DELTA 8.7

UNITED NATIONS
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DELTA 8.7 MARKETS POLICY GUIDE

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THE MARKETS POLICY GUIDE: INTRODUCTION

What *actually works* to end modern slavery in the context of markets? In the past decade, we have witnessed a heightened awareness of the risk of modern slavery occurring within global supply chains, with a corresponding increase in regulation, funding, private sector engagement and programming to address it. The growth in multi-stakeholder collaboration is an indication of our shared commitment to end modern slavery in all its forms, and a sign of hope that it will be possible. What is needed now to achieve Target 8.7 of the United Nations Sustainable Development Goals (SDGs) through a markets lens is a common understanding of what programmatic interventions effectively reduce the number of people who are subjected to this crime, to guide policy and investment decisions.

An expert Working Group came together to compile this Policy Guide alongside Delta 8.7 – The Alliance 8.7 Knowledge Platform, based at United Nations University Centre for Policy Research. It was tasked with reviewing the available research conducted to date related to modern slavery in the context of markets. For the purposes of this Policy Guide, "markets" in this context encompasses economic policy, trade policy, financial policy, development policy and supply chains.

Significant progress has been made in this field to date through government regulation and voluntary efforts that span the globe. In 2011, the UN Guiding Principles on Business and Human Rights became the first corporate responsibility framework to be endorsed by the UN. The three pillars within this voluntary framework — Protect, Respect and Remedy — assign responsibilities to the private sector and governments and have thus gained support and consensus where previous attempts had failed. The Guiding Principles affirmed the responsibility of governments to enforce national laws prohibiting modern slavery — laws that exist in every country in some form — and to regulate the behaviour of private actors.

Action by governments in this area has taken the form of regulation of corporations through disclosure and reporting as well as legal action in the form of sanctions or import restrictions of goods suspected to have been made using forced labour. Voluntary efforts within the private sector to identify, remedy and prevent modern slavery within supply chains have included endorsement of the UN Guiding Principles, adherence to due diligence guidelines (such as those drafted by the Organisation for Economic Co-operation and Development – OECD), supplier training, voluntary audits, industry-specific codes of conduct and worker voice grievance mechanisms. Through these efforts, extensive multi-stakeholder collaboration, innovative programming and advances in prevalence measurement provide very promising emerging best practices that have the potential for replication and scale.

At the same time, discussion among Working Group members responsible for drafting this Guide highlighted the ongoing gaps in knowledge and research that still exist in this relatively new field. The research quality requirements for this project demonstrated the limited number of studies that meet rigorous academic standards, a dramatic contrast to the quantity of available research in the fields of health, education and the environment. Research quality and quantity are critical factors in determining whether key findings can be extrapolated and applied to other contexts and are thus key inputs for decision-makers in determining approaches to funding, policy/legislation and programming. In the context of markets, most of the main focuses were private sector supply chains, corporate responsibility and corporate engagement in Target 8.7 of the SDGs. When analysing the literature against the hypotheses, it became clear that there were major gaps in the evidence found by those working with the private sector.

Experts found that their knowledge of past and ongoing efforts within the private sector was not reflected in the research base, with an overwhelming lack of data apparent in the evidence base. Patterns including lack of available data for decision-making, few studies based on quantitative data and lack of prevalence data for Target 8.7 as a whole emerged within the findings. Limited standardization in the data across different geographical locations and supply chains was also identified. Most importantly, a continuum of scarce impact data on what works to achieve Target 8.7 became apparent. Studies included sound hypotheses of what "could work" to achieve Target 8.7 but experts recorded a significant gap regarding real-life and timely impact data to prove these hypotheses.

THE POLICY GUIDE PROCESS

In 2015, 193 Member States pledged their commitment to Target 8.7 of the SDGs. Target 8.7 commits Member States to:

> Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

Between April 2020 and March 2021, Delta 8.7 convened global expert Working Groups to produce three Policy Guides to address "what works" to achieve Target 8.7 in three broad domains: Justice, Crisis and Markets.

The purpose of these Policy Guides is to provide a highly credible and current articulation of what we know about the global and national policies needed to accelerate progress towards Target 8.7 in a format that is useful for policy actors. They provide a snapshot of "what works" to achieve Target 8.7.

The specific audience for these Guides is multilateral and national-level policymakers. The Guides do not seek to dictate to policymakers how they should organize to achieve Target 8.7 — because that requires an understanding of the specific challenges in each country, the available resources and other contextual factors. Instead, they aim to provide an evidence-based policy resource that is useful across contexts and to policy actors around the world, including those thinking about multilateral policy frameworks.

The Policy Guides prioritize scientifically rigorous information regarding what works. As a result, the guidance offered is neither comprehensive nor definitive. It is thorough and deep in areas where evidence is comprehensive and robust, while in other cases it is patchier and more speculative. This will, however, help to highlight areas where evidence is strong and areas where it is lacking. The deliberative process by which the Policy Guides are formulated is designed to

be replicable. The aim is to capture the current state of knowledge on what works and allow future editions of these Policy Guides to reflect changes in the underlying state of knowledge.

The Working Group

Delta 8.7 convened a global expert Working Group to produce the Markets Policy Guide. Members were selected following an open call for nominations, with members appointed to bring together a diverse group with reference to gender, geographic, age, institutional, stakeholder group and discipline. The process endeavored to include one or more survivor voices in each Working Group consultation process, either through having a survivor member of the Working Group, or through bespoke consultations on the draft Policy Guide documents. Working Group members were allocated into subgroups based on their expertise and asked to assess the two research inputs for the hypotheses linked to their respective "sub-theme".

Research Inputs

I. ASSEMBLING THE EVIDENCE

Between July and September 2020, Delta 8.7 assembled a database of evidence on what works to achieve Target 8.7. This was achieved through two processes: a public submission of evidence and a non-comprehensive evidence review carried out by Rights Lab, University of Nottingham.

Both of these processes sought to identify sources and bodies of evidence that are based on rigorous scientific methods and/or have been tested through government implementation. For each piece of evidence submitted, information on over 20 different data points was collected. This database enables the Working Group to map the contours of bodies of evidence relating to specific thematic areas and specific hypotheses about what works to achieve Target 8.7.

II. MAPPING THE BODIES OF EVIDENCE

The database was mapped in two ways: qualitatively and quantitatively. Both approaches offered assessments of the strength of evidence associated with specific themes and, where possible, specific hypotheses. The strength of evidence was broken into three components:

1. **Diversity of evidence** – indicates the variety of type, methods and design of the evidence associated with different themes and hypotheses. This data allowed each Working Group to distinguish themes and hypotheses that have been explored through a variety of research and implementation approaches from those that are backed by less diverse evidence.

2. **Size of the body of evidence** – quantifies the size, scale and geographic reach of evidence associated with a theme or hypothesis. This helped the Working Group identify themes and hypotheses that have been more extensively tested.

3. **Technical quality of evidence** – derives from data provided by submitters related to "Evidentiary Quality". This allowed the Working Group to understand both which themes and hypotheses were backed by evidence that is perceived to be of high quality.

Please see the technical note for a detailed breakdown of the process.

