Symposium: The Antislavery in Domestic Legislation Database

Nesrien Hamid, Research and Editorial Consultant, Delta 8.7

18 May 2020

Earlier this year, Professor Jean Allain and Dr Katarina Schwarz launched the Antislavery in Domestic Legislation database—an extraordinary scholarly feat with manifold practical applications to advance the anti-slavery field. The database compiles national-level constitutional, criminal, and labour legislation regarding modern slavery and similar forms of exploitation of all 193 UN Member States.

Professor Allain and Dr Schwarz kickoff this Symposium with a reflection on the impetus behind the creation of the Database, the lacunae that analysis of the data reveals and how the Database can be of utility to policy actors and researchers. Delta 8.7 invited the UN Special Rapporteur on contemporary forms of slavery, Dr Tomoya Obokata, as well as Ambassador Luis C.deBaca, Dr Laura Gauer Bermudez from GFEMS and Katharine Bryant from Walk Free to offer their thoughts on the importance of the Database and how it can support anti-slavery efforts.

All the contributions to the symposium can be found below:

A New Legislative Database for Anti-Slavery Advocacy
Jean Allain, Monash University, and Katarina Schwarz, University of Nottingham
18 May 2020

Practical Applications of an Anti-Slavery Legislative Database
Laura Gauer Bermudez, Global Fund to End Modern Slavery
19 May 2020

Filling the Knowledge Gaps: The Antislavery Legislation Database
Tomoya Obokata, United Nations Special Rapporteur on contemporary forms of slavery, including its causes and consequences
20 May 2020

The Devil is in the Details: A New Legislation Database for Anti-Slavery Advocacy
Katharine Bryant, Minderoo Foundation's Walk Free Initiative
21 May 2020

The Antislavery Legislation Database: Community, History and Practice
Luis C.deBaca, Former US Ambassador-at-large to Monitor and Combat Trafficking in Persons
22 May 2020

Symposium: A New Legislative Database for Anti-Slavery Advocacy

Katarina Schwarz, Rights Lab Associate Director and Assistant Professor of Antislavery Law and Policy, University of Nottingham
Jean Allain, Professor of Law, Monash University

18 May 2020

"Slavery is illegal everywhere." So said the New York Times, repeated at the World Economic Forum, and used as a mantra of advocacy for over 40 years. The truth of the statement has been taken for granted for equally as long, with antislavery advocates, practitioners, policymakers and academics seldom looking beneath the surface of the claim to assess the underpinning evidence. These accounts see Mauritania as legal slavery's last stronghold, ending in 1981 when the country abolished the practice by presidential decree. At this point, so the story goes, slavery had been made illegal in every State. In fact, our new research reveals that just over half of the world's States appear to have passed the laws necessary to make enslaving another human being a crime.

The conclusion that slavery had already been eradicated in law the world over is inextricably linked to the conception of slavery that dominated up to the turn of the twentieth century: slavery as legal ownership and property in persons. However, the definition of slavery established in the 1926 Slavery Convention, repeated in subsequent instruments and judicial decisions,[i] goes further than this to encapsulate both *de jure* and *de facto* slavery (slavery in law and in fact).[ii] Yet, the changing recognition of what constitutes slavery in international law did not go hand in hand with a serious interrogation of what that requires from States' legal frameworks to give effect to these definitions in international law.

Although *de jure* slavery can be made illegal through abolition, *de facto* slavery requires something more: prohibition. This is explicitly identified in the texts of the 1948 Universal Declaration of Human Rights, the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery and the 1966 International Covenant on Civil and Political Rights. In these texts, States are called upon to prohibit—rather than simply abolish—slavery and the slave trade. Prohibition requires more than States repealing laws on the books allowing for slavery. Rather, they must actively put in place effective laws to prevent people from enslaving others. Further, criminalization and penal sanctions of slavery, the slave trade and institutions and practices similar to slavery are explicitly called for in the 1956 Convention, as they are in regard to forced labour in the 1930 Forced Labour Convention and trafficking by way of the 2000 Palermo Protocol.

It is these standards that we considered in the development of the Antislavery in Domestic Legislation database, looking beyond the abolition of legal slavery to consider States' actions in *prohibiting* slavery. We did so not only because States have international commitments in this space but also because legislation is a crucial gateway to antislavery action at the domestic level. It engages the machinery of the State, empowering police, prosecutors, courts, labour officials, immigration officers and public service providers to respond to exploitative practices.

