

**JOINT STATEMENT  
WORLD DAY AGAINST TRAFFICKING IN PERSONS**

**The international community must strengthen prevention and accountability for trafficking in persons in conflict situations**

GENEVA/ BANJUL/ JAKARTA/ STRASBOURG/ WASHINGTON, D.C (29 July 2022) – A group of United Nations and regional human rights experts\*, on the occasion of the World Day Against Trafficking in Persons raise serious concerns at the risks of trafficking for those displaced by conflict, including increased risks of trafficking of children.

Conflict situations greatly increase risks of trafficking in persons. Trafficking in persons of all ages is often a strategy and tactic used by armed groups, contributing to continued instability, conflict and further displacement, and hindering processes of peace building, durable solutions to displacement, and transition to peace and security. Women and girls, particularly those who are displaced, are disproportionately affected by trafficking in persons for the purpose of sexual exploitation, forced and child marriage, forced labour and domestic servitude.

“These risks of exploitation, occurring in times of crisis, are not new. They are linked to and stem from existing, structural inequalities, often based on intersectional identities, gender-based discrimination and violence, racism, poverty and weaknesses in child protection systems. Such structural inequalities are exacerbated in the periods before, during and after conflicts, and disproportionately affect children”, the experts said.

Refugees, migrants, internally displaced and stateless persons are particularly at risk of exploitation, and are frequently the targets of attacks and abductions that lead to trafficking. Continuing restrictions on access to protection and assistance, limited resettlement and family reunification, inadequate labour protections, and restrictive migration policies, increase these risks.

The experts warned that climate related displacement and conflict, without planned relocation and migration or expanded access to decent work, social protection, and child protection, increases risks of trafficking in persons. They also highlighted the particular risks faced by indigenous peoples. Worldwide, indigenous peoples are disproportionately affected by armed conflict, as a result of being politically and economically marginalized, and affected by statelessness or lack of access to essential services. Forced displacement, poverty, and the search for better living conditions, increases risks of trafficking and exploitation, in particular, for indigenous women, girls and youth.

Despite promising developments in international law, there is limited application of international criminal law, international human rights law, and international humanitarian law to conflict related trafficking in persons. States have a duty to respect and ensure that all individuals can enjoy a life with dignity, which also includes the adoption of special measures of protection towards persons in vulnerable situations and ensuring investigations and accountability for the violation of their human rights, and violations of international criminal law and international humanitarian law. However, despite reports of the prevalence of

conflict related trafficking, including in Secretary General's reports, and in the reports of accountability mechanisms, such as the investigative and fact-finding mechanisms of the Human Rights Council, impunity persists.

"We have seen increasing recognition from the Security Council of the links between activities of armed groups and trafficking in persons, particularly targeting children and often linked to sexual violence in conflict. Yet, despite this recognition, accountability for conflict related trafficking remains low and prevention is weak", the experts warned.

On the protection of children in conflict, the experts stated: "Child trafficking is linked to the grave violations against children in situations of armed conflict, including recruitment and use, abductions and sexual violence. In such situations, the recruitment and use of children nearly always constitutes trafficking, abductions and enforced disappearances frequently lead to child trafficking – with schools often targeted. Sexual violence against children persists, and often leads to trafficking for purposes of sexual exploitation, sexual slavery, forced pregnancy and forced marriage, as well as forced labour and domestic servitude. Both girls and boys are affected, with girls often at increased risks of trafficking for sexual exploitation, linked to sexual violence. Denial of humanitarian assistance also exacerbates risks of trafficking and leads to failures to identify, assist and protect child victims of trafficking. However, child victims of trafficking in conflict situations rarely receive the assistance, protection, and rehabilitative care and services that are their right, as children under international law."

