**Maat for Peace’ submission to the Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

Maat for Peace, Development, and Human Rights presents this report to the Special Rapporteur on Contemporary Forms of Slavery, including its causes and consequences, to assist the Rapporteur in preparing his report for the fifty-seventh session of the Human Rights Council. The subject of the report, which is "Forms of slavery affecting currently and formerly incarcerated people," has encouraged the transfer of relevant information with the Special Rapporteur. For instance, this issue holds special significance in the United States, which has the largest number of criminal prisoners in the world with more than 2 million prisoners, 90% of whom are subjected to some form of forced labor, such as not receiving wages for work or receiving very low wages. Maat hopes that this information will assist the Rapporteur in preparing his report, it is also guided by the questions outlined in the special rapporteur's request; committing to the word limit specified by the rapporteur.

**First: Is there evidence of labor practices that may amount to exploitation? If so, please provide details.**

Maat has gathered evidence indicating that exploitative labor practices are widespread in the US. In this context, Maat notes that out of more than 2 million people detained in the US, which is the highest number of criminal prisoners in the world, 2 out of every 3 of the prisoners in the US are workers, according to data from the American Civil Liberties Union[[1]](#footnote-1). These practices not only involve directing prisoners to work as legally permissible, but also subjecting them to labor exploitation and mistreatment while working[[2]](#footnote-2). The practices that prisoners in the United States are subjected to include working for low wages and at other times without being paid at all. For example, states like Alabama, Florida, Georgia, and Texas do not pay most prisoners amounts for their work for their work. In South Carolina, more than 90% of the state's prison workers were unpaid[[3]](#footnote-3). In Colorado, although the state banned forced labor in prisons since 2018, according to some prisoners' testimonies, this practice is still ongoing. In this context, Maat believes that the continuation of this practice is a violation of prisoners' rights in the United States who produce goods for approximately 11 billion dollars annually but often receive low wages or no wages at all[[4]](#footnote-4), highlighting the need for further action from the United States to address these issues.

**Second: What are the main challenges in eliminating labor and sexual exploitation among imprisoned individuals, and what recommendations would you make to address them effectively?**

Maat believes that there are multiple challenges facing the elimination of modern slavery for prisoners according to various factors, which differ from one country to another based on the different legislative frameworks in these countries. Moreover, they may vary within the same country according to the legislative frameworks of different states and provinces. In the United States, for instance, efforts to combat forced and compulsory labor for prisoners face many obstacles, as advocates of compulsory prison labor argue that the practice is constitutional under the 13th Amendment to the US Constitution, which stipulates that “Slavery and forced labor are banned in the United States, except when used as a punishment for a crime committed by the individual[[5]](#footnote-5).” They also believe that compulsory labor in prisons compensates for the costs of prisons and at the same time helps to rehabilitate prisoners in the labor market. On the other hand, the decentralized prison system complicates the prison system, as there are federal prisons, state prisons, and privately managed prisons, each governed by specific frameworks and laws, requiring each of them to have a specific system of reform[[6]](#footnote-6). The conflict between certain countries and labor rights organizations poses another significant challenge in combating forced labor and the sexual exploitation of prisoners. For example, there is an ongoing conflict between the International Labor Organization and some member states, including the United Kingdom, regarding how to deal with the issue of labor in privately managed prisons. The International Labor Organization believes that private companies managing prisons exploit forced labor in prisons and benefit from contracts without paying the minimum wages, while some countries argue that these companies, acting on behalf of the state, should be allowed to employ prisoners without adhering to minimum wage laws. This conflict leads to the creation of a system that limits the opportunities for successful partnerships between states and some organizations defending the rights of prisoner workers, which leaves prisoners vulnerable to forms of exploitation that are not criminalized by the laws of some countries[[7]](#footnote-7). Maat believes it is important to enhance collaboration with international labor and trade union organizations to create effective policies aimed at preventing the exploitation of prisoners in forced labor.