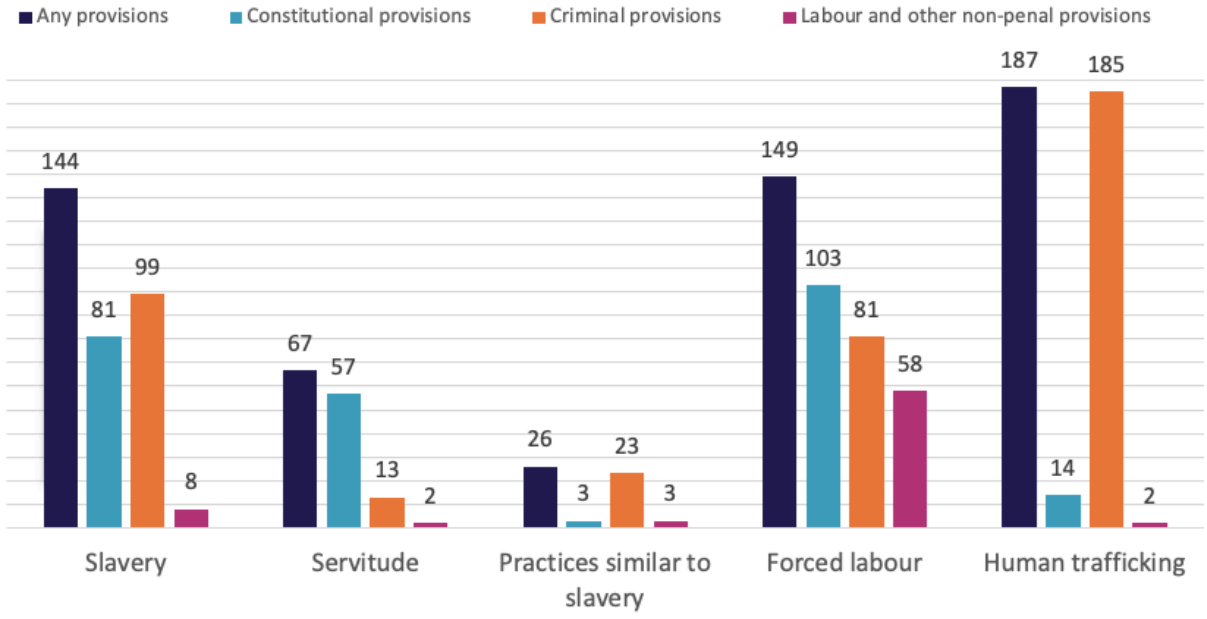
Short of this, incomplete or ineffective legal frameworks inhibit effective antislavery action, failing to respond to the phenomenon in its various manifestations, placing higher burdens on non-governmental actors, leaving victims and survivors without proper legal redress and enabling impunity of perpetrators.

To assess the extent to which slavery and related forms of human exploitation have been prohibited in domestic law, the Antislavery in Domestic Legislation Database, compiles the national-level constitutional, criminal and labour legislation of all 193 UN Member States, examining provisions dealing with the following forms of exploitation:

- Slavery and the slave trade
- Servitude
- Institutions and practices similar to slavery
- Forced or compulsory labour
- Trafficking in persons

From over 900 domestic statutes, thousands of individual provisions have been extracted and analysed to establish the extent to which each and every State has prohibited these practices through domestic legislation. By mapping these provisions around the world, we begin to identify key trends, successes, shortcomings and diverging practice in States' prohibitions of human exploitation.

Figure 1. Overview of States' domestic legislation prohibiting slavery globally



This analysis reveals that the international community has a long way to go in achieving the effective universal prohibition that has been assumed for so long. Although almost all States

have enacted some form of criminal sanction specifically against human trafficking, a large proportion of States do not appear to have enacted basic legal provisions criminalizing other forms of exploitative practices. Moreover, even where legislative provisions are in place, many of these do not satisfy, in *toto*, the requirements set out in relevant international instruments. Provisions on trafficking, for instance, often fail to capture the full spectrum of its definition, leaving out elements related to the acts, means and exploitative practices as set out in the Palermo Protocol.

