

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<b><i>Right or area: 2.1. Acceptance of international norms</i></b>			
110.27. Ratify ILO Convention No. 189 on Domestic Workers (Uruguay); <b>Source of position:</b> A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add.1 - Para. 11	Noted	2.1 Acceptance of international norms 23.2 Right to just and favourable conditions of work <b>Affected persons:</b> - general	The Government did not support this recommendation and has not changed position since the last UPR
110.28. Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers and the ICRMW (Philippines); <b>Source of position:</b> A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add.1 - Para. 11	Noted	34 Migrants 23.2 Right to just and favourable conditions of work 2.1 Acceptance of international norms <b>Affected persons:</b> - migrants - migrant workers	The Government did not support the recommendation to ratify ILO Convention 189 and has not changed position since the last UPR
<b><i>Right or area: 12.7. Prohibition of slavery, trafficking</i></b>			

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<p>110.72. Increase efforts to combat trafficking in persons, particularly to protect women and children ( Spain );</p> <p><b>Source of position:</b> A/HRC/21/9- Para. 110 &amp; A/HRC/21/9/Add.1 - Para. 16</p>	Supported	<p>12.7 Prohibition of slavery, trafficking</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- children</li> <li>- girls</li> <li>- women</li> </ul>	<p>The UK has made welcome progress in implementing this recommendation.</p> <p>There have been a number of significant and positive improvements to the legislative and policy framework addressing modern slavery including trafficking. Most notably, the introduction of the Modern Slavery Act (2015) as well as separate targeted legislation in Scotland and Northern Ireland, the creation of an Anti-Slavery Commissioner, and the recent announcement by the Prime Minister of a range of new anti-slavery measures including a new Government Task Force on modern slavery, more training for police and other judicial system actors, strengthened support for victims, and more inter-agency cooperation. The increased focus on modern slavery is very positive and to be welcomed. However, there continues to be obstacles in ensuring the effective identification and protection of victims of modern slavery which the Government should take further action to address.</p>
<p>110.73. Continue making progress in applying the strategy on trafficking in persons adopted in July 2011 ( Colombia );</p> <p><b>Source of position:</b> A/HRC/21/9- Para. 110 &amp; A/HRC/21/9/Add.1 - Para. 16</p>	Supported	<p>12.7 Prohibition of slavery, trafficking</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- general</li> </ul>	As above

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<p>110.75. Standardize anti-trafficking responses across the UK insofar as possible given the devolution of law enforcement powers, and appoint a rapporteur in each devolved authority to make critical assessments and improve the UK's overall anti-trafficking response (United States of America);</p> <p><b>Source of position:</b> A/HRC/21/9 - Para. 110 &amp; A/HRC/21/9/Add.1 - Para. 17</p> <p><b>Comments:</b> Annex to A/HRC/21/9/Add.1 (available at <a href="http://lib.ohchr.org/HRBodies/UPR/Documents/session13/GB/A_HRC_21_9_Add.1_UK_Annex_E.doc">http://lib.ohchr.org/HRBodies/UPR/Documents/session13/GB/A_HRC_21_9_Add.1_UK_Annex_E.doc</a>) states: The recommendation enjoys the support of the United Kingdom in part. As the recommendation recognises, it is not possible to standardise anti-trafficking responses across the UK. Immigration policy is the responsibility of the UK Government, but justice and policing policy is devolved. The UK Government has announced that the Inter-Departmental Ministerial Group on Human Trafficking will be the UK's equivalent national rapporteur mechanism to comply with the EU Directive on trafficking in human beings... (Text continues, please consult full text at the address given)</p>	Supported/Noted	<p>12.7 Prohibition of slavery, trafficking</p> <p>5.2 Institutions &amp; policies - General</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>There is a disparity in legal protection for victims of modern slavery across the countries which make up the UK. The majority of the provisions of the Modern Slavery Act apply to England and Wales only; and some also extend to Scotland and Northern Ireland. Separate legislation has been introduced in Scotland and Northern Ireland, which contain the same offences as those in the Modern Slavery Act, yet are significantly more progressive in terms of support for victims. There are currently pilots underway relating to identification and protection of victims of modern slavery in the UK. The evaluations should also consider the impact of the pilots on devolved nations and potential clashes with the Scottish and Northern Ireland legislation.</p> <p>The UK.</p> <p>The 2015 Modern Slavery Act established an Independent Anti-Slavery Commissioner. While the establishment of this role is welcome, the mandate of the UK's Commissioner does not extend to independent monitoring of the government's performance. Similar appointments in the Netherlands and Finland are able to perform this function.</p>