III. ASSESSING THE EVIDENCE

The Working Groups considered these background documents — the Rights Lab's non-comprehensive evidence review, the underlying database and the Delta 8.7 quantitative assessment — and reworked them using a shared template into a Policy Guide aimed at providing a snapshot of evidence on what *may* work to achieve Target 8.7. Some of their duties included:

1. Identifying evidentiary sources that were missing and needed to be incorporated;

2. Discussing the strength of evidence associated with each theme and/or hypothesis;

3. Identifying other interventions or hypotheses that were not reflected in evidence but may be promising;

4. Assigning a confidence score to each hypothesis.

UNDERSTANDING AND INTERPRETING CONFIDENCE SCORES

Working Groups were asked to indicate their level of confidence in the effectiveness of an intervention or the validity of the hypothesis using a prescribed scale. Confidence in the certainty of a finding is based on the **strength of evidence** — this is assessed on the: a) diversity of evidence; b) size of a body of evidence and; c) technical quality of the evidence and on the experience of Working Group members. The strategy of the Markets Policy Guide Working Group was developed upon

Qualitative Level of Confidence
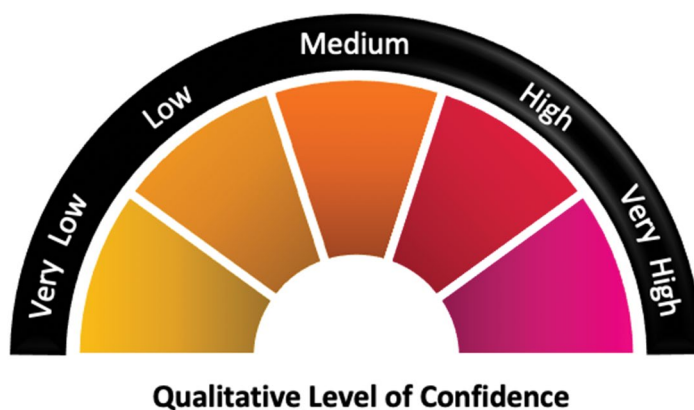
a more inclusive and shared narrative about labour exploitation, forced labour, and modern slavery that was based on the available evidence examined but also — and very importantly — on a synthesis involving the diverse personal, research and practical (criminal justice system, NGO, policymaking) experience of the Working Group's members. The evidence base was not used as the sole indicator of the strength of a hypothesis but a starting point in a multi-stage, "adaptive" process towards setting and refining policy parameters.

The created a metric for the Working Group to discuss, consider and validate the two primary research inputs into the Policy Guides: The Rights Lab evidence review and the Delta 8.7 Quantitative Score. The evaluation to obtain a confidence score acts as an additional quality check, allowing the Working Group to assess bodies of evidence that the two research inputs may have struggled to recognize or map. The degree of *certainty* in key findings is therefore based on the Working Group's evaluations of the two primary research inputs. In the Policy Guide documents, it is expressed as a qualitative level of confidence from "very low" to "very high".

Implementation notes

Delta 8.7 assembled these Working Groups to include practitioners and policy actors precisely because it aims to bridge the research-to-policy divides. With this in mind, Working Groups were able to include an "implementation note" in cases where a hypothesis may seem to have contradicted their own experience of practice/ policy implementation, or if they felt it necessary to include a comment that provides additional nuance or shading to a conclusion.

HYPOTHESIS 1

> **Collaboration amongst civil society organizations that work with the private sector to raise awareness and offer effective remedies can help to address forced labour and human trafficking in business operations.**

High Confidence	**Reason for confidence score:** A large number of studies supported this hypothesis. The studies were of high quality and in most cases used good sample sizes. The studies covered a diverse geographical area. The study findings were consistent with the practical experience of the reviewers.

Description

The need for businesses to work with NGOs to effectively address modern slavery in relation to their business operations was captured across ten studies with focus on specific industries, populations and geographic regions; the findings are not widely applicable. These records emphasized the importance of multi-sector collaboration and coordination in addressing modern slavery in the private sector. Several sources in the group identified push and pull factors for exploitation of potential forced labour, particularly of women and children, by various businesses including transnational work agencies, which can exploit individuals and communities in grey areas not covered by national and international law (where no national or international body has both an incentive to and the ability to intervene). The studies: (a) make recommendations that could be implemented in the context that formed the subject matter of the report; (b) suggest that corporate engagement and action in partnership with governments, NGOs and charities, and other local stakeholders is critical for addressing modern slavery; and (c) show that a multi-stakeholder regional forum would provide a platform for the discussion of best practices in management and oversight, support improved labour conditions across value chains, and suggest how governments may improve their labour standards and regulations to address labour exploitation. However, the actual impact of these efforts in terms of improving measures to address forced labour and human trafficking in their business operations is not clear. Although the majority of respondents received interagency

collaborative training on human trafficking, they were not required to participate in anti-trafficking collaborative activities as part of their job description (87.3 per cent) and were not evaluated for such efforts during performance reviews (93.2 per cent). A small exception is the Thai fishing industry, wherein labour standards and conditions in the canned tuna industry showed a marked improvement as a result of pressure from overseas buyers, which needs to be seen as a proxy and not as evidence of direct impact. The evidence is given for specific sectors/industries, and it is not apparent that it translates to other sectors/industries. The impact is anecdotal, and the claims have bias, based on the type of publication/author organizations; it is reasonable to expect that they are motivated to support the hypothesis despite there being little quantifiable evidence of impact.

Strength of evidence

DIVERSITY

Research methods and approaches adopted in the studies considered in this hypothesis grouping were relatively diverse, with little repetition in the overall research design. The majority of claims in this grouping were tested through studies that involved primary data collection, predominantly adopting qualitative research methods and observational designs.

SIZE

Studies were geographically diverse, with two being global in nature. One study considered the regional context of Africa with a comparative

study of six countries (Ethiopia, Ghana, Kenya, Tanzania, Uganda and Zanzibar), and another focusing on developed countries (Germany, New Zealand, Spain, Sweden, Switzerland, the UK and the US). The remaining records were national studies covering India, Mauritania, Thailand and the US (Michigan).

TECHNICAL QUALITY OF EVIDENCE

Evidence underpinning the hypothesis was considered to be transparent or somewhat transparent, valid or somewhat valid, and reliable or somewhat reliable in all cases. All studies were published. The majority (six) were published in non-peer reviewed settings and the rest were published in peer-reviewed journals.

IMPLEMENTATION NOTES

Companies historically have not shown a high level of participation in transparency practices on elimination of forced labour in supply chains. Companies that do try to engage with civil society organizations to eliminate forced labour and human trafficking can still face obstacles addressing forced labour in mining or production of goods within the source country.

