

Do we really need a Global Commission on Modern Slavery?

Jimmy Carter is often regarded as the US's "greatest former president" because of his humanitarian efforts after leaving office. Many former politicians aspire to building a legacy as a respected elder as he did, but it's not easy to pull off. Tony Blair has screwed up time and time again in the Middle East. Boris Johnson recently endorsed Donald Trump. Enough said there.

Former UK Prime Minister Theresa May, who announced last month that she is stepping down as MP, has similar aspirations. We suspect it's the main reason why she launched the Global Commission on Modern Slavery and Human Trafficking in October 2023. It's her attempt at a legacy project. Something that re-connects her name with a cause she has long sought to champion.

Don't think May and Brexit.

Or May and Windrush.

Think May and modern slavery.

We have sympathy for her wanting to be remembered this way. The problem is, her actual record on modern slavery is nothing to get excited about. UK policies targeting modern slavery have proven to be ineffective and expensive. The support given to victims is insultingly low. And severe exploitation in this country has hardly disappeared.

May was the architect of modern slavery policies that did not work.

And thus we are not excited about this new commission. With May in charge there is every reason to expect that it will have little – if anything – new to offer. It will be a tribute band to herself, playing all her old classics one more time.

The world has no need for this, and we've seen no evidence that anyone outside the UK is calling for it. So we would be happier if there was no commission at all. But if we are going to be stuck with it, we have a couple of suggestions.

Can we please have something new?

The Global Commission on Modern Slavery: flawed from the start

The commission's website says that it exists to "exert high-level political leverage to restore political momentum towards achieving UN SDG 8.7 to eradicate forced labour, end modern slavery and human trafficking".

It's funded by the governments of the UK and Bahrain – countries both known for having abusive policies towards migrants and migrant labour – and chaired by May, known for her hostility to vulnerable migrants. Its 16 commissioners include academics, numerous CEOs and investors, and a couple of high-profile social entrepreneurs and survivors.

There is no representation from organised labour, or workers and their allies. So when imagining the commission, think #businessforgood and #ethicalinvesting, rather than #solidarity, #decentwork and #rightsnotrescue.

Combatting modern slavery was a flagship issue for May as both home secretary and prime minister. Her main achievement was the 2015 Modern Slavery Act, which she subsequently promoted at the United Nations and via the Commonwealth. In 2016 May described the act as “an international benchmark” to which other governments should aspire.

Yet May's template was not taken up in the way she had hoped. Its impact was strongest in Australia, where mining magnate turned philanthrocapitalist Andrew Forrest pushed for a local version of the UK legislation. Canada and New Zealand, both British settler colonies, also partly took up the baton as well.

The rest of the world never embraced May's vision. Most governments still prefer to talk about human trafficking, forced labour, and labour exploitation. And many see recent European attempts to couple human rights due diligence with civil penalties as a promising alternative to the toothless, business-friendly transparency provisions of May's Modern Slavery Act.

This is not a global blueprint for action

The problem with the UK's “world leading” response to modern slavery is that it's not very good. It wasn't good in 2015, when the legislation was first enacted, and it isn't good now.

There are four fundamental problems:

1. The “hostile environment”, which May introduced as home secretary, ensures that migrants remain vulnerable to exploitation and abuse.
2. Corporations remain unaccountable for labour abuses.
3. Effective regulation and protections for vulnerable workers are absent.
4. Funding cuts to social services and other safety nets are increasing the caseload of the National Referral Mechanism (NRM), the official system for recognising modern slavery victims, which is crumbling under the pressure of cases and circumstances it isn't equipped to handle.

As the head of her own commission, she'll be the wrong saleswoman flogging the wrong product to the wrong people at the wrong time

It is sometimes argued that the problems associated with UK modern slavery policy can be traced back to insufficient resources. We do not believe this to be the case. Our research suggests that over £1bn has been spent on modern slavery interventions and research in the UK since 2014, making May's model both ineffective *and* expensive.

This is not a model that countries interested in social justice should emulate. It should not be championed, and even if that weren't the case there's no reason to expect May would do a better job of selling it on a global stage the second time around.

As the head of her own commission, she'll be the wrong saleswoman flogging the wrong product to the wrong people at the wrong time.

Having a commission might – just might – have made sense if there was no one else working on addressing labour exploitation internationally. This is not the case. This is a field which is crowded to the point of total saturation. There are numerous UN special rapporteurs, major global initiatives run by the ILO, UNODC, and the US State Department, and countless regional collaborations. There are at least a hundred projects already doing the same kinds of work.