**Third: Is there evidence that imprisoned individuals have been subjected to sexual exploitation?**

Maat expresses concern over the escalating problem of sexual assault within prisons, often perpetrated by prison staff members entrusted with ensuring prisoner safety. Maat notes that limited reporting on sexual exploitation due to fears of retaliation, emphasizes that the absence of reporting does not indicate prison safety[[8]](#footnote-8). One of the instances highlighted by Maat involves the sexual abuse experienced by prisoners of conscience, human rights advocates, and journalists while in detention, reports indicate that the goal often was to shame the victims among the prisoners or obtain information. Maat is concerned because these actions occurred without opening any investigations to hold the perpetrators accountable among the prison staff[[9]](#footnote-9). Many prisoners, especially in places of conflict, are exposed to another form of modern slavery, which is sexual exploitation such as harassment and rape. In Ethiopia, many female prisoners were subjected to rape during the conflict between the Ethiopian government and the Tigray People’s Liberation Front. These practices were particularly carried out by Eritrean forces that assisted the Ethiopian forces in their war against the Tigray forces. Despite the signing of the Pretoria Peace Agreement between the Ethiopian forces and the Tigray forces, Eritrean forces continue to commit sexual exploitation and rape crimes against female prisoners from the Tigray region. In February 2022, Eritrean military forces kidnapped a woman from the Tigray region and she was imprisoned in a prison. The 37-year-old woman endured three months of systematic rape by Eritrean soldiers, who took turns assaulting her continuously[[10]](#footnote-10). Similarly, in the United Kingdom, numerous female prisoners have faced different types of sexual exploitation since 2010 up to the time of the report's writing, with rape being prevalent, affecting over 1,000 women within UK prisons[[11]](#footnote-11).

**Fourth: Does the government provide tailored support to formerly incarcerated individuals that effectively meets their needs? Please provide specific details regarding access to temporary/long-term housing, education/training, decent work, finance and pensions, and other basic services.**

Maat noted that most member states do not provide support to released prisoners in the form of obtaining temporary or long-term housing, decent work, or any form of financing. The support is limited to the possibility of working to rehabilitate these prisoners, including providing training and educational programs for them. In Italy, for example, there are clear policies for the rehabilitation of prisoners, whether released or in prison[[12]](#footnote-12), while in Egypt, some participants in the national dialogue announced in April 2022 proposed the establishment of a commission to integrate and rehabilitate released persons.

In a related context, some countries are trying, through various initiatives, to support former prisoners and reintegrate them into society economically and socially. Some of these initiatives have achieved remarkable success that can be benefited from. For instance, the Singapore Prison Service introduced the "De Sisture Network" initiative in April 2023, aiming to improve the reintegration of ex-convicts into society. The collaboration between the Singapore Prison Service and 53 local authorities is focused on preventing ex-convicts from reoffending, particularly as statistics in Singapore indicate that 4 out of every 10 released convicts end up back in prison within five years. Local partners worked to provide multiple programs through the initiative, such as the “Get a Job” program to help former prisoners obtain work quickly and effectively[[13]](#footnote-13). The United States of America offers a program known as “Transforming Prisoners into Entrepreneurs” to many prisoners, which is an eight-week training course in which they are taught the basics of establishing a business, and they are trained in new activities in various ways, whether directly or through online training. Out of 100,000 former prisoners engaged in the program, a notable 30% have successfully launched their entrepreneurial projects[[14]](#footnote-14).

**Fifth: Challenges of the economic and social reintegration of prisoners**

The challenges facing former prisoners after their release from prisons are varied, and the inability to find work is a major issue, particularly in poor and less developed countries. Many released individuals, especially political prisoners, are unable to work for several reasons, notably security harassment. These individuals find themselves ultimately trapped and unable to even obtain their daily needs or support their families. Maat observes that individuals held in pretrial detention struggle to participate in the workforce, which reflects on their economic situation. Due to the stigma linked to a criminal record, they find very limited job opportunities, often with low wages[[15]](#footnote-15).

At the societal level, the lack of specialized and comprehensive rehabilitation programs for ex-prisoners hinders their successful reintegration into society. This absence of tailored programs has an amplified negative impact on elderly individuals or those released due to mental health reasons. Without these specific programs, the challenges of reintegrating these individuals are heightened due to the dual stigma they face from mental health issues and their incarceration history. Addressing this issue requires cooperation between prison management, public institutions, and elderly health and mental care roles in different countries. Society needs to shift its cultural perceptions of former prisoners, particularly the elderly and those with mental health conditions, through education and raising awareness in various media platforms. Ultimately, changing the community's perspective on ex-prisoners and educating both society and former prisoners on respectful interactions is crucial for mutual protection[[16]](#footnote-16).

**Recommendations**

* The need for the Special Rapporteur to request country visits to the countries mentioned in the report where contemporary forms of slavery are practiced targeting prisoners, whether former or current.
* The need for the Special Rapporteur to urge Member States in his report to allow national human rights institutions and civil society organizations to regularly visit prisons to ensure that they are free of modern slavery practices
* The need for the Special Rapporteur to urge the United States to amend its constitutional and legal framework, since it has the largest number of criminal prisoners in the world, to prevent the exploitation of prisoners in forced labor that generates huge financial returns while the prisoners do not receive the minimum wage.
* Pressuring the Ethiopian government for strict legislation to punish sexual exploitation, which female prisoners, especially from the Tigray minority, are subjected to at the hands of Ethiopian and Eritrean forces during armed and military conflicts
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2. Captive Labor: Exploitation of Incarcerated Workers, <https://www.aclu.org/publications/captive-labor-exploitation-incarcerated-workers> [↑](#footnote-ref-2)
3. Colorado banned forced prison labor 5 years ago. Prisoners say it's still happening, <https://www.npr.org/2023/11/13/1210564359/slavery-prison-forced-labor-movement> [↑](#footnote-ref-3)
4. The Guardian Highlights Findings from GHRC Report, The University of Chicago Law School <https://www.law.uchicago.edu/news/guardian-highlights-findings-ghrc-report> [↑](#footnote-ref-4)
5. Constitution of the United States of America, Thirteenth Amendment, <https://tinyurl.com/3dvym8xy> [↑](#footnote-ref-5)
6. U.S. among 17 countries that practice forced labor, a form of ‘modern slavery,’ report finds, Washington post, 25 May, 2023, <https://tinyurl.com/2wkwt5v8> [↑](#footnote-ref-6)
7. Rights and wrongs of prison labor laws explored in new ICPR briefing, 9 November 2023, <https://tinyurl.com/3ybudsk7> [↑](#footnote-ref-7)
8. Sexual Abuse in Prison: A Global Human Rights Crisis, <https://justdetention.org/wp-content/uploads/2015/11/International_Summary_English.pdf> [↑](#footnote-ref-8)
9. Male Rape as a Political Tool in Ethiopian Prisons, <https://borkena.com/2023/02/14/ethiopia-male-rape-as-a-political-tool-in-ethiopian-prisons/> [↑](#footnote-ref-9)
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13. New initiative helps ex-convicts reintegrate into society with support from former inmates, channel news Asia, 18 Apr 2023, <https://tinyurl.com/3n5xsyj2> [↑](#footnote-ref-13)
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15. How Pretrial Incarceration Diminishes Individuals’ Employment Prospects, <https://www.uscourts.gov/sites/default/files/86_3_3_0.pdf> [↑](#footnote-ref-15)
16. Stigma management during reintegration of older incarcerated adults with mental health issues: A qualitative analysis, science direct, August 2023, <https://tinyurl.com/49sxs53f> [↑](#footnote-ref-16)