



Submission No 20

**Inquiry into Slavery, Slavery-like conditions and People
Trafficking**

Organisation: Walk Free



28 September 2012

Human Rights Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade

We commend the Committee for taking such an interest in modern slavery. These crimes continue to be with us today, whether it takes the form of slavery of young Filipino women in Weipa in Far North Queensland¹, the forced labour of children on board fishing platforms (*jermal*) off the coast of Indonesia² or descent-based slavery in West Africa, where the children of slaves are literally passed down to the next generation of slave-holders.³

While we want to encourage the Committee to consider the full range of existing best practices – whether this is with regard to law reform, law enforcement, prosecution practices, victim support and reparations for victims of this crime⁴ - we strongly encourage the Committee to look beyond the existing practices and towards emerging areas of innovation. In particular, we encourage the Committee to consider the critical role that *business* can play in the fight against slavery, slavery-like practices and human trafficking.

What is the role of business in the fight against slavery, slavery-like practices and human trafficking?

Consider this example. Fortescue Metals Group is a company operating in Australia, drawing on a multi-billion dollar supply chain that includes everything from heavy machinery to safety clothing. Fortescue Metals Group has committed to a policy of zero tolerance for forced labour or slavery in its supply chains. All of its suppliers must certify that the products they supply to FMG are free of forced labour and slavery. And, FMG is undertaking social audits of high-risk aspects of its supply chain. Social audits are designed to uncover the hidden practices of forced labour and slavery in the supply chain, or factors that increase the risk of these. These involve management interviews, site visits, document checks and unscheduled off-site worker interviews, conducted in the language of the workers. This corporate approach to forced labour and slavery has implications for the production and manufacture of millions of dollars worth of products, from India to the Middle East. Imagine

¹ Fiona David, *Labour Trafficking*, Research and Public Policy Series No. 108, November 2010 (<http://www.aic.gov.au/documents/A/9/0/{A90867A2-1558-4B01-A233-34B3381D2F6D}rpp108.pdf>)

² Verité, *Research on Indicators of Forced Labour in the Supply Chain of Fish in Indonesia: Platform (Jermal) Fishing*, September 2012

(http://www.verite.org/sites/default/files/images/Research%20on%20Indicators%20of%20Forced%20Labor%20in%20the%20Indonesian%20Fishing%20Sector__9.16.pdf)

³ "Slavery in Mauritania", at

http://www.antislavery.org/english/what_we_do/antislavery_international_today/award/2009_award_winner/slavery_in_mauritania.aspx

⁴ On this point, see the work of Dr Anne Gallagher, including Gallagher and Holmes, "Developing and Effective Criminal Justice Response to Human Trafficking: Lessons from the Front Line, *International Criminal Justice Review* September 2008 vol. 18 no. 3, 318-343.



the power of the flow on effect, if every major business required and enforced similar undertakings of all of its suppliers.

While voluntary corporate initiatives to focus on slavery, slavery like practices and human trafficking are likely to be the strongest and most effective, the reality is that not all businesses will be good corporate citizens. For these companies, a strong push – either from the community, other businesses or the government may be required. Walk Free is developing a strong online movement, that will be millions of members strong, to help give this push where required.⁵ For example, recent campaigns include calling on Nintendo to get conflict minerals from the Democratic Republic of Congo, an area where slavery and forced labour are rife, out of its supply chain. The Founder of Walk Free, Andrew Forrest, is also actively lobbying his business colleagues in Australia and overseas to commit to using the power of their supply chains to end slavery, slavery-like practices and human trafficking.

The Government has a role to play by both facilitating and requiring stronger corporate action on this issue. There are many models and options that the Committee could examine. For example, the President of the United States recently announced a suite of initiatives in this regard, including the “Made in a Free World” Initiative and the Global Business Coalition against Trafficking.⁶ As another example, the State of California recently passed the *California Transparency in Supply Chains Act*. The Act, which came into effect on 1st January 2012, applies to all retailers and manufacturers that do business in California, with annual global revenues of more than \$100 million. The Act requires business to disclose policies and practices they have on eradicating slavery and trafficking from their direct supply chains.⁷ Organisations such as Verité have argued that the Act could be strengthened by shifting from a focus on mere disclosure of efforts to a requirement to actually commit to finding and addressing slavery in each company supply chain.⁸ Other organisations such as Stop the Traffik have canvassed a range of other options that could be considered in this regard.⁹

Finally, Governments in Australia, at both the State and Federal level, have a role to play through examining their own supply chains – whether this is for (for example) seafood products,¹⁰ coffee,¹¹ and the products that contribute to the considerable supply chains of

⁵ Walkfree.org

⁶ Fact Sheet: the Obama Administration Announces Efforts to Combat Human Trafficking at Home and Abroad, <http://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obama-administration-announces-efforts-combat-human-trafficki>

⁷ <http://www.ibm.com/ibm/responsibility/response.html>

⁸ Verité, *Compliance is not enough: Best practices in responding to the California Transparency in Supply Chains Act*, November 2011, http://www.verite.org/sites/default/files/VTE_WhitePaper_California_Bill657FINAL5.pdf

⁹ Stop the Traffik, *Unshackling Laws against Slavery*, November 2011, <http://www.stophetraffik.org/australia/resources>

¹⁰ Labour Rights Promotion Network, John Hopkins School of Public Health, Centre for Refugee and Disaster Response, *Estimating labour Trafficking: A Study of Burmese Migrant Workers in Samut Sakhon, Thailand*, http://www.no-trafficking.org/reports_docs/estimates/uniap_estimating_labor_trafficking_report.pdf

¹¹ Verite, *Research on Indicators of Forced Labour in the Supply Chain of Coffee in Guatemala*, September 2012,



Defence Force procurement.

About Walk Free

Walk Free is a relatively new organisation, an initiative of the Australian Children's Trust and Hope for Children Foundation, two Australian based organisations. We have set ourselves the very ambitious but critical goal of ending all forms of slavery, slavery-like practices and human trafficking in our lifetime.

We strongly believe the response to this issue needs to be more than just a partnership between government and civil society – it needs to be a partnership between government, civil society, business and the general public.

We are currently focused on developing three main vehicles of change:

- *The Walk Free Social Movement*: focused on building a global community of members, who are informed and motivated to take action in support of the anti-slavery cause. The movement currently has an on-line community of over 265,000.
- *The Walk Free Global Index of Modern Slavery*: a new information tool that will bring together information about the extent of the problem, causal factors, and government's ability to respond. The Index is now at the prototype stage and will be reviewed by world-leading experts next month.
- *The Walk Free Global Fund*: to generate the resources and proven solutions to modern slavery through a public-private partnership – a global fund that will bring governments and business together to identify the best strategies to end modern slavery, to invest in those solutions and to scale them up into action.

I look forward to the opportunity to brief the Committee in more detail on these issues.

Thank you.

Fiona David
Executive Director Global Research
Walk Free