Evidence Base
Anti-Slavery International and Volunteers for Social Justice, *Slavery in India's Brick Kilns & the Payment System: way forward in the fight for fair wages, decent work and eradication of slavery* (London: Anti-Slavery International, 2017).
Ellen Boccuzzi, *Migrant and Child Labor in Thailand's Shrimp and Other Seafood Supply Chains: Labor Conditions and the Decision to Study or Work* (Bangkok: The Asia Foundation and International Labour Organization, 2015).
Justine Nolan and Gregory Bott, "Global supply chains and human rights: spotlight on forced labour and modern slavery practices," *Australian Journal of Human Rights* 24 (2018): 44-69.
Nkirote Laiboni, *A Job at Any Cost: Experiences of African Women Migrant Domestic Workers in the Middle East* (Bangkok: Global Alliance Against Traffic in Women, 2020).
Quintin Lake, Jamie MacAlister, Cindy Berman, Matthew Gitsham and Nadine Page, *Corporate Leadership on Modern Slavery: How have companies responded to the UK Modern Slavery Act one year on?* (London: Hult International Business School and The Ethical Trading Initiative, 2016).
Rebecca Surtees, "Trapped at Sea: Using the Legal and Regulatory Framework to Prevent and Combat the Trafficking of Seafarers and Fishers," *Groningen Journal of International Law* 1 (2013): 91-151.
Salamata Ouédrago Cheikhou, *Lessons learned from socio-economic interventions in Mauritania* (London: Anti-Slavery International, 2019).
Tonisha R. Jones and Faith E. Lutze, "Anti-Human Trafficking Interagency Collaboration in the State of Michigan: An Exploratory Study," *Journal of Human Trafficking* 2 (2016): 156-174.

HYPOTHESIS 2

Collaboration between brands, buyers and and suppliers improves the effectiveness of efforts to reduce forced labour and human trafficking in supply chains.

High Confidence	Reason for confidence score: A large number of studies supported this hypothesis. The studies were of high quality and covered a diverse geographical area. The study findings were consistent with the practical experience of the reviewers.

Description

The importance of collaboration between brands and other suppliers in reducing instances of forced labour was captured in 15 distinct claims across 12 records assessed. Assessment of the importance of collaboration between different stakeholders within supply chains is limited. Moreover, findings are likely to be specific to an area, and may not be extrapolatable to other sectors. Some studies in this group highlighted limitations of traditional compliance mechanisms, especially in developing countries. They stressed the importance of trust and responsibility for aligning supplier behaviour with buyers' codes of conduct. Others argued that collaboration with other stakeholders, such as trade unions, would help buying firms to improve labour standards in their suppliers. Similarly, rather than establishing arm's length relationships with suppliers, creation of a shared responsibility culture across supply chains was argued to foster higher standards for workers. Shortening the labour supply chain allows firms to better control the terms under which workers are initially approached, helping to avoid using rent-seeking local labour brokers in source countries. Countries and owners of mines and factories that engage in forced labour practices often engage in administrative and trade practices that conceal or make unclear the exact nature of their labour practices.

Strength of evidence

DIVERSITY

The majority of claims involved either primary or secondary studies. Eight claims were tested with qualitative research methods, three through mixed methods and four adopted non-empirical approaches.

SIZE

Studies were geographically diverse, with the majority focusing on one country. One study considered the regional context of Africa, and one considered supply chain relationships between Brazil and the UK. Others focused on a single national context, covering India, New Zealand, the UK, the US and Viet Nam. The majority of studies used interviews for data collection. The sample size in these studies ranged from 21 to 293. Characteristics of interview samples varied significantly between studies. Whilst one study focused on the textile industry and conducted interviews on various stakeholders in the knitwear supply chain in India, another conducted interviews exclusively with migrant crew members. The studies in this hypothesis grouping benefit from a high level of direct engagement with affected communities compared to other hypotheses. Five studies included engagement directly with workers, and only three studies did not feature engagement with practitioners. Engagement with workers in these studies helps to strengthen the evidence on the final outcomes of measures adopted with regard exploitation in supply chains.

TECHNICAL QUALITY OF EVIDENCE

The evidence underpinning this hypothesis was assessed to be strong, with the majority of claims recorded as clear, transparent, context-appropriate, valid, and reliable. Qualitative studies in this group were generally supported by literature reviews.

IMPLEMENTATION NOTES

Existing research makes strong assertions, and the initiatives examined have seen promising beginnings; however, there is no real data on their outcomes. In order for this hypothesis to be rated more highly, further empirical research needs to be conducted that also reviews the substantial breadth of law in relation to ultimate buying firms. The evidence suggests collaboration alone is insufficient, but robust regulations and laws that are adequately enforced are also needed in tandem with collaboration to combat modern slavery. Sufficient time has not yet passed to adequately assess the impact of this regulatory approach.

Evidence Base
Caroline Emberson, *Tackling slavery in supply chains: lessons from Brazilian-UK beef and timber* (Nottingham: University of Nottingham Rights Lab, 2019)
Christina Stringer, Steve Hughes, D Hugh Whittaker, Nigel Haworth and Glenn Simmons, "Labour standards and regulation in global value chains: The case of the New Zealand Fishing Industry," *Environment and Planning* 48 (2016): 1910-1927.
Ellen Boccuzzi, *Migrant and Child Labor in Thailand's Shrimp and Other Seafood Supply Chains: Labor Conditions and the Decision to Study or Work* (Bangkok: The Asia Foundation and International Labour Organization, 2015)
Jennifer Gordon, "Regulating the Human Supply Chain," *Iowa Law Review* 102 (2017): 445-504.
Liva Sreedharan and Aarti Kapoor, *Sitting on pins and needles: A rapid assessment of labour conditions in Vietnam's garment sector* (London: Anti-Slavery International, 2018).
Marley S. Weiss, "Human Trafficking and Forced Labor: A Primer," *ABA Journal of Labor & Employment Law* 31 (2015): 1-52.
Nicole Fleury, "Offering a Carrot to Complement the Stick: Providing Positive Incentives in Public Procurement Frameworks to Combat Human Trafficking," *Public Contract Law Journal* 48, 2 (2019): 397-421.
Nkirote Laiboni, *A Job at Any Cost: Experiences of African Women Migrant Domestic Workers in the Middle East* (Bangkok: Global Alliance Against Traffic in Women, 2020)
Quintin Lake, Jamie MacAlister, Cindy Berman, Matthew Gitsham and Nadine Page, *Corporate approaches to addressing modern slavery in supply chains: A snapshot of current practice* (London: Hult International Business School and The Ethical Trading Initiative, 2015).
Samantha Goethals, Joe Bardwell, Mariam Bhacker and Bahaa Ezzelarab, "Business Human Rights Responsibility for Refugees and Migrant Workers: Turning Policies into Practice in the Middle East," *Business and Human Rights Journal* 2 (2017): 335-342.
Vivek Soundararajan and Jill A. Brown, "Voluntary Governance Mechanisms in Global Supply Chains: Beyond CSR to a Stakeholder Utility Perspective," *Journal of Business Ethics* 134 (2016): 8-102.
Vivek Soundararajan, Zaheer Khan and Shlomo Yedidia Tarba, "Beyond brokering: Sourcing agents, boundary work and working conditions in global supply chains," *Human Relations* 71 (2018): 481-509.

HYPOTHESIS 3

Government legislation that enforces mandatory corporate reporting on modern slavery offers transparency that helps to reduce forced labour.

High Confidence	**Reason for confidence score:** The evidence supporting this hypothesis was strong, with a significant quantity of relevant data. The studies were of high quality and in most cases used good sample sizes. The studies covered a diverse geographical area. The findings were consistent with the practical experience of the reviewers.