Intersectional discrimination hinders access to protection, particularly in conflict situations. "Gender stereotyping and discrimination may result in men and boys not being identified as victims and not provided with assistance or protection. Men and boys may face additional obstacles to disclosing experiences of exploitation, particularly sexual exploitation. We must recognise that discriminatory attitudes and violence, based on sexual orientation and gender identity including by law enforcement bodies, may result in lesbian, gay, bisexual, trans (LGBT) and gender diverse persons, Africans, and people of African descent, being at increased risk of exploitation and not receiving effective assistance or protection. Race and ethnicity can be additional and intersecting sources of vulnerability to trafficking and exploitation amongst those impacted by conflict situations. We also cannot ignore that many contemporary conflict situations, which give rise to grave situations of exploitation, are rooted in colonial injustices and systemic violations of the right to self-determination."

The experts also highlighted that trafficking for organ harvesting is a concern in conflict situations, with refugees and displaced persons particularly at risk.

Trafficking in persons in situations of conflicts, including by businesses and private sector actors continues with impunity, with limited monitoring, reporting or investigations and corporate accountability or access to remedy. States are not doing enough to ensure that business engages in heightened human rights due diligence when operating in conflict-affected areas. In addition, the inability of law enforcement authorities to effectively regulate and control the financial gains of armed groups and others involved in trafficking, domestically and across borders, allows trafficking to continue with impunity and to be a viable option for criminal enrichment.

Non-governmental organisations and human rights defenders assisting trafficked persons, and persons at risk of trafficking, must be supported, protected and their right to seek and use financial resources must be protected so they may carry out their legitimate and critical work. It is essential to ensure that human rights defenders are not conflated with trafficking networks or criminalized for their legitimate work, recalling the obligation to strengthen partnerships with civil society in combating trafficking in persons. We therefore urge the States to provide adequate support to civil society organisations either directly or by contributing to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery.

Without early identification of victims of trafficking and referral for assistance and protection, victims remain without support and are exposed to the additional risk of being subjected to enforced disappearance. The risks of re-trafficking and of continuing exploitation and other forms of contemporary slavery persist. The majority of states are not meeting their obligations to ensure that specialised services, including medical assistance, sexual and reproductive health services, and counselling and reintegration measures, are provided to victims of trafficking in conflict settings. The likelihood of recovery therefore is limited.

We recall Security Council resolution 2331 (2016) on the importance of preventing trafficking in persons for all purposes of exploitation, and for the maintenance of international peace and security, recognizing that trafficking in persons in armed conflict and post conflict situations can also be associated with sexual violence in conflict and that children in situations of armed conflict and persons displaced by armed conflict, including refugees, can be especially vulnerable to trafficking in persons.

Recalling Security Council Resolution 2388 (2017), States must ensure that survivors of trafficking are provided with appropriate care, assistance and services for their physical, psychological and social recovery, in full respect of their human rights and in a manner that takes full account of the extreme trauma they have suffered and the risk of further victimization and stigmatization. Access to health care, including sexual and reproductive health services and psychosocial support for survivors of trafficking, must be ensured, without discrimination. Humanitarian access is essential to ensuring that assistance and protection can be provided to victims of trafficking.

The promotion and protection of human rights must be integrated in all actions to prevent trafficking in persons, and to protect trafficked persons. It is essential to protect the rights of victims and survivors through effective identification, and gender-sensitive and child responsive support measures, with adequate and sustained resourcing. These measures should be complemented by closer local, national and international cooperation, including with non-governmental organisations.

Strengthened international cooperation, including mutual legal assistance, training and capacity building of lawyers and judges, ensuring the independence of lawyers and judges, is essential to ensure effective investigations, and to ensure accountability for trafficking in persons in conflict situations. States must ensure that jurisdiction can be exercised in all trafficking cases, to combat impunity.

All responses to risks of trafficking in persons, must be gender sensitive, racially equitable, age sensitive and disability inclusive, while ensuring the rights of persons with disabilities

and older persons, including in the provision of information, access to safe and accessible accommodation, transportation and in all assistance and protection measures.