Recognizing that the legal frameworks in place in States around the world are far less developed than previously assumed provides a foundation for better anti-slavery governance—governance that responds to evidence over assumptions, and benefits from learning from all the world's States. As a result, the analysis captures the various manners in which States have sought to give voice to their legal obligations in this area, thus allowing for best practice to emerge and assisting in the design of future legislation. It supports reform that responds to the demands of different contexts by analyzing how other States sharing similar characteristics have responded to shared challenges. It enriches the information available for making assessments of the strengths and weaknesses of different choices in context, and makes responding to new and old challenges a more rigorous scientific exercise.

The Antislavery in Domestic Legislation database is another step in the development of a rich global evidence base for combating slavery and related forms of human exploitation. In releasing this first phase of the research, we invite States and other relevant actors to engage with the database, enriching the information available to all by submitting legislation not yet considered in the analysis. The platform will undergo continuous and ongoing developments, in the expectation of presenting the most accurate and up-to-date legislative information possible to a global audience. The scope of provisions will also expand, as we look beyond the prohibition of these specific forms of human exploitation to consider other practices and other obligations associated with States' commitments in related to exploitative practices. That said, already, the clearer picture of the current state of domestic legislation provided by this new database invites concerted, evidence-based advocacy and reform to make the claim that slavery is illegal in every country in the world a reality.

The Antislavery in Domestic Legislation database is now freely available at antislaverylaw.ac.uk

[i] The definition is repeated in the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, as well as the Rome Statute of the International Criminal Court. It has subsequently been affirmed by the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Sierra Leone, the European Court of Human Rights, and the Inter-American Court of Human Rights.

[ii] See Jean Allain, *The Slavery Conventions* (Martinus Nijhoff 2008); Research Network on the Legal Parameters of Slavery, 'The Bellagio-Harvard Guidelines on the Legal Parameters of Slavery' available at <https://glc.yale.edu/sites/default/files/pdf/the_bellagio-harvard_guidelines_on_the_legal_parameters_of_slavery.pdf>; *Prosecutor v. Dragoljub*

Kunarac, Radomir Kovac & Zoran Vukovic, International Criminal Tribunal for the former Yugoslavia (12 June 2002); *Case of the Hacienda Brasil Verde Workers v Brazil*, Inter-American Court of Human Rights Series (20 October 2016); *R v Wei Tang* [2008] HCA 39.

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Symposium: Practical Applications of an Anti-Slavery Legislative Database

Laura Gauer Bermudez, Director of Evidence and Learning,
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19 May 2020

The Antislavery in Domestic Legislation Database (hereafter referred to as "the Database") reflects a tremendous amount of effort on the part of Dr Katarina Schwarz and Professor Jean Allain to comprehensively map legislative frameworks that seek to prohibit slavery around the world. Such endeavours are critical for advancing thoughtful analysis and comparative critique of the enactment and utilization of various legal instruments available to pursue justice for the most marginalized.

Invited to provide commentary on the Database, I considered its utility from two vantage points. First, I viewed the Database as a team member of a Fund that supports implementing organizations, considering the value add for partners continuing to push forward anti-slavery efforts globally. Next, I examined the Database from the orientation of a researcher, exploring its utility to expand knowledge on the effectiveness of various legal instruments to address modern slavery.

From an implementation perspective, the Database can offer insight into the various legal instruments at one's disposal in a given Member State. We know that modern slavery, as an umbrella term, encompasses a wide variety of exploitative conditions. When working with implementers locally on modern slavery issues, the provisions they turn to for the prosecution of perpetrators and restitution for victims is somewhat variable depending upon the context, the case, the geography and the precedent for what has worked effectively in the past. Sometimes the right fit is a forced labour law, sometimes it is a bonded labour law and sometimes it is a trafficking law. Context and precedent matter and understanding what options exist can help advocates push for expanded provisions—when and where the current set are deemed insufficient to tackle the spectrum of exploitation that is occurring.