Description

The evidentiary base for this hypothesis included 11 studies, most of which examined country- or region-specific policy impacts; the findings are not widely applicable. Corporate reporting legislation addressing modern slavery and human trafficking is mostly found in developed economies. Therefore, it is no surprise that most studies in this grouping had samples from developed countries for claim testing. Studies generally agreed on the positive impact of anti-slavery legislation in tackling forced labour and human trafficking. It was stated that legislation increased the number and quality of company disclosures. Similarities were observed amongst competing companies' reports. It is suggested that certain initiatives would improve corporate responses to modern slavery risk. However, there is no evidence of actual impact. Other sources offer a theoretical discussion of existing approaches to the imposition of corporate duties in relation to supply chains.

Strength of evidence

DIVERSITY

Research methods adopted in the studies in this group reflected the subject matter, and predominantly focused on analysis of the legal and regulatory frameworks in place, and corporate compliance with them. The majority of claims were found in primary and secondary studies. Six studies in this group combined legal and policy analysis with literature review, with one of these studies also drawing on observations from consultations and engagements with key stakeholders and practitioners. Three studies conducted content analysis on company reports and disclosures, considering 100, 105, and 204 companies respectively. One study combined documentary analysis with a survey of companies. In one case, the study engaged directly with workers, as well as key stakeholders, conducting interviews with sex workers, factory executives, NGOs, local workers, police and military officials. This was combined with two focus groups of workers.

SIZE

Studies were geographically diverse, with the majority focusing on a single national context. Whilst most of the studies focused on firms based in developed economies, one study focused on Sri Lanka.

Although data was drawn from various countries, four studies used firm modern slavery statements for analysis. These studies benefitted from both quantitative and qualitative research methods. The number of firms under investigation in these samples varied between 30 and 204. Two studies utilized interview techniques for data collection, with sample sizes ranging from 30 to 41.

TECHNICAL QUALITY OF EVIDENCE

The evidence underpinning this hypothesis was assessed to be strong, with the majority of claims recorded as clear, transparent, context-appropriate and valid. All studies were published, with nine (75 per cent) published in peer-reviewed journals.

IMPLEMENTATION NOTES

Assessments of the extensiveness of information provided indicate that the disclosure response appeared to be more symbolic than substantive in nature. Disclosures tended to focus on company policy, rather than on specific slavery-related subthemes or problems that could be addressed, on any quantitative targets, or on financial resources provided to deal with the problems. Simply requiring corporate reporting or statements is insufficient. In most instances there is a lack of transparency and accountability from companies who have statements listed on company websites. Stricter standards for what is required in the reporting, quantitative measures, and accountability are required. There is certainly evidence that the UK policy is taken seriously. There are also small studies that show unintended consequences in the implementation of such policies. A broader analysis of how compliance is measured and of policies in different geographical areas to better assess the impact of government policies is required. The evidence suggests it is not just collaboration but regulations and laws that are needed, and the government must enforce them to combat trafficking. Sufficient time has not yet passed to adequately assess the impact of this regulatory approach.

Evidence Base
Gary Craig, "The UK's Modern Slavery Legislation: An Early Assessment of Progress," *Social Inclusion* 5 (2017): 16-27.
Ian Turner, "Human Rights, Positive Obligations, and Measures to Prevent Human Trafficking in the United Kingdom," *Journal of Human Trafficking* 1 (2015): 296-317.
James Sinclair, "Strategic Litigation as a Tool to Combat Modern Slavery," *Journal of Modern Slavery* 4 (2018): 47-65.
Justine Nolan and Gregory Bott, "Global supply chains and human rights: spotlight on forced labour and modern slavery practices," *Australian Journal of Human Rights* 24 (2018): 44-69.
Katherine Leanne Christ, Kathyayini Kathy Rao and Roger Leonard Burritt, "Accounting for modern slavery: an analysis of Australian listed company disclosures," *Accounting, Auditing & Accountability Journal* 32 (2019): 836-865.
Marilyn Croser and William Meade, *Who Made Our Uniforms? UK Public Sector Apparel Procurement: Ensuring Transparency and Respect for Human Rights* (London: CORE and the International Corporate Accountability Roundtable, 2018).
Olivier Thévenon and Eric Edmonds, "Child labour: Causes, consequences and policies to tackle it," *OECD Social, Employment and Migration Working Papers* 235 (2019).
Rachel N. Birkey, Ronald P. Guidry, Mohammad Azizul Islam and Dennis M. Patten, "Mandated Social Disclosure: An Analysis of the Response to the Californian Transparency in Supply Chains Act of 2010," *Journal of Business Ethics* 152 (2018): 827-841.
Sandya Hewamanne, "Surveillance by Another Name: The Modern Slavery Act, Global Factory Workers and Part-time Sex Work in Sri Lanka," *Journal of Women in Culture and Society* 45 (2020): 653-677.
Stephen John New, "Modern slavery and the supply chain: the limits of corporate social responsibility?" *Supply Chain Management* 20 (2015): 697-707.
Yoon Jin Ma, Hyun-Hwa Lee and Kylie Goerlitz, "Transparency of Global Apparel Supply Chains: Quantitative Analysis of Corporate Disclosures," *Corporate Social Responsibility and Environmental Management* 23 (2016): 308-318.

HYPOTHESIS 4

> **If forced labour, human trafficking and child labour are treated as an issue in silo there can be unintended socioeconomic consequences that prevent their eradication.**

High Confidence	**Reason for confidence score:** The evidence supporting this hypothesis was strong, with a significant quantity of relevant data. The study findings were consistent with the practical experience of the reviewers.

Description

Research and evidence have repeatedly demonstrated that forced labour, human trafficking and child labour are complex issues intertwining with elements such as poverty, debt, vulnerability, legal structure and social norms. There is therefore a need to recognize and address forced labour, human trafficking and child labour through a systems lens instead of treating them as issues in silo. Failing to recognize its complexity can result in unintended socioeconomic consequences, as the systems may adapt in unexpected ways. For example, if not supported carefully, survivors of human trafficking rescued through raids may fall back into trafficking again due to lack of options to sustain a livelihood. Interventions have to take into account these dynamic system and should aim to address the underlying systemic issues that result in forced labour, human trafficking and child labour.

DIVERSITY

The diversity of evidence underpinning this hypothesis is varied; amongst the evidence base a diverse range of research and implementation approaches were used. The majority of claims in this grouping were tested through studies that involved primary data collection, predominantly adopting qualitative research methods and observational designs.

SIZE

There are six pieces of evidence collected to support this hypothesis. The studies in this hypothesis group were geographically diverse. National studies covered Australia, Benin, Brazil, Cape Verde, the Gambia, Ghana, Greece, India, Indonesia, Italy, Japan, Libya, Malaysia, Mauritania, Mozambique, Qatar, Senegal, Spain, Sri Lanka, Syria, Thailand, Turkey, the United Arab Emirates, the UK (Yorkshire and the Humber) and the US.

TECHNICAL QUALITY OF EVIDENCE

The strength of evidence underpinning this hypothesis was assessed to support a positive finding on the hypothesis, with the majority considered to be clear, transparent, context-appropriate, valid, reliable and cogent.

Evidence Base
Augendra Bhukuth, Jérôme Ballet and Nicolas Sirven, "Bonded Labour or What Else? A Case Study in Tamil Nadu, India," *Journal of International Development* 30 (2018): 745-759.
Bethany Jackson, Jessica L. Decker Sparks, Chloe Brown and Doreen S. Boyd, "Understanding the co-occurrence of tree loss and modern slavery to improve efficacy of conservation actions and policies," *Conservation Science and Practice* 2 (2020).
Caroline Theoharides, "The Unintended Consequences of Migration Policy on Origin-Country Labor Market Decisions," *Journal of Development Economics* 142 (2020).

