

**UNODC submission to the Report of the Special Rapporteur on Contemporary Forms of Slavery, February 2022**

**Focus:** Contemporary forms of slavery as affecting persons belonging to ethnic, religious and linguistic minority communities

The United Nations Convention against Transnational Organized Crime calls upon States to develop and promote measures to alleviate “the circumstances that render **socially marginalized groups** vulnerable to the action of transnational organized crime”[[1]](#footnote-1). Minority communities are among socially marginalized groups across the globe who, because of their marginalization, are disproportionately disadvantaged and vulnerable to exploitation by criminal networks, including human traffickers. The conditions making minority communities vulnerable are amplified if combined with other circumstances such as socioeconomic exclusion and inequality that trigger insecurity. Through this submission, the United Nations Office on Drugs and Crime (UNODC) highlights the intersectional vulnerabilities of minority communities to trafficking in persons and calls for increased efforts to alleviate the vulnerability of minority communities, which will in turn reduce their risk to abuse and exploitation by smugglers and traffickers.

**Vulnerability of minority communities to trafficking in persons**

Minority communities often face several challenges including socioeconomic exclusion that make them vulnerable to exploitation and transnational organized crime including trafficking in persons.[[2]](#footnote-2) These vulnerabilities are exacerbated in conflict situations, where ethnic or religious minorities are disproportionately disadvantaged, and are often exposed to exploitation by traffickers.[[3]](#footnote-3) Minority groups are particularly vulnerable to trafficking in persons owing to structural disadvantages that may aggravate a situation of economic need.[[4]](#footnote-4) Meanwhile, women and girls, especially those belonging to **indigenous and ethnic minority communities,** are reported to be particularly vulnerable to being trafficked.[[5]](#footnote-5) However, while women and girls are mostly vulnerable to trafficking in persons, men may also become vulnerable to trafficking in certain circumstances such as belonging to ethno-linguistic minority communities or a low socioeconomic standing in their respective countries.[[6]](#footnote-6) In some cases, “people at risk of individual persecution based, for example, on their ethnicity, religion or political opinion, are also vulnerable to human trafficking”.[[7]](#footnote-7) In situations of armed conflict, ethnic and religious minorities are targeted by armed groups who use trafficking in persons as a strategy of war.[[8]](#footnote-8)

Direct linkages can also be drawn between conflict and enslavement on the basis of actual or perceived belonging to political, ethnic or religious minority grouping or sexual orientation and gender identity.[[9]](#footnote-9) The vulnerability of ethnic, religious and other minorities in conflict situations was also highlighted in the case of the exploitation of the Yazidi population in Iraq by ISIL, while the Rohingya people in South-East Asia have been targeted by trafficking networks for exploitation.[[10]](#footnote-10)

UNODC’s research on trafficking in persons in the context of conflict highlighted that “people may suffer discrimination and marginalization on the basis of their religion, ethnicity or political views”, which puts them at risk of being trafficked as they will be vulnerable owing to their marginalization.[[11]](#footnote-11) In Mexico, UNODC is working with indigenous communities to understand the nature and scope of trafficking in persons and the risks that the communities are facing, to learn from the indigenous communities regarding how trafficking in persons networks operate in their respective communities, and to encourage reporting of the crime. Through the Blue Heart Campaign, UNODC produced awareness-raising materials including for radio and television, to be distributed amongst indigenous communities.[[12]](#footnote-12) In Canada, minority indigenous and Inuit communities face an array of challenges such as poverty, racial discrimination and other social risk factors, with indigenous and Inuit women particularly vulnerable to these, where over 50% of victims of sexual exploitation in Québec are reportedly Indigenous.[[13]](#footnote-13) The Canadian *National Strategy to Combat Human Trafficking 2019-2024*, in acknowledging that “human trafficking is strongly linked to the disproportionately high rates of violence against Indigenous women and girls and that the extent of human trafficking and victimization of Indigenous women is grossly under-reported”, proposed the provision of culturally appropriate services, including services tailored to meet the needs of Indigenous victims[[14]](#footnote-14). Additionally, there are challenges to reach out to and protect victims of abuse in isolated communities, where lack of access to health resources makes it difficult to identify victims of trafficking and to prevent them from being targeted by traffickers.

Meanwhile, UNODC has developed tools aimed at mainstreaming the rights of marginalized groups, including minority communities, into criminal justice in response to trafficking in persons and smuggling of migrants. Factors including, *inter alia*, “gender identity, sexual orientation, ethnicity / race, indigenous or minority status, colour, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, etc”, may hamper responses to trafficking in persons. In this regard, UNODC proposes tools to identify the practical barriers that may exist for, among others, indigenous groups and ethnic minorities, and develop strategies to counter those barriers.[[15]](#footnote-15)

**Proposed recommendations**

UNODC recommends States to :

* Develop and implement measures to promote inclusion of minority communities in socioeconomic processes, which will ultimately strengthen their resilience and reduce their vulnerability to exploitation.
* Protect the rights of minority communities, including protection from discrimination, violence and exploitation.
* Improve safe, orderly and regular migration pathways to facilitate legal and regularized movements and eliminate the risk of aggravations by smugglers and traffickers.
* Reinforce labour and social rights, as well as access to education, in particular for disadvantaged groups (including minority communities).
* Develop and implement prevention measures to address vulnerabilities to trafficking and build resilience among individuals and communities through, among others, combating discrimination against minority groups and fighting sexual and gender-based violence.
* Strengthen women empowerment and gender equality interventions to improve the resilience of the marginalized groups including women and children.
* Strengthen the collection of accurate and reliable data and profiling of victims of trafficking in persons disaggregated according to age; sex; ethnic, religious and linguistic belonging, etc, to inform appropriate policy interventions to reduce the vulnerability of minority communities to the risk of crime.
* Conduct targeted research on intersectional vulnerability of minority communities to trafficking in persons and ancillary offences.
* Conduct holistic and case-by-case analysis of the vulnerability factors especially as they relate to minority communities.

**Key source materials:**

1. UNODC [Global Reports on Trafficking in Persons](https://www.unodc.org/unodc/data-and-analysis/glotip.html) (2012, 2016, 2018, 2020)
2. UNODC, 2021. [Toolkit for Human Rights and Gender Equality mainstreaming into criminal justice interventions to address TIP and SOM](https://www.unodc.org/documents/human-trafficking/GLO-ACTII/UNODC_Toolkit_for_mainstreaming_Human_Rights_and_Gender_Equality_February_2021.pdf)
3. UNODC, 2018. [Countering Trafficking in Persons in Conflict Situations Thematic Paper](https://www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf)
4. UNODC, 2018. [Trafficking in Persons in the Context of Conflict](https://www.unodc.org/documents/data-and-analysis/glotip/2018/GloTIP2018_BOOKLET_2_Conflict.pdf)
5. ICAT, 2020. [20th Anniversary of the Trafficking in Persons Protocol: An Analytical Review](https://icat.un.org/sites/g/files/tmzbdl461/files/publications/icat_analytical_paper_2020_final_0.pdf)
1. Article 31(7), United Nations Convention Against Transnational Organized Crime: <https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf> [↑](#footnote-ref-1)
2. Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities, paragraph 32: <https://www.ohchr.org/Documents/Issues/Minorities/GuidanceNoteRacialDiscriminationMinorities.pdf> [↑](#footnote-ref-2)
3. ICAT 2020. 20th Anniversary of the Trafficking in Persons Protocol: an Analytical Review: <https://icat.un.org/sites/g/files/tmzbdl461/files/publications/icat_analytical_paper_2020_final_0.pdf> [↑](#footnote-ref-3)
4. UNODC. Global Report on Trafficking in Persons 2020 (p.70-72): <https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf> [↑](#footnote-ref-4)
5. CEDAW General Recommendation No.38 on Trafficking in Women and Girls in the Context of Global Migration (paragraph 20): <https://digitallibrary.un.org/record/3899165/files/CEDAW_C_GC_38-EN.pdf> [↑](#footnote-ref-5)
6. UNODC Global report on Trafficking in Persons 2012 (p.27): <https://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf> [↑](#footnote-ref-6)
7. UNODC. Global Report on Trafficking in Persons 2016: <https://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf> [↑](#footnote-ref-7)
8. Ibid [↑](#footnote-ref-8)
9. UNODC, 2018. Countering Trafficking in Persons in Conflict Situations: Thematic Paper: <https://www.unodc.org/documents/human-trafficking/2018/17-08776_ebook-Countering_Trafficking_in_Persons_in_Conflict_Situations.pdf> [↑](#footnote-ref-9)
10. Trafficking in Persons in the Context of Conflict 2018: <https://www.unodc.org/documents/data-and-analysis/glotip/2018/GloTIP2018_BOOKLET_2_Conflict.pdf> [↑](#footnote-ref-10)
11. Ibid [↑](#footnote-ref-11)
12. The Blue Heart Campaign reaches Indigenous Communities in Mexico: <https://www.unodc.org/unodc/en/frontpage/2021/August/the-blue-heart-campaign-reaches-indigenous-communities-in-mexico.html> [↑](#footnote-ref-12)
13. UNODC, *et al*, 2021. Datajam against Exploitation Participant Handbook: <https://cipc-icpc.org/wp-content/uploads/2021/07/DataJam-Against-Exploitation.-Participant-Handbook-2021-06-2021.pdf> [↑](#footnote-ref-13)
14. See <https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/2019-ntnl-strtgy-hmnn-trffc/2019-ntnl-strtgy-hmnn-trffc-en.pdf> [↑](#footnote-ref-14)
15. UNODC Toolkit for Mainstreaming Human Rights and Gender Equality into Criminal Justice Interventions to Address Trafficking in Persons and Smuggling of Migrants: <https://www.unodc.org/documents/human-trafficking/GLO-ACTII/UNODC_Toolkit_for_mainstreaming_Human_Rights_and_Gender_Equality_February_2021.pdf> [↑](#footnote-ref-15)