Further, knowing how neighbouring states and/or states addressing similar modern slavery issues are responding to cases, specifically which legal provisions they call upon, can be immensely helpful. As a follow-on to the development of this database, it may be useful to curate a series of case studies on the usage of various legal provisions by Member States. Are there Member States that have used slavery or servitude provisions successfully? What were the parameters of those cases and what made them more appropriate to be addressed by a slavery or servitude provision as opposed to a trafficking or forced labour provision? Are there cases of modern slavery, such as forced marriage, that were not effectively addressed by existing legal provisions and thus have required a new provision? It would also be interesting to see cases where multiple provisions are layered upon one another for harsher sentencing. Lastly, it would be useful to see where and how constitutional provisions have been translated into tangible criminal or labour law. Understanding those practical applications of the legal instruments can foster learning and sharing across Member States to collectively improve and evolve access to justice for victims.

When considering the Database from the point of view of a researcher, I find it to inspire a number of inquiries that could be the basis for a legislative research agenda on modern slavery. First is the possibility of analysing national level prevalence estimates against the associated legal frameworks within Member States. Such a study could begin to speculate on a relationship between robust legal provisions and the prevalence of modern slavery. The study would need to skillfully articulate nuance around the often unknown relationship between increased awareness and increased reporting/arrest, meaning that the establishment of new penalties may result in higher prevalence levels in the years following the passage of a law.

Similarly, the Database would also be an excellent resource for governments to think about natural experiments that seek to examine prevalence rates prior to and after various legal frameworks are enacted as well as comparing across countries with similar dynamics. As above, any study attempting to utilize prevalence estimates as comparators would need to account for the effect of awareness on reporting as well as the standard issue sticking points in prevalence estimation, such as measurement standardization and the role of additional confounding externalities.

The effect of legislation on private sector behaviour is also of interest. In particular, the concept of private sector reputational risk as it relates to legal provisions on modern slavery. How does the desire to uphold or preserve the reputation of a company drive decision-making and deter modern slavery, and does criminal law in states where products are manufactured or sourced bolster the perception of those risks? Does the frequency with which cases are brought to court and/or the outcome of those cases alter that risk calculation further? This type of deterrence analysis, which is more qualitative in nature, can yield very pragmatic insights on the importance of a robust legal framework for influencing the behaviour of key stakeholders.

In sum, the Database offers a tool for the antislavery community to build upon, encouraging dialogue and coordination between Member States in their efforts to establish robust legal frameworks that effectively bring perpetrators to justice and deter future exploitation.

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Symposium: Filling the Knowledge Gaps: The Antislavery Legislation Database

Tomoya Obokata, United Nations Special Rapporteur on contemporary forms of slavery, including its causes and consequences

20 May 2020

The new Antislavery in Domestic Legislation database developed by Dr Katarina Schwarz and Professor Jean Allain (hereinafter "authors") is timely and important in a number of respects. First, it contributes to the advancement of knowledge in the field. Despite the fact that slavery has been abolished in law, the authors point to the fact that de *facto* slavery still exists, and States must do more than abolishing it. In this regard, the authors suggest that UN Member States must have sufficient legislative frameworks in place to prevent people from enslaving others as mandated by international standards including the 1926 Slavery Convention, 1956 Supplementary Convention, 1930 Forced Labour Convention as well as other human rights instruments. It is here that the Legislative Database plays an important role as it allows interested individuals and entities to access over 900 legislative frameworks on slavery and slave-like practices of all UN Member States. This will allow them to conduct thorough research and to deepen their understanding of how slavery and slave-like practices are regulated across the globe. The Database is the first of its kind in the field, and there is no doubt it will contribute to the advancement of knowledge.

Through their research, the authors conclude that there is still a long way to go as many States have not adequately prohibited these practices, thereby falling short of international standards. Divergence in State practice indicates that defining or framing offences for slavery and slavery-like practices is influenced by political, social, economic and cultural factors in each State. This, in turn, highlights the need to tackle the deep-rooted underlining causes which make such practices possible.

Second, as the authors suggest, the Database can strengthen antislavery action and advocacy. A closer analysis of legislative frameworks will allow antislavery advocates to identify good practices which can and should be widely shared and followed by States at the national level. When there are areas of concern—which may include the definitions of various acts of slavery

and slave-like practices and the punishment regimes—these advocates can offer practical recommendations for improvements. In other words, the Database will serve as an important starting point, facilitating constructive dialogue between States and other relevant stakeholders in the field.