Daniel Murphy, "Hidden Chains: Rights Abuses and Forced Labor in Thailand's Fishing Industry," (New York: Human Rights Watch, 2018).

Douglas Guilfoyle, "Transnational Criminal Law as a Governance Strategy in the Global Labour Marker: Criminalizing Globalisation from Below," *Refugee Survey Quarterly* 29 (2011): 185-205.

Genevieve LeBaron and Ellie Gore, "Gender and Forced Labour: Understanding the Links in Global Cocoa Supply Chains," *The Journal of Development Studies* 56 (2020): 1095-1117.

Monti Narayan Datta and Kevin Bales, "Slavery is Bad for Business: Analyzing the Impact of Slavery on National Economies," *The Brown Journal of World Affairs* 19 (2013): 205-224.

Neil Howard, "Protecting Children from Trafficking in Benin: In Need of Politics and Participation," *Development in Practice* 22 (2012): 460-472.

Olivier Thévenon and Eric Edmonds, "Child labour: Causes, consequences and policies to tackle it," *OECD Social, Employment and Migration Working Papers* 235 (2019).

Olubukola S. Adesina, "Modern day slavery: poverty and child trafficking in Nigeria," *African Identities* 12 (2014): 165-179.

Pardis Mahdavi, "Gender, labour and the law: the nexus of domestic work, human trafficking and the informal economy in the United Arab Emirates," *Global Networks* 13, 9 (2013): 425-440.

Pooja Theresa Stanlas, "Transborder Human Trafficking in Malaysian Waters: Addressing the Root Causes," *Journal of Maritime Law and Commerce* 41 (2010): 595-606.

Prashant Bharadwaj, Leah K. Lakdawala and Nicholas Li, "Perverse Consequences of Well-Intentioned Regulation: Evidence from India's Child Labor Ban," *Journal of the European Economic Association* 18 (2020): 1158-1195.

Sandya Hewamanne, "Surveillance by Another Name: The Modern Slavery Act, Global Factory Workers and Part-time Sex Work in Sri Lanka," *Journal of Women in Culture and Society* 45 (2020): 653-677.

Stuart N. Hodkinson, Hannah Lewis, Louise Waite and Peter Dwyer, "Fighting or fuelling forced labour? The Modern Slavery Act 2015, irregular migrants and the vulnerabilising role of the UK's hostile environment," *Critical Social Policy* 41, 1 (2020): 68-90.

Utami Dewi Anggia and Rezasyah Teuku, "Indonesian Migrant Domestic Workers and Sustainable Development Goals: Feasible Policy and Practices," *E3S Web of Conferences* 73 (2018).

HYPOTHESIS 5

> **In the formal economy, well-designed State regulation of the labour market would help mitigate forced labour and human trafficking.**

High Confidence	**Reason for confidence score:** The evidence supporting this hypothesis was strong, with a significant quantity of relevant data which had a large geographical reach. The study findings were consistent with the practical experience of the reviewers.

Description

Implementation of effective changes to tackle pervasive modern slavery requires key stakeholders in government to address recruitment and payment practices drastically. Market-friendly business and labour regulations correlate with an increase in labour trafficking, whereas more stringently regulated labour markets correlate with a reduction in labour trafficking. However, regulation should be designed in a way that considers the whole system dynamic with careful consultation to avoid unintended consequences. Increasing the remit of, and resources assigned to, the Employment Agency Standards Inspectorate so that it is relevant to more companies and other intermediaries in the supply chain would result in labour exploitation being more easily identified and reduced. Improved regular immigration policies would make legal immigration easier and more affordable than illicit routes, making human trafficking and smuggling less profitable. However, whilst the formal sector benefits from well-designed State regulation, regulations for the informal sector — where workers are most vulnerable to be subjected to modern slavery and human trafficking — require recognition of the reality on the ground and ingenuity.

DIVERSITY

The diversity of evidence underpinning this hypothesis is varied across academic papers and NGO reports; amongst the evidence base a diverse range of research and implementation approaches were used. Three claims in this grouping were tested through studies that involved primary data collection, others were tested using secondary data and theoretical or conceptual sources.

SIZE

There are 14 pieces of evidence collected to support this hypothesis. The studies in this hypothesis group were geographically diverse, with some focusing on a single jurisdiction and others with an international focus. National studies covered China, India, Indonesia, Malaysia, Slovakia, South Africa and the UK.

TECHNICAL QUALITY OF EVIDENCE

The strength of evidence underpinning this hypothesis was assessed to support a positive finding on the hypothesis.

Evidence Base
Anti-Slavery International and Volunteers for Social Justice, *Slavery in India's Brick Kilns & the Payment System: way forward in the fight for fair wages, decent work and eradication of slavery* (London: Anti-Slavery International, 2017).
Dursun Peksen, Shannon Lindsey Blanton and Robert G. Blanton, "Neoliberal Policies and Human Trafficking for Labor: Free markets, Unfree workers?," *Political Research Quarterly* 70 (2017): 673-686.

Focus on Labour Exploitation and Josh Stride, *Shaky Foundations: Labour Exploitation in London's Construction Sector* (London: FLEX, 2018).

Focus on Labour Exploitation, *Risky Business: Tackling Exploitation in the UK Labour Market* (London: FLEX, 2017).

Hannah E. Britton and Laura A. Dean, "Policy Responses to Human Trafficking in Southern Africa: Domesticating International Norms," *Human Rights Review* 15 (2014): 305-328.

Liva Sreedharan and Aarti Kapoor, *Sitting on pins and needles: A rapid assessment of labour conditions in Vietnam's garment sector* (London: Anti-Slavery International, 2018).

Olivier Thévenon and Eric Edmonds, "Child labour: Causes, consequences and policies to tackle it," *OECD Social, Employment and Migration Working Papers* 235, (2019).

Prashant Bharadwaj, Leah K. Lakdawala, and Nicholas Li, "Perverse Consequences of Well-Intentioned Regulation: Evidence from India's Child Labor Ban," *Journal of the European Economic Association* 18 (2020): 1158-1195.

Rebecca Surtees, "Trapped at Sea: Using the Legal and Regulatory Framework to Prevent and Combat the Trafficking of Seafarers and Fishers," *Groningen Journal of International Law* 1 (2013): 91-151.

Rutvica Andrijasevic and Tonia Novitz, "Supply Chains and Unfree Labor: Regulatory Failure in the Case of Samsung Electronics in Slovakia," *Journal of Human Trafficking* 6 (2020): 195-208.

Xiaoying Li and Richard B. Freeman, "How Does China's New Labour Contract Law Affect Floating Workers?" *British Journal of Industrial Relations* 53 (2014): 711-735.

HYPOTHESIS 6

Firms that operate towards the consumption end of a supply chain taking responsibility for the recruitment practices within their produce/services/supply chains would help to reduce risks of forced labour and human trafficking.

High Confidence	**Reason for confidence score:** The evidence supporting this hypothesis was strong, with a significant quantity of relevant data which had a large geographical reach. The study findings were consistent with the practical experience of the reviewers.

