sold to Portuguese Roma families.*
- ◆ *Their passports were taken; they were beaten every day.*
- ◆ *They were paid by the farmers, but their money was taken away by the traffickers. They lived in constant fear.*
- ◆ *Although only one spoke English, they distracted the traffickers and escaped with help from one of the farmers.*

Case study

- ◆ A group of young Vietnamese women were assisted to come to the Czech Republic to work in a family shop
- ◆ One of them was forced to work in prostitution at night while working in the shop during the daytime
- ◆ Others were forced to work in prostitution to repay their debts

Case study

- ◆ Rana (from Bangladesh) worked for two years in a household where she was constantly verbally abused and at times physically abused. She was locked in a bathroom if her employer felt she had not listened or completed her work properly or if she became upset and cried.
- ◆ Rana became exhausted and very frightened. She had no English and no one to turn to. She had no knowledge of the Irish work permit system. She decided to try to leave and asked a regular visitor to the house for help.

Lessons learned

- ◆ Desperate circumstances, social isolation and lack of knowledge of rights
- ◆ Complex and restrictive migration law and work permits
- ◆ Various forms of multiple dependency and coercion/deception
- ◆ Demand for cheap labour and lack of adequate response
- ◆ Moving Eastern EU border predicts victims

Current approaches: the UK

- ◆ Restricting migration flows
 - Case of 2005 Birmingham (UK) raid
 - UK Government consultation paper
- ◆ Human rights approaches:
 - Victim support, including housing, legal aid, reflection period, counselling, education
 - Short term prevention campaigns
 - Support for returnees
 - Attempts to convict more traffickers
- ◆ UK government now signing up to European Convention against Trafficking
- ◆ Police now speaks of 'assisting to go home' instead of deportation

European Convention on Action Against Trafficking, 2005

- ◆ Emphasis on victim support
- ◆ Including preferably voluntary return, reflection period of minimum of 30 days;
- ◆ International co-operation
- ◆ Co-operation between governments and NGOs

Root causes

- ◆ Economic inequality: poverty and lack of opportunities - demand for cheap labour;
- ◆ Gender inequality;
- ◆ Ethnic, religious, national discrimination;
- ◆ Discrimination according to marital status (single mothers);
- ◆ Conflict, peacekeeping and post-conflict reconstruction

Demand factors

- ◆ sexual services;
- ◆ cheap labour in manufacturing, agriculture, shipping, building, packaging, restaurants and entertainment, tourism;
- ◆ Women's reproductive input in low fertility countries: eggs, surrogacy, adoption;
- ◆ Domestic work and care for elderly, young, disabled or long term ill.

The role of prevention

- ◆ Attention to prevention as criminalisation nor anti-immigration approaches are working
- ◆ NGOs and governments focus on short-term prevention: informing potential migrants of risks
- ◆ Those who acknowledge need for longer term prevention focus mainly on gender inequality as root cause – mainly in context of sex work

Recent long term prevention proposals

- ◆ Brussels Declaration 2002: poverty and demand side; yet no conflict or discrimination other than gender-based
- ◆ SAARC Convention: refers to development and supervision of employment agencies; yet: no international obligations to assist development.
- ◆ OSCE 2003: Action plan includes all of the above and social and economic measures to address root causes in origin and destination countries; yet: only nationally and no international obligations.

A cosmopolitan approach

- ◆ A cosmopolitan approach would argue for long term prevention based on the most inclusive set of root causes, including the structure of the global economy.
- ◆ It would propose action plans that included international obligations to support social and economic measures in all affected countries.
- ◆ It would galvanise debt relief, fair trade, trade justice development, human rights (full range) and global taxation to address the root causes of trafficking long term.

Conclusions

- ◆ Ethical argument required for designing future counter-trafficking
- ◆ Current approaches fail to address prevention adequately and they focus too much on sex exploitation
- ◆ Not always undocumented migration
- ◆ Even organisations that do address prevention too often focus on short term measures
- ◆ Those who address longer term prevention stop at national measures

Conclusions

- ◆ A cosmopolitan approach to long term prevention of trafficking ought to be developed, including:
 - ◆ an analysis of global root causes as well as local ones
 - ◆ Prevention strategies (local, national and international components)
 - ◆ Implementation of human rights law
 - ◆ Design and enforcement of international duties

Further questions

- ◆ What are the best interim policies with regard to trafficking in human beings from the perspective of justice in an unjust world? Is this different for the sex industry than for other industries?
- ◆ Is preventing migration ethical? Does it assist in preventing trafficking?
- ◆ Is portraying trafficked people as victims only and not as agents ethical?
- ◆ Is a human rights approach ethical if it does not address structural factors causing global inequality?