

Special Rapporteur on trafficking in persons, especially women and children

## WALK FREE'S INPUT ON THE REPORT ON TRAFFICKING IN PERSONS AND GENDER PEACE AND SECURITY

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#### **PART A. INTRODUCTION**

Walk Free is an international human rights group working to accelerate the end of all forms of modern slavery. We are the creator of the Global Slavery Index, the world's most comprehensive dataset on modern slavery. We use this data to mobilise powerful forces for change against these human rights abuses. We work with governments and regulators, businesses and investors, faith, and community leaders to drive systems change and partner directly with frontline organisations to impact the lives of those vulnerable to modern slavery. We work with survivors to build the movement to end modern slavery, recognising that lived experience is expertise and they are central to identifying lasting solutions.

Walk Free welcomes the opportunity to submit information to inform the report of the Special Rapporteur on trafficking in persons, especially women and children. Information contained within this submission is drawn from several Walk Free research reports, including the Global Estimates of Modern Slavery (**Global Estimates**),<sup>2</sup> the 2023 Global Slavery Index (**GSI**),<sup>3</sup> the 2022 'No escape: Assessing the relationship between slavery-related abuse and internal displacement in Nigeria, South Sudan, and the Democratic Republic of the Congo' report.<sup>4</sup> We welcome any requests to discuss the information contained herein.



#### PART B - GENDER PERSPECTIVE OF MODERN SLAVERY

On any given day in 2021, according to the 2022 Global Estimates, there were an estimated 49.6 million people living in situations of modern slavery.<sup>5</sup> Of this number, 27.6 million were forced to work and 22 million people were forced to marry.<sup>6</sup> Modern slavery remains an inherently gendered issue.<sup>7</sup> Women and girls accounted for nearly 54 per cent of the total number of people living in modern slavery. Certain forms of modern slavery impact women and girls at even higher rates: for example, females accounted for 78 per cent of those in forced commercial sexual exploitation and 68 per cent of those in forced marriage.<sup>8</sup>

"We were in the field when the rebels came and forced me to become the wife of their leader; I had refused but I couldn't because I was afraid of dying."

- Female respondent from North Kivu, Democratic Republic of the Congo, on her forced marriage at age 29<sup>9</sup>

Conflict is a significant driver of vulnerability to modern slavery for both people living in warzones<sup>10</sup> and those fleeing them.<sup>11</sup> Any person, regardless of age or gender, can experience sexual and gender-based violence, psychological trauma, torture, family separation and disappearance,<sup>12</sup> recruitment and use by armed groups, abductions, forced marriage, forced labour, starvation, and death.<sup>13</sup> However, it follows that women and children, who are generally more vulnerable to modern slavery in times of peace due to entrenched discrimination, are likely more at risk of extreme exploitation during and after conflict.<sup>14</sup>

Vulnerability to modern slavery is exacerbated during conflict due to reduced access to basic needs and security, <sup>15</sup> linked to damaged infrastructure, disrupted services, <sup>16</sup> and breakdowns in the rule of law that allow offenders to operate with impunity. <sup>17</sup> In the 2023 GSI, countries with high regional prevalence also scored high on dimensions measuring the impact of conflict. (Figure 1).

A report released in 2022 by Walk Free, the International Labour Organization (**ILO**) and the International Organization for Migration (**IOM**), found high prevalence of slavery-related abuse among people who experienced displacement in three conflict-affected zones: North-east Nigeria, South Sudan, and in the North Kivu province of the Democratic Republic of the Congo. <sup>18</sup> Patterns of how women and girls experienced exploitation as compared to men and boys differed across the three regions, yet women were consistently more impacted by forced marriage, with over 80 per cent of cases in each of the three regions studied involving female victims. <sup>19</sup>



Figure 1: 2023 Global Slavery Index vulnerability model, the effects of conflict dimension and prevalence of modern slavery