<p>110.76. Take all measures to ensure that all trafficked people are able to access the support and services they are entitled to, including free legal aid and access to their right to compensation (Greece);</p> <p><b>Source of position:</b> A/HRC/21/9 - Para. 110 &amp; A/HRC/21/9/Add.1 - Para. 17</p> <p><b>Comments:</b> Annex to A/HRC/21/9/Add.1 (available at <a href="http://lib.ohchr.org/HRBodies/UPR/Documents/session13/GB/A_HRC_21_9_Add.1_UK_Annex_E.doc">http://lib.ohchr.org/HRBodies/UPR/Documents/session13/GB/A_HRC_21_9_Add.1_UK_Annex_E.doc</a>) states: The recommendation enjoys the support of the United Kingdom in part. In the UK, there is a range of support for victims of trafficking including an ability to seek compensation. In addition certain civil legal aid services are available to those individuals who have been confirmed as a victim of trafficking following a conclusive grounds decision through the National Referral Mechanism or where there has been a reasonable grounds decision and there has not been a conclusive determination to date that the individual is not a victim.</p>	<p>Supported/Noted</p>	<p>12.7 Prohibition of slavery, trafficking          15.1 Administration of justice &amp; fair trial          16 Right to an effective remedy, impunity  <b>Affected persons:</b>          - general</p>	<p>The legal and policy framework on modern slavery, including trafficking, has improved significantly since the last UK UPR. There has been an increased focus on slavery by the Government, which is extremely welcome. However, there continues to be obstacles in ensuring the effective identification and protection of victims of modern slavery which the Government should take further action to address. Victims report difficulties in accessing the services they are entitled to, including accommodation, medical services, counselling and legal assistance. Levels of prosecutions and convictions have been low, and the majority of victims never see their abusers brought to justice. In theory, mechanisms to provide remedy, including compensation, to victims of modern slavery and exploited workers are in place in the UK, but the experience of Anti-Slavery International and other organisations show that, in practice, those remain largely inaccessible. There are pilots underway relating to identification and protection of victims of modern slavery in the UK, which alongside recently announced measures, have the potential to improve identification and protection of victims.</p> <p>We therefore consider that the Government has made partially implemented the partially supported recommendation by Greece, “to take all measures to ensure that all trafficked</p>
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			<i>people are able to access the support and services they are entitled to, including free legal aid and access their right to compensation.”<sup>1</sup>, but further action is required to overcome the obstacles identified above and ensure full implementation.</i>
<b><i>Right or area: 34. Migrants</i></b>			

<sup>1</sup> 110.76 (Greece). Anti-Slavery International understands the supported part of this recommendation to refer to ensuring access to support and services they are entitled to, and that the recommendation on free legal aid is noted.

<p>110.109. Retain the Overseas Domestic Worker visa as a measure to safeguard against abuses of migrant workers ( Thailand );</p> <p><b>Source of position:</b> A/HRC/21/9 - Para. 110 &amp; A/HRC/21/9/Add.1 - Para. 16</p>	Supported	<p>34 Migrants 23.2 Right to just and favourable conditions of work <b>Affected persons:</b> - migrant workers</p>	<p>Shortly before the second cycle UPR, the Government removed fundamental protections from the Overseas Domestic Worker visa, namely removing the right to change employer and renew the visa beyond a 6 month stay. As a consequence, abuse, exploitation and forced labour increased among migrant domestic workers on the tied visa.</p> <p>Since the second cycle UPR took place, the Government has had several opportunities to reverse its damaging policy and reinstate vital protections for migrant domestic workers. Most notably, in 2015 it commissioned an independent review of the ODW visa by James Ewins QC, and stated that it intended to implement the review's findings. The review recommended that all migrant domestic workers be granted the right to change employer, and to be allowed to renew their visa for a period totalling two and a half years, concluding that "...the current terms of the overseas domestic workers visa are incompatible with the necessary protection of overseas domestic workers' fundamental rights while in the UK."<sup>2</sup> It is deeply regrettable that the Government decided not to implement the reviews' recommendations in full, by reinstating the right to change employer but not allowing any extensions of the visa beyond the original six month term. The inability to renew the visa makes it extremely difficult, if not impossible, to find alternative</p>
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			<p>employment, and in effect renders the reinstates right to change employer meaningless.</p> <p>We therefore consider that this recommendation has not been implemented. In the absence of the ability to renew the ODW visa beyond the original six month term, the right to change employer is obsolete, and therefore migrant domestic workers in the UK remain highly vulnerable to abuse, exploitation and forced labour. The policy framework on migrant domestic workers increases the risk of abuse, rather than acts as a safeguard against abuse.</p>

<sup>2</sup> Independent Review of the Overseas Domestic Workers Visa, by James Ewins, 16 December 2015. Paragraph 116. Available at <https://www.gov.uk/government/publications/overseas-domestic-workers-visa-independent-review>