Description

Efforts to tighten and consolidate the supply chain would reduce the available number of workplaces for unregistered entities, enable better oversight of these businesses, and counter the challenges of regulatory oversight. Full-chain liability would incentivize lead firms, brands, and large retailers not to contract with labour intermediaries who might exploit their workers. Brands and buying corporations reviewing their purchasing practices to ensure they discourage low labour costs and tight delivery deadlines that have adverse impacts on workers, especially in the extended tiers of the supply chain where the risk of labour exploitation is much higher and the workers are more vulnerable due to higher levels of poverty, would help address labour exploitation risks in these supply chains. Businesses comprehensively mapping their supply chain and understanding the high-risk areas in the extended tiers through colleagues collecting data on the ground improve their understanding, and ability to respond to, the risk of modern slavery they face.

DIVERSITY

The diversity of evidence underpinning this hypothesis is varied across academic papers, NGO reports, and intra-governmental documents. Amongst the evidence base, a diverse range of research and implementation approaches were used. The majority of claims in this grouping were tested through studies that involved primary data collection, predominantly adopting qualitative research methods and observational designs.

SIZE

There are 11 pieces of evidence collected to support this hypothesis. The studies in this hypothesis group were geographically diverse. National studies covered Ethiopia, Ghana, India, Kenya, Nepal, Tanzania, Thailand, Uganda, the UK, the US, Viet Nam and Zanzibar.

TECHNICAL QUALITY OF EVIDENCE

The strength of evidence underpinning this hypothesis was assessed to support a positive finding on the hypothesis. Whilst some evidence does not seem strictly relevant to support the hypnosis, overall the set of evidence is substantiated.

Evidence Base
Anti-Slavery International and Volunteers for Social Justice, Slavery in India's Brick Kilns & the Payment System: way forward in the fight for fair wages, decent work and eradication of slavery (London: Anti-Slavery International, 2017).
Caroline Emberson, *Tackling slavery in supply chains: lessons from Brazilian-UK beef and timber* (Nottingham: University of Nottingham Rights Lab, 2019).

Ellen Boccuzzi, *Migrant and Child Labor in Thailand's Shrimp and Other Seafood Supply Chains: Labor Conditions and the Decision to Study or Work* (Bangkok: The Asia Foundation and International Labour Organization, 2015).

James Sinclair, "Strategic Litigation as a Tool to Combat Modern Slavery," *Journal of Modern Slavery* 4 (2018): 47-65.

Jennifer Gordon, "Regulating the Human Supply Chain," *Iowa Law Review* 102 (2017): 445-504.

Liva Sreedharan and Aarti Kapoor, *Sitting on pins and needles: A rapid assessment of labour conditions in Vietnam's garment sector* (London: Anti-Slavery International, 2018).

Marley S. Weiss, "Human Trafficking and Forced Labor: A Primer," *ABA Journal of Labor & Employment Law* 31 (2015): 1-52.

Quintin Lake, Jamie MacAlister, Cindy Berman, Matthew Gitsham and Nadine Page, Corporate approaches to addressing modern slavery in supply chains: A snapshot of current practice (London: Hult International Business School and The Ethical Trading Initiative, 2015).

Rebecca Surtees, "Trapped at Sea: Using the Legal and Regulatory Framework to Prevent and Combat the Trafficking of Seafarers and Fishers," *Groningen Journal of International Law* 1 (2013): 91-151.

Vivek Soundararajan, Zaheer Khan and Shlomo Yedidia Tarba, "Beyond brokering: Sourcing agents, boundary work and working conditions in global supply chains," *Human Relations* 71 (2018): 481-509.

HYPOTHESIS 7

Effective grievance mechanisms and remediation initiatives support holistic efforts to address forced labour and human trafficking in the workplace.

High Confidence	**Reason for confidence score:** The evidence supporting this hypothesis was strong, with a significant quantity of relevant data which had a large geographical reach. The study findings were consistent with the practical experience of the reviewers.

Description

Direct pressure from exploited migrants can lead to State policy change and proper governance. Establishing suitable mechanisms for work observation and worker complaint procedures throughout firms' supply and value chains,may decrease the firms' risk of human trafficking violations. Ensuring legal and regulatory frameworks support payment of compensation from traffickers to trafficked victims deters offending in a profit-driven industry. Effective remediation initiatives decrease the likelihood for forced labour and human trafficking to perpetuate in the workplace. The keyword in the hypothesis, though, is the emphasis on the effectiveness of the grievance mechanisms and remediation, as ineffective grievance mechanism may adversely affect the effort to address forced labour and human trafficking in workplace.

DIVERSITY

The diversity of evidence underpinning this hypothesis is limited with all pieces coming from academic papers; amongst the evidence base a diverse range of research and implementation approaches was used, including primary research, secondary research, and the use of theoretical or conceptual sources.

SIZE

There are five pieces of evidence collected to support this hypothesis. The studies in this hypothesis group were geographically diverse, with four focused on a single jurisdiction and one covering an international reach. National studies covered Italy, New Zealand, the UK and the US.

TECHNICAL QUALITY OF EVIDENCE

The strength of evidence underpinning this hypothesis was assessed to be insufficient. There is a clear need to call for more research to support this hypothesis. However, despite a comparatively small size of evidence collected for this hypothesis, members and practitioners in the Working Group do very much agree and support the hypothesis based on the working experience.

Evidence Base
Ben Middleton, Georgios A. Antonopoulos and Georgios Papanicolaou, "The Financial Investigation of Human Trafficking in the UK: Legal and Practical Perspective," *The Journal of Criminal Law* 83 (2019): 284-293.
Marley S. Weiss, "Human Trafficking and Forced Labor: A Primer," *ABA Journal of Labor & Employment Law* 31 (2015): 1-52.
Rebecca Surtees, "Trapped at Sea: Using the Legal and Regulatory Framework to Prevent and Combat the Trafficking of Seafarers and Fishers," *Groningen Journal of International Law* 1 (2013): 91-151.

HYPOTHESIS 8

In the formal sector, increased focus on worker voice mechanisms, including union/worker associations, result in better identification and prevention of forced labour and human trafficking in the workplace.

Medium Confidence	**Reason for confidence score:** Whilst the hypothesis is consistent with the practical experience of the reviewers, the quantity of relevant data is limited. Further research and study needs to be conducted to support this hypothesis.

Description

Workers' ability to organize and participate in workers' unions to contribute to political action on worker rights reduces their vulnerabilities and helps progress the role trade unions can play in addressing more serious issues like exploitation (as opposed to more linear workplace rights). Identification and prevention are made easier through formation of networks amongst workers and connection to third parties. However, the hypothesis stresses the "formal sector" as a reminder that worker voice mechanisms are almost unattainable in most of the informal sector, where the likelihood of forced labour and human trafficking is much higher than in the formal sector.

Strength of evidence

DIVERSITY

The diversity of evidence underpinning this hypothesis is limited, with the majority from academia and one from NGO reports; amongst the evidence base a diverse range of research and implementation approaches were used. The majority of claims in this grouping were tested through studies that involved primary data collection, predominantly adopting a mixed method.

SIZE

There are six pieces of evidence collected to support this hypothesis. The studies in this hypothesis group were geographically diverse, with focus on a single jurisdiction. National studies covered Argentina, China, Germany, India, New Zealand, Spain, Sweden, Switzerland, the UK and the US.