Country	Factor 5: Effects of Conflict	Final vulnerability score	Estimated prevalence of modern slavery per 1,000 population	Prevalence - regional rank
Afghanistan	98.4	86.2	13.0	2
Syrian Arab Republic	93.8	83.4	8.7	5
Nigeria	93.4	75.8	7.8	5
Congo, Democratic Republic of the	91.6	94.0	4.5	25
Mali	84.1	72.7	5.2	18
Pakistan	83.4	80.3	10.6	4
Iraq	83.4	82.3	5.5	11
Central African Republic	83.4	97.7	5.2	17
Sudan	82.9	82.4	4.0	32
Libya	81.5	80.3	6.8	11

Forced recruitment and the recruitment of child soldiers tended to disproportionately impact males in North Kivu, North-East Nigeria, and South Sudan.<sup>20</sup> Males typically outnumbered females in the cases of forced labour with the exception of South Sudan; a finding potentially linked to the disproportionate vulnerability of females to domestic servitude and sexual exploitation.<sup>21</sup> Sexual exploitation was also a common experience among the women and girls who reported being forced to work in North Kivu, where over 40 per cent reported forced sexual exploitation, as compared to less than one per cent of men and boys.<sup>22</sup>

However, these estimates are likely to be conservative, as survey respondents can be wary of disclosing sensitive information during face-to-face interviews, particularly in conflict-affected areas. This may be due to a fear of reprisals, normalisation of abuse, or for other reasons such as cultural norms and stigma.<sup>23</sup>



#### **PART C - RESPONSE TO INQUIRY**

### Mandatory trainings for peacekeeping personnel on trafficking in persons for all purposes of exploitation.

To enhance the ability of humanitarian workers to combat risks of modern slavery as they emerge, Walk Free supported the development of the Global Protection Cluster's (**GPC**) Guidance to detect, identify, refer, protect, and assist trafficked persons in internally displaced contexts, in partnership with UNHCR.<sup>24</sup> This guide, disseminated to humanitarian practitioners, has a broad scope which applies across all crises involving Internally Displaced Persons (**IDPs**) from climate-induced shocks to conflict and other humanitarian crises.<sup>25</sup>

Following the introduction of the guide, the GPCs have reported quarterly on trafficking and associated risks in the 32 countries they operate in.<sup>26</sup> These reports detail the prevalence and risk of trafficking and related crimes in their operations, including abduction, sexual and gender-based violence, recruitment and use of children, forced labour, and child and forced marriage.<sup>27</sup> For example, there are indications that modern slavery risks have increased in Niger,<sup>28</sup> Palestine,<sup>29</sup> Afghanistan,<sup>30</sup> Ethiopia,<sup>31</sup> Ukraine<sup>32</sup> and Colombia,<sup>33</sup> due to conflict-related violence in 2023.<sup>34</sup>

# Design of gender sensitive responses and programmes on prevention, protection and recovery from conflict-related sexual violence, psycho-social and medical support services, which mainstream trafficking in persons

Programmes on prevention, protection, and recovery must be contextualised to the communities they seek to serve. Integral to this will be understanding how social norms particularly impact women and children. For example, for Yazidi survivors of abduction, violence, rape, sexual slavery, and forced marriage by the Islamic State of Iraq and the Levant (ISIL), there were added barriers to reintegration such as stigma, discrimination, and rejection by their communities, in addition to the mental and physical health impacts caused by trauma. While Yazidi religious leaders attempted to address the stigma faced by Yazidi women and girls subjected to forced sexual slavery, the issues were exacerbated further still for those who had children born to ISIL fighters, as entrenched norms dictated these children would not be considered Yazidi and would be rejected by the community. Many Yazidi women were forced to make the difficult choice between separating from their children, or staying with them in the face of intense stigma and sometimes in exploitative conditions. Yazidi women reportedly remained in refugee camps, such as the Al-Hol camp in Syria, or with their ISIL abusers out of fears that they would be separated from their children if they returned home to their families.