The authors undoubtedly have contributed to filling knowledge gaps in relation to legislative provisions on prohibition of slavery and slave-like practices. Still, there are a few issues which they may consider developing further in the future in order to complement their important work. Given the sophisticated and dangerous nature of human trafficking, slavery, forced labour and slave-like practices, proactive—as opposed to reactive—intelligence-led law enforcement is desirable. Measures such as surveillance, interception of communication and others are encouraged by the United Nations Convention against Transnational Organised Crime 2000 (UNTOC) and other instruments, and the need for these has also been acknowledged by human rights bodies, including the European Court of Human Rights. The authors could look at legislative provisions governing these tools, and analyse them in order to identify good practice as well as gaps—including an analysis of their conformity with the existing human rights norms and principles.

In addition, the examination of the punishment regimes—imprisonment or other measures—could be expanded further as important questions still remain. For instance, have States imposed adequate penalties to maximize the deterrent effects? Are there any discrepancies in punishment regimes internationally? If so, what could explain them? Do statutory provisions also recognize aggravating/mitigating factors, and how do they enhance or undermine effective prohibition of slavery and slave-like practices? These questions, among others, could be explored in depth.

A related issue to punishment is asset recovery or confiscation of criminal proceeds. One of the effective ways to prevent and suppress human trafficking, slavery, forced labour, and other slave-like practices is to take illegal profits away from those who engage in these practices, particularly criminal entities such as organized criminal groups and terrorists. These entities rely on money laundering and other risk-averting strategies, such as violence/intimidation and corruption, in order to evade law enforcement and maximize their illegal profits. There is therefore a need to examine the extent to which States facilitate effective confiscation of criminal proceeds, including action against money laundering.

In addition, the transnational nature of these crimes will require all States to cooperate with each other in prosecuting and punishing human trafficking, slavery, force labour and other slave-like practices. In this regard, the Database could be expanded to incorporate provisions relating to international criminal justice cooperation which may include, but not limited to, cross-border investigation, exchange of intelligence evidence, extradition and mutual legal assistance in criminal matters. Once again, these are stipulated under UNTOC and regional instruments on criminal justice cooperation. The authors can fill knowledge gaps as to whether

States have adequate legislative provisions to facilitate cooperation with others, bearing in mind the relevant human rights norms and principles.

I would like to congratulate Dr Schwarz and Professor Allain for their leadership in developing this important Database, and I hope that it will be used widely by all relevant governmental, civil society, academic and private sector stakeholders in order to facilitate more effective action against these evils of the contemporary world.

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Symposium: The Devil is in the Details: A New Legislation Database for Anti-Slavery Advocacy

Katharine Bryant, Manager of Global Research, the
Walk Free initiative of the Minderoo Foundation

21 May 2020

Establishing effective legislative and policy responses to eradicate modern slavery and support the achievement of Sustainable Development Goal (SDG) Target 8.7, requires a baseline understanding of existing responses. By understanding which countries have criminalized slavery, forced labour and human trafficking in line with various international obligations, we can move beyond measuring the existence of legislation to begin to assess its implementation. Eventually, we can then determine whether this legislation is effective.

This is why the Antislavery in Domestic Legislation database, developed by Dr Katarina Schwarz and Professor Jean Allain, is critical. By looking beyond *de jure* slavery to assessing *de facto* slavery, and by engaging directly with over 900 domestic statutes globally, the database identifies trends, strengths and weaknesses, gaps and recommendations for improvement. It is a monumental task—at Walk Free for the past six years we have been collecting legislative and policy data for the government response assessment of the Global Slavery Index and, more recently, for the Measurement, Action, Freedom report. I can personally attest to the time and energy it takes to collect this type of information and analyse it.

The findings of the Antislavery in Domestic Legislation database are disheartening. To see that slavery has not been universally prohibited—while not too surprising for those of us working in this field—feels like a setback for the anti-slavery movement. How can we be so far from achieving what many would see as the first step in responding to modern slavery: the creation of domestic frameworks criminalizing these most extreme forms of exploitation?

This is not to dismiss the many efforts by those in the anti-trafficking and anti-slavery fields to support governments to develop effective legislation. Perhaps most encouragingly, we see that 185 countries have some provisions criminalizing trafficking. Likewise, 149 have articles criminalizing elements of forced labour, and 144 have criminalized slavery. That trafficking provisions exist almost universally is encouraging, and reflects the efforts of many over the past 20 years since the UN Trafficking Protocol was adopted. Further gaps remain—from our own research we know that only 50 countries have criminalized forced marriage, while we see in the database that only 13 countries have provisions on servitude.