TECHNICAL QUALITY OF EVIDENCE

The strength of evidence underpinning this hypothesis was assessed to be unsatisfactory. It is clear that further research and study needs to be conducted to support this hypothesis. However, members and practitioners of the Working Group do support the logic that worker voice mechanisms contribute to the reduction of workers vulnerability that, in turn, reduce the likelihood of forced labour and human trafficking in the workplace.

Evidence Base
Anti-Slavery International and Volunteers for Social Justice, *Slavery in India's Brick Kilns & the Payment System: way forward in the fight for fair wages, decent work and eradication of slavery* (London: Anti-Slavery International, 2017).
Christina Stringer, Steve Hughes, D. Hugh Whittaker, Nigel Haworth and Glenn Simmons, "Labour standards and regulation in global value chains: The case of the New Zealand Fishing Industry," *Environment and Planning* 48 (2016): 1910-1927.

Kate Hardy, "Incorporating Sex Workers into the Argentine Labor Movement," *International Labor and Working-Class History* 77 (2010): 89-108.

Liva Sreedharan and Aarti Kapoor, *Sitting on pins and needles: A rapid assessment of labour conditions in Vietnam's garment sector* (London: Anti-Slavery International, 2018).

Marley S. Weiss, "Human Trafficking and Forced Labor: A Primer," *ABA Journal of Labor & Employment Law* 31 (2015): 1-52.

Xiaoying Li and Richard B. Freeman, "How Does China's New Labour Contract Law Affect Floating Workers?," *British Journal of Industrial Relations* 53 (2014): 711-735.

HYPOTHESIS 9

Mandatory corporate disclosure and supply chain management requirements increase private sector responses and engagement to tackling modern slavery, however their effectiveness is still yet to be tested.

Medium Confidence	**Reason for confidence score:** There were a limited number of studies that relate to this hypothesis, and only one study that actually makes an assessment of whether mandatory corporate disclosure and supply chain management requirements are effective in tackling modern slavery. A number of studies show that the requirements alone are insufficient and can encourage symbolic behaviour, as previously discussed in Hypothesis 3. Further research needs to be done to have a higher level of confidence.

Description

Evidence supporting this hypothesis shows that laws requiring corporate disclosure and supply chain management help companies respond to modern slavery in their supply chains, but their impact is limited. Corporate disclosure frameworks targeting only larger companies and requiring only some information were found to be insufficient.

A number of studies stress the need for legislation that ensures disclosure and transparency are not just symbolic, finding only big companies who are worried about reputational damage seem to improve their approach to tackling modern slavery. Measures assessed typically used either mandatory or voluntary regimes for disclosure; based on the evidence, voluntary measures are found to be less effective and often lead to inadequate disclosure. Weak enforcement of disclosure requirements was also found to contribute to inadequate disclosures.

Reporting is found to be meaningful only when companies have taken effective action to identify, prevent, mitigate and address the human rights impacts of their business activities.

Further research needs to be done to demonstrate how corporate disclosure requirements can impact modern slavery in supply chains. Additionally, more time may be needed to assess measures that are currently in place.

Strength of evidence

DIVERSITY

A major part of the evidence used to support this hypothesis was secondary studies mostly published in non-peer–reviewed journals, and predominantly adopting qualitative research methods. Publications were quite recent and were written either by academics or NGOs. There were no governmental studies nor reports/studies from international organizations.

SIZE

Whilst some of the studies in this hypothesis group were geographically global, the majority focused on a single jurisdiction, and more specifically on the UK. Other national studies covered Australia, Brazil, France and the US. Most of the studies were based on case studies and data analysis from companies from different sectors, whilst others described legislations and recommendations without assessing their effectiveness.

TECHNICAL QUALITY OF EVIDENCE

The vast majority of the evidence used for this hypothesis were clear, context-appropriate, transparent, valid, reliable and cogent. However, whilst most of the evidence was judged to be "context appropriate" as the content matches the claim tested, only a very few actually matched the

hypothesis. In fact, some of the publications even supported the opposite: that corporate disclosure and reporting were only symbolic and not efficient in practice, and that more effective measures need to be taken.

Evidence Base
Business in the Community, *An Opportunity to Build Back Better: The Responsible Business Tracker® 2019/20 Insights Report* (London: Business in the Community, 2020).
Justine Nolan and Gregory Bott, "Global supply chains and human rights: spotlight on forced labour and modern slavery practices," *Australian Journal of Human Rights* 24 (2018): 44-69.
Katherine Leanne Christ, Kathyayini Kathy Rao and Roger Leonard Burritt, "Accounting for modern slavery: an analysis of Australian listed company disclosures," *Accounting, Auditing & Accountability Journal* 32 (2019): 836-865.
Marilyn Croser and William Meade, *Who Made Our Uniforms? UK Public Sector Apparel Procurement: Ensuring Transparency and Respect for Human Rights* (London: CORE and the International Corporate Accountability Roundtable, 2018).
Rachel N. Birkey, Ronald P. Guidry, Mohammad Azizul Islam and Dennis M. Patten, "Mandated Social Disclosure: An Analysis of the Response to the Californian Transparency in Supply Chains Act of 2010," *Journal of Business Ethics* 152 (2018): 827-844.
Stephen John New, "Modern slavery and the supply chain: the limits of corporate social responsibility?," *Supply Chain Management* 20 (2015): 697-707.
Yoon Jin Ma, Hyun-Hwa Lee and Kylie Goerlitz, "Transparency of Global Apparel Supply Chains: Quantitative Analysis of Corporate Disclosures," *Corporate Social Responsibility and Environmental Management* 23 (2016): 308-318.

HYPOTHESIS 10

<table>
<tr><td colspan="2">For private sector's engagement in anti-slavery activity to be meaningful, increased corporate liability provisions and/or financial penalties or incentives are required.</td></tr>
<tr><td>**Low to Medium Confidence**</td><td>**Reason for confidence score:** The evidence was limited in terms of diversity, size, and technical quality. Whilst size of the evidence for this hypothesis largely reflected that corporate liability provisions are confined to a small number of countries, the lack of technical quality and diversity impacted confidence in the hypothesis. With relation to diversity, the lack of government reports or evaluations and the limited evidence from civil society suggested that the full picture has not been assessed. Most significantly, no evidence gathered during the review evaluated the efficacy of financial penalties or incentives on private sector engagement beyond reporting. Nonetheless, credible arguments were made for why requirement for corporate liability provisions and/or financial penalties or incentives would motivate anti-slavery activity beyond supply chain reporting. On this basis, the confidence that this hypothesis is true is rated as low-medium confidence.</td></tr>
</table>

Description

With new regulations to combat modern slavery in supply chains, companies are increasingly reporting on their engagement in anti-slavery efforts and increasing transparency in their supply chains. The increasing engagement is only partial amongst corporate entities however.[1] Several studies assessing corporate compliance under existing legislation in the UK and the US noted significant levels of non-compliance, as high as 50 per cent in the US[2] and 75 per cent in the UK[3]. The UK Government conceptually introduced "unlimited fines" for lack of compliance and to "name-and-shame" non-compliant companies[4], however there has been little evidence of follow-through.

Whilst this does not establish that compliance would improve with the introduction of corporate liability provisions and/or financial penalties or incentives, it does suggest that non-compliance is likely without them.

