

Joint Standing Committee on Foreign Affairs, Defence and Trade

Department of Foreign Affairs and Trade annual report 2019-20

Child and Forced Marriage Hearing

QUESTION ON NOTICE / Spoken

001 – Child and Forced Marriage Hearing – 18 June 2021

Topic: Business and trade issues

Senator Maria Vamvakinou

Question

Dr Miller: I did want to mention—as an earlier witness referenced—the EU due diligence guidelines, which we're well aware of and keeping apprised of in terms of their development. I also just want to mention that Australia supports the UN Guiding Principles on Business and Human Rights and has done since their inception in 2011. We're also a signatory to the OECD Guidelines for Multinational Enterprises. So there are some of those elements already there. As you point out, it's very difficult to embed them specifically into some of the agreements. As to that, I would suggest that we go to our trade area for further detail.

Ms VAMVAKINO: Could we get some detail from the trade area? The child labour campaign was a comparable sort of campaign, and that was difficult as well. I have a Nestle factory in my electorate, and they have become great champions of it, assuring everyone that their products are not the product of child labour and are fair trade. All sorts of fair-trade logos have come into play. Is this something that can be replicated in relation to child marriage and forced marriage?

Dr Miller: We can follow up with our trade colleagues. They are also currently chairing the Voluntary Principles on Security and Human Rights Initiative, which is a similar sort of approach to the one the EU is undertaking, so they may be able to provide some more detail there.

Answer

Child and forced marriage is a complex issue that is rooted in gender inequality, poverty and lack of education and economic opportunities. Forced marriage can lead to, or be linked to, instances of forced labour - in the form of domestic servitude, as well as in industries that are a part of global supply chains. When that is the case, there are existing policy responses to address forced labour as set out in the UN Guiding principles.

Australia supports the UN Guiding principles, under which entities have a responsibility to respect human rights in their operations and supply chains. This includes action to assess and address risks of modern slavery - a term used to describe serious exploitation, including forced marriage.

The Commonwealth Modern Slavery Act (2018) established a national Modern Slavery Reporting Requirement, which requires large businesses operating in Australia to report on the modern slavery risks in their supply chains and the actions they are taking to address those risks. The OECD Guidelines for Multinational Enterprises do not propose a rating or star system on early or forced marriage.