

## SYMPOSIUM INTRODUCTION

# IDENTIFYING A CROSS-DISCIPLINARY DIALOGUE BETWEEN STATELESSNESS AND SLAVERY

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Researchers working on slavery or statelessness will know there are overlaps in condition and population between stateless persons and those living in conditions of slavery, as well as common problems in carrying forth work focused on these communities. These overlaps are easy enough to identify, and the dangers presented by one status to fall into the other are similarly apparent. A stateless person is likely to experience restricted access to financial services, education, healthcare and legal services, as well as limitations on regular movement across borders. These restrictions create vulnerability to exploitative labour practices, including slavery. Those people who are living in slavery, or who have exited slavery, may have moved across borders or lost documentation as part of their exploitation. They risk their 'citizen' identity and the state's protections, and may thus be exposed to the risk of becoming stateless.

Listing similarities and common or overlapping risk factors aside, what knowledge and practices can be shared among scholars working on these two separate violations of human rights? Where and how can researchers identify similar challenges and resources, as well as collaborate on a common research agenda? This symposium brings together researchers and scholars working in various ways on responses to slavery to offer their perspectives on challenges and paths forward that may resonate with those engaged in understanding statelessness. These range from the challenge of effective measurement, to tracking legislation, to the activation of local communities and the lived experiences of survivors. Working as Programme Manager on Modern Slavery, I hoped in coordinating this symposium to identify areas where slavery researchers can consider their own work and present it here to the statelessness research community. I was fortunate in engaging contributors who have richly engaged with these questions.

Either enslaved or stateless people may come from social, ethnic or otherwise racialised groups who face social and economic discrimination that overlaps with their stateless or enslaved status. The central concern of engaging with other scholars of race, gender and colonial studies forms the basis of Dr Jane Gordon's contribution. Some scholars in her area of work may imagine the field of modern slavery (or contemporary enslavement) research to engage with a different type of human right abuse than was practiced in the colonial era. Gordon argues that slavery still exists today in a racialised form, which inherently stems from the modern trans-Atlantic slave trade featured by global capitalism. Similarly, Gordon

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identifies moments in time (whether in the post-World War II period or in today's refugee crises) when statelessness as a concept has been constructed in a way that may not align with the lived experience of the stateless, and she advises scholars that these particular models of statelessness may not correspond with to the experiences of some populations living in certain types of post-colonial states. In the case of both slavery and statelessness, she sees similar outcomes of a 'racialised debasement of citizenship' and similar opportunities for scholarly engagement.

The work of Dr Katarina Schwarz and Dr Jean Allain addresses a different sort of disconnect: between how slavery is addressed in international conventions versus in domestic law. Although both freedom from forced labour and access to citizenship are built into various international conventions to which states have committed, domestic legislation can be inconsistent at the states' level, leaving gaps in full protection from these human rights abuses. In the case of slavery, all 193 United Nations member states are obliged to prohibit slavery under customary international law. Despite this and other shared commitments, domestic implementation remains scattered and inconsistent among these member states as Schwarz and Allain found when they undertook the creation of their Antislavery in Domestic Legislation database. This database, which launched early in 2020, analyses thousands of provisions in over 1000 domestic statutes.

In their contribution to this symposium, they analyse some findings from the database that illustrate the gaps in legislation and suggest how this product may support anti-slavery work. In identifying regional legislative patterns and areas for effective advocacy based in evidence, anti-slavery researchers can push for greater accountability among states and more consistent implementation of international commitments at the domestic level.

While significant comparative legal research is enriching the discussion on slavery, those working as advocates for the stateless or enslaved, and those who examine research on the same, face common challenges in their work. How does one collect data about, or initiate outreach to, a population rendered in various ways largely 'invisible' to states? How does a researcher give a voice and agency to populations that share a likelihood of living in conditions that render them fearful of state authorities? How can a research community become part of the resources of the anti-slavery work in their communities?

Dr Alison Gardner and Dr Phil Northall describe a local approach — based in the 'place' in which one finds slavery, giving agency to multiple stakeholders and including the lived experiences of survivors — that was tested in Nottinghamshire in the UK. They suggest that a place-based approach to research and advocacy in stateless communities may face similar obstacles (for example, tensions between national policy and local implementation causing fear of legal action such as deportation). They also suggest, however, that statelessness researchers may find similar advantages to this approach, such as the possibility of engagement across a full community and development of a shared research agenda with wide investment.

Where might slavery research fully intersect with statelessness in a shared research agenda? Dr Davina Durgana focuses on challenges of measurement and some possible tools to count hidden populations based on her experience as Report Co-Author and Senior Statistician of the Global Slavery Index. Effective measurement, so crucial to evidence-based advocacy and policy making to end slavery, has similar utility for work on statelessness. Durgana focuses on two

examples in which statelessness and slavery overlap in the Americas (among Dominicans of Haitian descent, and among Venezuelan migrants in Colombia) and suggests shared research for advocates to measure slavery and statelessness and understand their occurrence in these contexts which include *de jure* and *de facto* statelessness.

While a one-size-fits-all approach is not appropriate for all human rights work, these commentaries invite readers to consider how these ways of understanding and responding to modern slavery might contribute to research on statelessness. In turn, I believe, greater attentiveness to how statelessness occurs, and to the vulnerabilities it creates, can deepen anti-slavery work. Statelessness and slavery have already been addressed together in research by experts in both areas. I hope this symposium forms part of a continued dialogue on shared challenges faced by scholars, advocates and policy makers working on slavery and on statelessness, and the methods developed to overcome them.