Program design must also ensure the support services provided are both comprehensive and efficiently coordinated. This will include providing fulsome training to humanitarian actors and embedding trafficking considerations in existing referral mechanisms, to ensure that humanitarian actors are better able to identify and refer victims to gender, age, and traumainformed services in conflict settings.<sup>40</sup>



Finally, gender sensitive responses should incorporate the perspectives from essential but often ignored peacebuilders: namely, women<sup>41</sup> and children.<sup>42</sup> While only a third of peace agreements negotiated in 2022 included any mention of women and girls, only the Sudan Framework Agreement was signed by a women's rights group representative.<sup>43</sup> While this agreement had the most comprehensive gender provisions,<sup>44</sup> there was no mention of slavery-related issues.<sup>45</sup> A search of the latest PA-X Peace Agreements Database, which houses all publicly available peace agreements since 1990, shows that only 28 agreements since 1990 have included a reference to slavery-related issues.<sup>46</sup> Within this number, only 8 agreements referenced forced sexual exploitation or trafficking in women and children.<sup>47</sup> Further, only one peace agreement explicitly mentioned forced marriage,<sup>48</sup> despite the high rates of this exploitation among women and girls in conflict-affected areas. To ensure women and children are adequately protected from all forms of exploitation during and after conflict, including all forms of modern slavery, their perspectives on these issues must explicitly inform peacebuilding activities.

### Responses to trafficking in persons in the context of climate related conflict and displacement, incorporating a gender dimension

The same efforts noted above are also required to address risks of modern slavery among vulnerable groups impacted by climate shocks. As with conflict, climate-induced disasters exacerbate economic and food insecurity and political instability, reducing the efficacy of institutions and community networks to provide support. Moreover, climate change and conflict can intersect to compound risks for already vulnerable groups: for example, in Cox's Bazar, Bangladesh, monsoon floods and landslides destroyed thousands of shelters for Rohingya refugees, who originally fled from persecution in Myanmar. These natural disasters heightened already existing humanitarian needs and exposed more vulnerable people to risks of exploitation due to resource scarcity and unstable living conditions. In line with other research on the association between forced marriage and climate change, forced and child marriage were particular issues that impacted Rohingya women and girls in the wake of the floods.

Investigations and accountability for trafficking in persons and exploitation of natural resources and land dispossession and the nexus between trafficking and militarization which address challenges, protection gaps and good practices.

Broadly, corruption is intertwined with modern slavery and human trafficking: 90 countries, representing over half of all countries analysed in the 2023 GSI, had reports of alleged official complicity in modern slavery crimes. <sup>54</sup> Corruption is also a core issue that sits at the intersection of trafficking, mining, and militarisation in conflict-affected areas. For example, in Colombia, there are allegations that corruption enables illegal gold mining and land dispossession <sup>55</sup> fuelling cycles of violence, forced labour, and displacement as armed forces and organised criminal groups violently clash over the control of gold mines. <sup>56</sup>

An example of a promising practice in addressing forced labour across supply chains in conflict-affected zones includes the EU Regulation 2017/821, which mandates importers to ensure high-risk minerals and metals do not contribute to forced labour or conflict.<sup>57</sup> This Regulation mandates all EU importers to implement the Organisation for Economic Co-operation and Development's 'Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and



High-Risk Areas',<sup>58</sup> which provided detailed advice to companies to respect human rights and avoid contributing to conflict through their operations.<sup>59</sup> While the EU Regulation was a positive step in enhancing accountability, there were significant gaps that diminished its effectiveness<sup>60</sup> such as its vague geographical scope, limited application to only tantalum, tin, tungsten, and gold minerals, and importantly, the lack of binding provisions applying to downstream companies.<sup>61</sup> To enhance the impact of this measure, training and capacity building will be required with all actors throughout both the upstream and downstream supply chains to progressively enhance compliance,<sup>62</sup> in addition to expanding the scope of the Regulation to cover other minerals associated with conflict zones, such as cobalt and copper.<sup>63</sup>

### Transitional justice and peacebuilding mechanisms that address all forms of trafficking in persons particularly affecting LGBT persons and gender diverse persons

Women and girls who sit at the intersection of multiple vulnerabilities, such as those who are LGBTQIA+, face increased risks of modern slavery. While no surveys tailored to LGBTQIA+ people have been undertaken by Walk Free to date, anecdotal evidence reported in the 2023 GSI highlights their increased vulnerability to exploitation due to marginalisation, discrimination, and other barriers that limit available support services. Forced and child marriage have been used as a means to 'correct' perceived sexual deviance, including for adolescent girls who identify as LGBTQIA+. Feports exist in conflict-affected countries such as Chechnya, Iran, Iraq, and Russia, of women and girls who identify as LGBTQIA+ being forced into corrective marriages by family members, as an alternative to death. The unique experiences of this vulnerable group must be reflected in peacebuilding and anti-trafficking efforts.

### **PART D - POLICY RECOMMENDATIONS**

- Support the integration of gender-informed anti-slavery action into humanitarian and peacebuilding responses, including humanitarian response plans, action plans to address grave violations against children in armed conflict, Women, LGBTQI+ individuals, Peace and Security agendas, and transitional measures for peacebuilding and peacekeeping.
- Work with governments to address the drivers of conflict including combating climate change, reducing gender-based discrimination and violence, improving women's access to social and economic opportunities, reducing poverty, and taking measures to address community violence based on religious, ethnic, racial, gender identity or sexual preference.
- Work with humanitarian actors to ensure that contexualised and needs-based, protectionspecific assistance is provided in areas of high displacement, particularly for women and girls.
- Strengthen the evidence base on modern slavery in humanitarian settings by conducting regular risk analyses, integrating indicators to measure modern slavery within data collection efforts, providing regular thematic briefings, and undertaking research to understand changing trends, risks, and needs.



<sup>1</sup> Modern slavery covers a set of specific legal concepts including human trafficking, forced labour, debt bondage, forced or servile marriage, slavery and slavery-like practices, and the sale and exploitation of children. Although modern slavery is not defined in law, it is used as an umbrella term that focusses attention on the commonalities across these legal concepts. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.

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<sup>10</sup> The Inter-Agency Coordination Group against Trafficking in Persons 2017, *Trafficking in Persons in Humanitarian Crises*, pp. 1-2. Available from:

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<sup>11</sup> Global Protection Cluster Anti-Trafficking Task Team 2020, *An Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts*, Global Protection Cluster, pp. 5-9. Available from:

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<sup>&</sup>lt;sup>3</sup> Walk Free 2023, *Global Slavery Index*. Available from: https://www.walkfree.org/global-slavery-index/. [23 August 2023].

<sup>&</sup>lt;sup>4</sup> International Organization for Migration, International Labour Organization & Walk Free 2022, *No escape:* Assessing the relationship between slavery-related abuse and internal displacement in Nigeria, South Sudan, and the Democratic Republic of the Congo. Available from: https://publications.iom.int/system/files/pdf/No-Escape-relationship-slavery-abuse-internal-displacement.pdf. [15 March 2023], as above, Regional Protection Working Group 2017, 'Regional Protection Working Group: A call for action: SGBV in the Lake Chad Basin crisis', UNHCR Operational Data Portal, 7 September 2017. Available from:

<sup>&</sup>lt;sup>5</sup> International Labour Organisation, WF, International Organisation for Migration, 2022, *Global Estimates of Modern Slavery*, p. 17. Available from: https://cdn.walkfree.org/content/uploads/2022/09/12142341/GEMS-2022\_Report\_EN\_V8.pdf. [4 June 2023].

<sup>&</sup>lt;sup>6</sup> As above, pp. 2-5.

<sup>&</sup>lt;sup>7</sup> Walk Free 2023, *Global Slavery Index*, p. 42. Available from: https://www.walkfree.org/global-slavery-index/. [4 June 2024].

<sup>&</sup>lt;sup>8</sup> As above.

<sup>&</sup>lt;sup>9</sup> International Organization for Migration, International Labour Organization & Walk Free 2022, *No escape:* Assessing the relationship between slavery-related abuse and internal displacement in Nigeria, South Sudan, and the Democratic Republic of the Congo, p 66. Available from:

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<sup>&</sup>lt;sup>13</sup> United Nations Office of the High Commissioner for Refugees 2022, *Mapping of Protection Services for Vulnerable People on the Move, Including Victims of Trafficking, On Routes Towards the Central and Western Mediterranean Sea and the Atlantic*. Available from: https://reporting.unhcr.org/mapping-of-protection-



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- <sup>21</sup> As above, p. 29.
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