Further, private sector engagement tends to only become effective (as a rule) when there is sufficient attention brought to the modern slavery practices in a sector that could harm a firm's reputation or sector. The accountability the new regulations have brought are variable, and the minimal requirements of reporting on any action taken has not been sufficient to create substantial change.

More substantial liability, with concurrent impact on reputation and market share may be more effective in bringing change in corporate practices. This is particularly the case in industries with more complex supply chains and particularly in which modern slavery and forced labour practices are more ambiguous.

DIVERSITY

All but one piece of evidence were discussion papers from academic journals, the exception being from an NGO. Not all findings and analysis were proven; however, some made some adequate suggestions. Most were secondary qualitative studies using mixed methods, making it difficult for quality testing and cross-country comparison. One piece of evidence used quantitative data, and another collected some primary qualitative data. One study was repeated twice. Publications were all recent, the oldest being from 2016. There was a general lack of quantitative data in the evidence. There were no governmental or intergovernmental sources. There was an overwhelming lack of diversity for each aspect of Target 8.7, with nearly

all studies focusing on human trafficking and modern slavery. One paper focused on forced labour, whilst none included child labour.

SIZE

The majority of the studies focused on a single jurisdiction including Australia, India, Malaysia, Thailand, Slovakia, the UK and the US. One study focused on trafficking journeys from Viet Nam to Europe, encompassing Belgium, the Czech Republic, France, the Netherlands, Poland, the UK and Ukraine. Most of the studies were based on case studies and data analysis from companies from different sectors, whilst others described legislations and recommendations without assessing their effectiveness.

TECHNICAL QUALITY OF EVIDENCE

Some evidence claimed that voluntary reporting alone did not work but did not go as far to say financial penalties or incentives would increase private sector's anti-slavery engagement. Some evidence suggested that incentives would improve private sector engagement in anti-slavery activity, but again, did not support the hypothesis. A discussion paper found results that legislation

would increase engagement, but the results were not proven. Another piece of evidence suggests a policy recommendation to strengthen the United Kingdom's Modern Slavery Act, and two other pieces discussed the idea of ethical consumerism and consumer behaviour.

Overall, the evidence included some potentially important suggestions for improving private sector's engagement in anti-slavery activity, but none were sufficiently proven. The Working Group found insufficient evidence to support the hypothesis.

Globally, the legislative landscape presents limited opportunity to evaluate the efficacy of legal mechanisms that motivate corporations to engage in anti-slavery activity. Where such legislation does exist, for example, in Australia, Brazil, the UK and the US, it is relatively recent. As such, data on corporate actions resulting from these legal mechanisms, e.g., modern slavery statements, is limited. Furthermore, fewer examples exist of legislation with accompanying incentives or penalties, other than reputational risk. Brazil's lista suja is a notable exception, with companies on the list barred from receiving State loans and some private loans.

Evidence Base
Ben Middleton, Georgios A. Antonopoulos and Georgios Papanicolaou, "The Financial Investigation of Human Trafficking in the UK: Legal and Practical Perspective," *The Journal of Criminal Law* 83 (2019): 284-293.
Debbie Beadle and Leah Davison, *Precarious Journeys: Mapping Vulnerabilities of Victims of Trafficking from Vietnam to Europe* (London: Anti-Slavery International, ECPAT UK and Pacific Links Foundation, 2019).
James Sinclair, "Strategic Litigation as a Tool to Combat Modern Slavery," *Journal of Modern Slavery* 4 (2018): 47-65.
Jennifer Gordon, "Regulating the Human Supply Chain," *Iowa Law Review* 102 (2017): 445-504.
Justine Nolan and Gregory Bott, "Global supply chains and human rights: spotlight on forced labour and modern slavery practices," *Australian Journal of Human Rights* 24 (2018): 44-69.
Nicole Fleury, "Offering a Carrot to Complement the Stick: Providing Positive Incentives in Public Procurement Frameworks to Combat Human Trafficking," *Public Contract Law Journal* 48 (2019): 397-421.
Rutvica Andrijasevic and Tonia Novitz, "Supply Chains and Unfree Labor: Regulatory Failure in the Case of Samsung Electronics in Slovakia," *Journal of Human Trafficking* 6 (2020): 195-208.
Vivek Soundararajan and Jill A. Brown, "Voluntary Governance Mechanisms in Global Supply Chains: Beyond CSR to a Stakeholder Utility Perspective," *Journal of Business Ethics* 134 (2016): 83-102.
Yoon Jin Ma, Hyun-Hwa Lee and Kylie Goerlitz, "Transparency of Global Apparel Supply Chains: Quantitative Analysis of Corporate Disclosures," *Corporate Social Responsibility and Environmental Management* 23 (2016): 308-318.

ENDNOTES

1. Modern Slavery Unit, UK Home Office, *Independent Review of the Modern Slavery Act 2015: Final Report* (United Kingdom: Home Office, 2019), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/803406/Independent_review_of_the_Modern_Slavery_Act_-_final_report.pdf

2. WikiRate and Minderoo Foundation's Walk Free Initiative, Beyond Compliance: The Modern Slavery Act Research Project (Perth: Minderoo Foundation, 2020), https://cdn.walkfree.org/content/uploads/2020/10/06165743/Wikirates_WFF_MSA-Analysis_180917_Digital.pdf; Walk Free, WikiRate, Australian National University, and Business & Human Rights Resource Centre, *Beyond compliance in the hotel sector: A review of UK Modern Slavery Act Statements* (Perth: Minderoo Foundation, 2019), https://cdn.walkfree.org/content/uploads/2020/10/06163448/2632_MSA-statements.V8_FNL.pdf. In their assessment of corporate compliance under the California Transparency in Supply Chains Act, Yoon Jin Ma, Hyun-Hwa Lee and Kylie Goerlitz, found that of the 204 US apparel retailers and manufacturers assessed, less than half complied with the Act. Yoon Jin Ma, Hyun-Hwa Lee and Kylie Goerlitz "Transparency of Global Apparel Supply Chains: Quanitative Analysis of Corporate Discolsures " *Corporate Social Responsibility and Environmental Management* 23, 5 (2016) https://doi.org/10.1002/csr.1378

3. Walk Free and WikiRate, assessing modern slavery statements submitted by 418 companies reporting under the 2015 UK Modern Slavery Act, found that only 26 percent of the statements were legally compliant. WikiRate and the Walk Froundation, *Beyond compliance: the modern slavery act research project* (Melbourne: Minderoo Foundation, 2018). https://wikirateproject.org/files/~6989/15756.pdf. Similarly, the 2019 report by Walk Free, WikiRate, Australian National University, and Business & Human Rights Resource Centre, assessed modern slavery statements from companies within the hotels sector, finding that only 25 percent of statements met minimum requirements. Walk Free, WikiRate, Australian National University, and Business & Human Rights Resource Centre, *Beyond compliance in the hotel sector: A review of UK Modern Slavery Act Statements* (Perth: Minderoo Foundation, 2019) https://cdn.minderoo.com.au/content/uploads/2019/11/20161202/2632_MSA-statements.V8_FNL.pdf.

4. UK Home Office. *Transparency in Supply Chains etc. A Practical Guide* (London: UK Home Office, 2017), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf