



# Modern slavery and the United Nations Security Council

## Research briefing

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## Background

This briefing provides an overview of findings from a study on modern slavery as a security concern at the level of the United Nations Security Council (UNSC). The study examined the intersections between modern slavery, human trafficking, and key agendas of the UNSC to support improved efforts to combat modern slavery in security contexts. The study analysed the responses of the UNSC to modern slavery practices in armed conflicts, focusing on three specific agendas:

- (1) Women, peace and security (WPS);
- (2) Children and armed conflict (CAC); and
- (3) Protection of civilians in armed conflict (PCAC).

### What is modern slavery?

Modern slavery is an umbrella term used to describe a set of related exploitative practices and is not consistently defined at the international level. This study refers to ‘modern slavery practices’ to encompass a range of different forms of exploitation—many of which have their own established definitions in international law—each of which have an identifiable connection to modern slavery. This includes slavery, servitude, institutions and practices similar to slavery, forced or compulsory labour, trafficking in persons, forced marriage, and recruitment or use of children in armed conflict.

## Methods

This study combined three streams of evidence and analysis to examine the intersection between modern slavery and the UNSC. A comprehensive evidence review delivered analysis of a wide range of secondary sources evaluating the documents, policies, instruments, and initiatives of the UNSC. This was combined with analysis of 10,488 UNSC documents published from 1990-2022 and 10 semi-structured key informant interviews with representatives from international agencies.

# Key findings

## The nexus between modern slavery and conflict

### › Armed conflict is one of the root causes of modern slavery

Instances of modern slavery increase in situations of armed conflict because of the collapse of the rule of law, breakdown of political, economic, and social structures, weakened law enforcement, increased levels of violence and militarism, difficulties in income generation, lack of basic facilities such as education and health, family breakdown, forced displacement, and insufficient humanitarian aid. Modern slavery can be both a direct and indirect result of armed conflict.

People can become direct victims when armed forces, armed groups, and state actors are involved in modern slavery. Armed forces and groups strategically use modern slavery and human trafficking as a war tactic, recruitment tool, and/or revenue raising mechanism to finance their operations. Modern slavery can also be an indirect consequence of armed conflicts, allowing perpetrators to carry out their activities in a more favourable environment and exacerbating the vulnerability of individuals and communities.

### › Areas affected by armed conflicts are used by traffickers as places of origin, transit, and destination

Since modern slavery is not generally considered a priority issue by States involved in conflicts, traffickers benefit from the deterioration of rule of law, forced displacement, lack of humanitarian aid, and difficulties associated with access to humanitarian needs, as well as social fragmentation and family breakdown.

### › Modern slavery in conflict settings involves different forms of exploitation

In areas affected by armed conflict, people become particularly vulnerable to, and are specifically targeted by, traffickers, armed forces, and armed groups for use as combatants, sexual services, forced labour, forced marriages, domestic servitude, and to finance the conflict.

## Modern slavery practices and the UNSC

### › The UNSC has an important role to play in addressing the nexus between modern slavery and conflict

The nexus between modern slavery and armed conflict indicates that the UNSC should take initiatives to address modern slavery practices in situations of armed conflict. Further, there is growing recognition that the use of modern slavery practices in conflict and humanitarian settings is a security concern in itself. Given its primary responsibility for the maintenance of international peace and security, this implies an active role for the UNSC in addressing modern slavery practices.

### › UNSC resolutions on modern slavery practices have perceived benefits for antislavery actors on the ground

Addressing modern slavery in UNSC resolutions is perceived to be an important development in terms of the global recognition of the issue. Actors working on the ground rely on UNSC resolutions. Resolutions are invoked when entering engagement and dialogue with parties to armed conflicts. Further, the inclusion of modern slavery in UNSC resolutions ensures that these issues are not overlooked among other serious peace and security issues.

### › The UNSC has addressed modern slavery practices in a selection of documents

A range of UNSC documents address the manifestation of modern slavery practices in conflict settings, including a 2015 Presidential Statement and two resolutions on human trafficking. The UNSC recognises that trafficking in conflict situations may amount to 'war crimes' and 'crimes against humanity'. These developments are welcomed by stakeholders as indicators of the UNSC's willingness to address modern slavery practices in armed conflict and to strengthen the international response to these practices.

### › The level of consideration of different modern slavery practices by the UNSC varies

Across 10,488 documents adopted or issued by the UNSC from 1990 to 2022,<sup>1</sup> references to different modern slavery practices vary significantly in nature and intensity. Use of children in armed conflict, sexual exploitation, and human trafficking are the most extensively referenced practices.

<sup>1</sup> The review examined all documents available on the UNSC website for this period, including: UNSC Resolutions, Volumes of Resolutions, Presidential Statements, Notes by the President, Exchange of Letters, Reports of the Secretary-General, Annual Reports, Reports of Security Council Missions, and Press Statements.

However, references to other modern slavery practices are limited; slavery, enslavement, sexual slavery, slave trade, forced labour, forced marriage, servitude, debt bondage, and the worst forms of child labour are seldom considered. The implementation of UNSC policy with regard to modern slavery practices has been insufficient to meaningfully tackle the issue in conflict settings.

### › **The implementation of UNSC policy with regard to modern slavery practices has been insufficient to meaningfully tackle the issue in conflict settings**

Although the inclusion of modern slavery practices in UNSC resolutions is a positive step forward, it is insufficient in the absence of implementation in practice. Interviewees frequently highlighted that resolutions are not backed up with resources, the lack of which impedes implementation on the ground. The UNSC is therefore called to give binding effect to resolutions, rather than using language of ‘strongly condemning and expressing concerns’ about modern slavery practices in situations of conflict.

### › **Structural constraints are perceived to inhibit the efficacy of UNSC efforts to address modern slavery practices**

There is some degree of suspicion as to whether the UNSC is an appropriate platform to address modern slavery practices, with criticisms around both the composition of the UNSC and its mandate. This is seen to prevent the UNSC from developing a consistent policy and strategy to effectively deal with modern slavery practices. Critique has also been levied against the UNSC for failing to recognise modern slavery practices as a threat to international peace and security in their own right, missing an opportunity to develop an agenda to address these issues in the contexts of both conflict and non-conflict settings.

## **Modern slavery practices in three key UNSC agendas**

UNSC agendas on women, peace and security (WPS), children and armed conflict (CAC), and protection of civilians in armed conflict (PCAC) have significant implications for modern slavery. Yet, despite the clear interconnections between the WPS, CAC, and PCAC agendas and modern slavery, UNSC policy with regard to these connections is currently underdeveloped, leaving modern slavery practices largely unaddressed.

Systematised, comprehensive, and coherent policy and practice to address modern slavery concerns in these agendas is therefore needed.

### › **Women, peace and security (WPS)**

Women and girls are particularly vulnerable to modern slavery practices in conflict settings, and the exploitation they experience is significantly shaped by gender. In the WPS agenda, the UNSC has focused on the participation of women in peace processes and conflict resolution, as well as addressing sexual and gender-based violence (SGBV) and conflict-related sexual violence (CRSV). Thus, the WPS agenda has addressed issues interrelated and overlapping with modern slavery practices. However, the UNSC has not specifically or comprehensively addressed modern slavery practices as part of this agenda.

### › **Children in armed conflict (CAC)**

Several violent acts and human rights violations committed against children in situations of conflict are closely linked with modern slavery practices, and children can be specifically vulnerable to certain forms of exploitation. The six grave violations against children in armed conflict identified by the UNSC include recruitment or use of children in armed forces or groups, which constitutes a modern slavery practice. Others are closely linked to modern slavery because acts constituting the violations may also amount to modern slavery practices, they may result from modern slavery practices, or increase vulnerability. Despite important implications for the protection of children from modern slavery in conflict, the UNSC has not substantially or comprehensively addressed modern slavery practices in the CAC agenda.

### › **Protection of civilians in armed conflict (PCAC)**

Civilian populations living in conflict zones or affected by conflicts face heightened risk of modern slavery practices. Although the UNSC has not directly engaged with the modern slavery risk to civilians affected by armed conflicts in the PCAC agenda, it has paid significant attention to addressing the root causes of armed conflicts through promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law, and respect for, and protection of, human rights. While these measures also help build resilience against modern slavery practices, the lack of reference to modern slavery practices in the PCAC agenda has been criticised.

# Recommendations

This study reviewed a wide range of documents, policies, instruments, and initiatives at the level of the UNSC. This gives rise to a wide range of potential actions for the UNSC and Member States in improving their efforts to address modern slavery practices in conflict and non-conflict settings. A range of general recommendations for the UNSC are outlined below.

1. So far, the UNSC has not engaged with modern slavery practices in a consistent manner. It has only begun to address these practices in recent years. It should therefore engage with modern slavery practices more often, in a coherent and consistent way.
2. Modern slavery practices should not only be addressed in the context of armed conflict *per se*, but should be considered as a threat to international peace and security. The UNSC should consider addressing these issues outside of the scope of terrorism and conflict.
3. When addressing modern slavery practices, the UNSC should not only rely on peace and security concerns, but should also take a human rights approach with an aim of integrating these themes.
4. The UNSC appears to respond to emergency crises rather than addressing ongoing issues. It should consider developing policies and strategies to address ongoing issues of modern slavery practices instead of responding only to isolated emergency issues.
5. The UNSC should not consider its agendas in isolation, but should integrate its efforts and work on modern slavery practices across all agendas. Therefore, when dealing with modern slavery, the UNSC should take an integrated approach.
6. The UNSC's resolutions on trafficking in persons in situations of armed conflict are welcomed, but not sufficient. The UNSC should ensure ongoing involvement in ending modern slavery practices through the implementation of its resolutions on the ground.
7. There is some confusion about whether resolutions adopted outside the scope of the Chapter VII are binding on Member States. Therefore, the UNSC should consider adopting binding resolutions on modern slavery practices acting under Chapter VII of the Charter of the United Nations.
8. In addition to its thematic resolutions on trafficking in persons in situations of armed conflicts, the UNSC should also refer to modern slavery practices in other relevant resolutions with respect to peace and security issues. This will help raise awareness of these issues at the global level.
9. Although the UNSC has begun to address human trafficking in its recent thematic resolutions, there are too many asks from Member States across different agendas. Some similar or related measures are addressed across all agendas of the UNSC. Therefore, the UNSC should consider integrating its agendas, focusing on particular themes and measures to reduce the ask from Member States.
10. The UNSC should consider addressing modern slavery practices comprehensively as part of its WPS agenda. Women and girls are disproportionately affected by armed conflicts and are more vulnerable to modern slavery practices. Therefore, their vulnerability should be addressed as part of the WPS agenda to develop policies, strategies, and mechanisms to prevent women and girls from being subject to modern slavery practices.
11. Modern slavery practices are not listed as grave violations against children. However, these practices are serious enough to be considered grave violations. Although there are some implications for modern slavery practices when dealing with the six grave violations, they should be given the utmost importance in ensuring the protection of children in armed conflict. Therefore, the UNSC should consider making explicit references to modern slavery practices in its children and armed conflict agenda. It should also consider recognising modern slavery as a distinct grave violation affecting children in armed conflicts, which may trigger listing of parties in annual reports of the Secretary-General.
12. The UNSC should consider the possibility of a global arrest warrant for individuals sanctioned due to their involvement in modern slavery practices. This will ensure that sanctions are not just 'shame and blame' mechanism, but an effective tool to bring perpetrators to justice and ensure accountability, as well as sending a strong message to deter would-be offenders.
13. The UNSC should consider invoking the jurisprudence of the ICC to prosecute perpetrators of modern slavery practices, since these crimes may amount to crimes against humanity and war crimes under certain conditions. The UNSC should not refrain from using this tool to ensure that modern slavery practices are taken seriously.
14. The UNSC should consider some mechanism to ensure the effective implementation of its resolutions on trafficking in persons in situations of armed conflict. This requires that sufficient resources are made available on the ground to address these issues. Therefore, the UNSC should ensure the availability and sufficiency of resources to tackle modern slavery practices.
15. Modern slavery practices are not always the priority in situations of armed conflicts. Member States dealing with armed conflicts tend to focus on defence and fighting rather than devoting their limited resources to counter modern slavery. Therefore, the UNSC should ensure that modern slavery practices are also given the utmost importance in situations of armed conflict.
16. The UNSC should work towards consensus-building, cooperation, and joint efforts among Member States to ensure a unified approach to end modern slavery practices in conflict and non-conflict settings.
17. The UNSC should support Member States in armed conflicts to ensure the rule of law and institutional capacity to fight modern slavery as people become more vulnerable to modern slavery when the rule of law collapses.



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