This in itself is a call for action, but, as is often the case, the devil is in the detail. As Dr Schwarz and Professor Allain establish, while these provisions exist, they are often not in line with international obligations. This reveals the benefit of this type of database—it allows for the detailed analysis of these provisions to identify exactly where the gaps are, and more importantly, understand how we can support governments to close them.

Being able to identify where the criminalization of various forms of exploitation do not meet international obligations is critical to developing policy recommendations and projects to improve it. For example, we see gaps in trafficking legislation in certain regions, such as the omission of 'means' or the inclusion of penalties insufficient to deter traffickers. Providing this kind of information in the database will greatly help to inform the next steps—how do we strengthen this legislation? I am very pleased to read that the database will provide exactly this kind of analysis in the future. This will better inform evidence-based advocacy, which will be of great benefit to the anti-slavery field.

There is also an opportunity here for the anti-slavery community as a whole. There is an increasing number of efforts to assess governments—including Walk Free's government response index—to hold them to account for their responses to modern slavery under SDG Target 8.7. We recognize the ongoing difficulties of holding governments accountable under the SDG monitoring system without indicators specifically measuring all forms of modern slavery. In 2019, we joined with various anti-slavery organisations to call for modern slavery indicators under SDG Target 8.7. Developing and tracking these indicators requires a certain level of data on prevalence of modern slavery which is not currently available. In the absence of these data and indicators, there is a need for researchers and practitioners to develop our own common measurement frameworks to hold governments to account.

It is very encouraging that the database provides an opportunity and framework to do just this: to come together to discuss indicators of effective legislation, and to begin to join efforts to strengthen these provisions and ensure their implementation. One critical next step is a convening of anti-slavery and anti-trafficking legislative and policy experts to agree to these standards. The database and the data that sits behind it will be important resources to inform how these standards should be developed.

I look forward to seeing the database evolve and being part of the conversation as we begin to dive into the detail. This is critical to our ongoing efforts to track the progress of governments towards SDG Target 8.7 and the eradication of modern slavery.

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Symposium: The Antislavery Legislation Database: Community, History and Practice

Luis C.deBaca, Former US Ambassador-at-Large to Monitor and Combat Trafficking in Persons

22 May 2020

One of the thorniest questions the modern antislavery movement has to confront in the international arena is whether and to what extent treaty language, reporting mechanisms and multilateral processes can move past being "talk shops" to actualized instruments on behalf of workers and other communities who have little access to them. The solutions-focused approach of Alliance 8.7, and especially the knowledge-advancing work of United Nations University Centre for Policy Research, are meaningful answers to that query. So too is the new undertaking recently unveiled by Professor Jean Allain and Dr Katarina Schwarz: The Antislavery in Domestic Legislation database.

Through this project, we are for the first time able to access in one place laws from all 193 UN Member States, whether constitutional, criminal or labour statutes. The laws are searchable against some of the varied terms used throughout the last one hundred years to describe the practices now loosely aggregated under the term "modern slavery" or "human trafficking". At the heart of the project are some of the variouas international antislavery agreements that bracket the field.

As a practitioner, diplomat and academic working in the field of modern slavery, I am excited about the prospects of the Database, with a particular focus on: 1) how it can be used as a tool of community-building; 2) how it can place the modern movement in historical context at both international and domestic levels; and 3) how it can not only shine a light on inadvertent gaps in domestic legislative coverage but also help to detect evasion and corruption.

Community-building

The newly launched legislative Database has a wide utility in the ongoing project of building the community of modern slavery practice to include diplomats, law enforcement and human

trafficking specialists. In this way, it contributes to the much-needed further professionalization of the antislavery field.

This Database will substantially help remediate the "growing pains" of a movement that is unsure if it even has a shared history. The combination in recent years of the rights-based slavery approach and the commerce-based sex trafficking approach created a field with not just different actors and bureaucracies but with multiple origin stories and histories. This risks stakeholders' talking past one another—or even contesting core meanings rather than buckling down to end modern slavery.

Through the use of this Database, which aggregates a number of different instruments, we can hopefully come to a better understanding not just of domestic legislation, but of how shortcomings in national laws and efforts might stem from the multiple sources of legal and social understandings (and misunderstandings) of the slavery and trafficking concepts.

History and Context

The University of Michigan's Earl Lewis recently noted that study of the First (ancient) and Second (transatlantic) Slaveries requires us to examine the continued legacies and practices of compelled service: a Third Slavery in a time of official freedom that reaches from the post-Emancipation era to today. A unified slavery studies can reveal commonalities in methods of oppression and value extraction, as well as recurring patterns of social control and the economies and legal systems that rely on exploitation.

Indeed, for practitioners and policymakers, understanding slaveries across time and space can help us recognize and confront the troubling persistence of slavery-based legal and social regimes long after the slave system that gave them logic and life was abolished. Tools like the Database, that place ongoing responses in their historic and legal contexts, not only permit such understanding but also allow us to test national and global responses against the standards agreed upon by the international community over the last century.

I read the Database as suggesting that acceding to international instruments and passing (or too often, not passing) legislation is not the same thing as truly fighting slavery and as reminding us that we are not in Year Twenty of a modern antislavery movement, but in an ongoing struggle to curb exploitation that dates at least to the first abolitionist gatherings in 1787.

Evasion

While the Palermo Protocol was intended to compensate for the gaps between the rights-based and commerce-based approaches, and the shortcomings of domestic legislation, it created a false emphasis on understanding trafficking primarily as a cross-border activity. The Database shows the ways in which the Palermo Protocol was enshrined in domestic legislation in the first decades of the 21st century and the resulting de-emphasis of domestic slavery prosecutions.

Such a focus on cross-border movement opens up the potential to further ignore cases of enslavement occurring in a strictly domestic context.

As a professor teaching on the U.S. 13th Amendment and efforts of former slaveholders to re-exploit their emancipated victims, one of the legislative issues that intrigues me—and which the Database allows us to better examine—is the way in which carefully crafted domestic laws can allow for evasion of international human rights standards. Although the 13th Amendment outlawed slavery, slave-like conditions persisted in the American South through the early 20th Century with the complicity of a judiciary that allowed for brazen defenses of *de facto* enslavement. If the instruments against which the Database collects national level statutes are to function as anything other than State virtue-signaling devices, they must be usable. The Database very helpfully points out these weaknesses in domestic legislation, removing the conceptual and legal gaps that at best allow for inadvertent ignoring of compelled service, and at worst create zones of impunity, policy evasion and rent seeking or corruption opportunities.

Conclusion

The Antislavery in Domestic Legislation Database is exciting for many reasons:
It provides the knowledge platform through which to identify and analyse national laws and to measure them against the international standards to which the countries have acceded. With use, the Database should enable us to assess further legislative or enforcement actions necessary not only to come into paper compliance with the various antislavery conventions, but to effectively fight the Third Slavery in all of its manifestations.

It will create an opportunity for development of conforming laws and cross-border law enforcement: through development of a common language for research and for extradition and mutual legal assistance treaties.

It will allow us to examine what instruments seem to have been taken up by countries, and for those which haven't, to ask why and even perhaps to assess to what extent we should put energy behind keeping a moribund instrument "alive". For instance, can small differences between concepts like Forced Labour and "Practices Similar to Slavery" be harnessed to create better tools, or would doing that simply create confusion, as a solution in search of a problem? Does such a concept confuse policymakers and enforcement officials? Does it represent the lived experiences of victims and survivors and their communities more effectively than other concepts such as Slavery or Forced Labour?

It pushes us in the multilateral and anti-trafficking communities to consider how to breathe new life into old concepts—or perhaps finally abandoning them entirely as a relic of the past. For those of us who are attorneys, the Database can help us to make the hard choices of abandoning similarly archaic legislative practices.

And, it will allow us to visualize the application of international treatments by individual countries, through cutting-edge infographics and a readily accessible mapping toolkit—foregrounding the countries to which particular diplomatic or advocacy attention should be paid.

These are only a few of the uses to which the Antislavery in Domestic Legislation Database will be put. The University of Nottingham Rights Lab and the University of Monash deserve congratulations for supporting this important work by Dr Katarina Schwarz and Professor Jean Allain. It will be exciting to see the novel and innovative uses, and the key insights in this ever-growing field.

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