There was no great swell of grassroots groups calling for the creation of a commission either. It can instead be traced to recommendations from a scoping study funded by the UK Foreign, Commonwealth and Development Office and undertaken by the Modern Slavery Evidence Centre, which May created and funded when she was still prime minister. This is a top-down creation designed to keep a former prime minister happy, and perhaps to prop up the crumbling myth that the Tory party cares about severe exploitation.

Yet it's here. We're stuck with it. So the only question that really matters is, can anybody convince it to say something – anything really – which is new?

Here are some suggestions.

Can we have an honest conversation about migration?

The UK, the EU, the US and the Australian governments all present themselves as champions in the fight against modern slavery and human trafficking, yet they are also world leaders in making life as difficult as possible for migrants.

These are not compatible. You can be anti-exploitation or anti-migration, but you cannot be both at the same time. Denying foreign nationals access to rights, safety and support while they're inside a territory – or in transit to it – makes them more vulnerable, and thus more likely to be exploited.

The European Union is spending billions on systems to prevent people from coming to Europe, including funding militia-run, private prisons in Libya. Former president Donald Trump justified 'building a wall' as an anti-trafficking measure. The UK spends millions to apprehend potential migrants in their home countries through various anti-migration projects disguised as development assistance. They try to prevent workers from crossing the English Channel and tether the visas of many migrant workers to their employers, making it very difficult for them to escape if they find themselves being exploited and abused.

"First responders" to potential cases of 'modern slavery' and NRM contract holders routinely double as de facto immigration agents, gathering the personal data of vulnerable individuals and sharing it with law enforcement agencies. Modern slavery interventions and immigration enforcement run together, with punishment trumping protection. Earlier this year it was revealed that the Home Office was deliberately rejecting people whom it should have helped.

The effects of these grotesque anti-immigration measures have to be part of any conversation about ways of addressing modern slavery. There will be no "eradication" of exploitation without immigration reform.

Any proposal or report from the commission which does not seriously grapple with the layered effects of hostile immigration regimes is not worth reading.

Can we have an honest conversation about corporate power?

Labour exploitation is baked into every stage of global supply chains, and major corporations have carefully designed these chains to maximise their profits, minimise their liabilities, and obstruct workers' rights.

The Modern Slavery Act sought to encourage voluntary change in these practices through transparency reporting. This has not worked. The modern slavery statements which the act requires from large companies are worse than useless, and multiple reports have shown that the voluntary audits many companies commission rarely rock the boat.

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Corporations are not going to be 'good citizens' and change their core business practices voluntarily. They have to be publicly regulated and publicly inspected, with meaningful penalties for violations.

Workers need to be able to organise and bargain collectively. The key hinge here is not enslavement but wage theft, since once employers start stealing the wages of their workers it opens the door for all other kinds of abuses. It's discouraging that none of the commissioners comes from a workers' rights background, but perhaps they will be able to surprise us.

Any proposal or report from the global commission which does not directly address worker rights, labour organising, and corporate power is not worth reading.

Can we have an honest conversation about commercial sex work?

Attitudes towards modern slavery and commercial sex can be roughly divided into three main camps: pro-sex workers' rights, prostitution abolitionists, and 'on the fence'.

The arguments favoured by the first two camps will already be familiar to many people. One regards commercial sex as a form of work much like any other, while the other views commercial sex as inherently exploitative. Both camps maintain that their preferred position offers the best platform for combatting modern slavery.

The third, and increasingly dominant group – the fence sitters – try their hardest to not take a position either way. We encourage the new commission to take a stand on this issue, no matter how appealing it appears to simply avoid the topic.

You cannot take effective action against modern slavery if you try and stick your head in the sand when it comes to basic questions about rights and regulation regarding commercial sex. We personally favour de-criminalisation (our argument is made at length here), but there is no way of moving forward on this issue if there isn't a conversation on the merits.

Any proposal or report produced by the global commission which does not develop an explicit position regarding the status of commercial sex is not worth reading.

Can we please have a few new songs?

We are not convinced that the world needs a Global Commission on Modern Slavery. We have reservations about its origins, mandate and composition. And we strongly suspect that it will be little more than May attempting to revive her previous efforts to globalise her failed UK model. But since we now have a commission, it would be really nice if the band could play a few new songs. Enough with the back catalogue.

Some readers may also be wondering where criminal justice fits within this equation. There is no doubt that governments primarily view the fight against modern slavery through a criminal justice lens. Law enforcement, not social solutions, has long been the go-to response.

Our position here is that we have had far too much criminal justice already. There are many times where criminal justice interventions have ended up doing more harm than good. The world doesn't need yet more law-and-order cheerleading under the guise of human rights.

So we would suggest giving criminal justice a pass for now and prioritising other things. You cannot effectively reduce vulnerability to exploitation by prioritising police and immigration.

And any report from the global commission that says otherwise is not worth reading.