The experts welcome the attention given to trafficking in conflict situations, but urge the international community to do more to prevent trafficking in all conflicts, and to protect victims of trafficking, especially women and girls, without discrimination. “We have seen what can be achieved through coordinated action and a political will to prevent trafficking in conflict situations. As an international community, we are failing in our responsibility to protect. We need to ensure that action to combat trafficking in persons is integrated into the work of all Protection clusters, in all Women, Peace and Security agendas, in action plans to address grave violations against children in armed conflict, and in peacebuilding and peacekeeping transition measures. We must ensure effective access to international protection and family reunification and expand resettlement and planned relocation opportunities. Responses to climate related displacement and conflict, must address increased risks of trafficking in persons, for all purposes of exploitation.”

ENDS

**\*The experts**

Siobhán Mullally, **Special Rapporteur on trafficking in persons, especially women and children**, Livingstone Sewanyana, **Independent Expert on the promotion of a democratic and equitable international order**, Morris Tidball-Binz, **Special Rapporteur on extrajudicial, summary or arbitrary executions**, Javaid Rehman, **Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**, Mama Fatima Singhateh, **Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material**, Ian Fry, **Special Rapporteur on the promotion and protection of human rights in the context of climate change**, Isha Dyfan, **Independent Expert on the Situation of Human Rights in Somalia**, Reem Alsalem, **Special Rapporteur on violence against women and girls**, Francisco Cali Tzay, **Special Rapporteur on the rights of indigenous peoples**, Thomas Andrews, **Special Rapporteur on the situation of human rights in Myanmar**, Ariel Dulitzky (Argentina), Chair-Rapporteur; Osman El-Hajjé (Lebanon), Vice Chairperson; Jasminka Dzumhur (Bosnia and Herzegovina), Olivier de Frouville (France); and Jeremy Sarkin (South Africa), **Working group on Enforced or Involuntary Disappearances**, Fortune Gaetan Zongo, **Special Rapporteur on the situation of human rights in Burundi**, Tomoya Obokata, **Special Rapporteur on contemporary forms of slavery, including its causes and consequences**, Cecilia Jimenez-Damary, **Special Rapporteur on the human rights of internally displaced persons**, Alice Cruz, **Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members**, Mary Lawlor, **Special Rapporteur on the situation of human rights defenders**, Richard Bennett, **Special Rapporteur on the situation of human rights in Afghanistan**, Alexandra Xanthaki, **Special Rapporteur in the field of cultural rights**, Vitit Muntarbhorn, **Special Rapporteur on the Human Rights Situation in Cambodia**, Muluka-Anne Miti-Drummond, **Independent Expert on the enjoyment of human rights by persons with albinism**, Claudia Mahler, **Independent Expert on the enjoyment of all human rights by older persons**, Mohamed Abdelsalam Babiker, **Special Rapporteur on the Situation of Human Rights in Eritrea**, Alioune Tine, **Independent Expert on the situation of human rights in Mali**, Obiora C. Okafor, **Independent Expert on human rights and international solidarity**, Clément Nyaletsossi Voule, **Special Rapporteur on**

**the rights to freedom of peaceful assembly and of association**, Attiya Waris, **Independent Expert on foreign debt and human rights**, Fionnuala Ní Aoláin, **Special Rapporteur on the promotion and protection of human rights while countering terrorism**, Miriam Estrada-Castillo (Chair-Rapporteur), Mumba Malila (Vice-Chair), Elina Steinerte, Priya Gopalan, and Matthew Gillett - **Working Group on arbitrary detention**, E. Tendayi Achiume, **Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance**, Tlaleng Mofokeng, **Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health**, Victor Madrigal-Borloz, **Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity**, Sorcha MacLeod (Chair-Rapporteur), Jelena Aparac, Ravindran Daniel, Chris Kwaja, Carlos Salazar Couto **Working Group on the use of mercenaries**, Melissa Upreti (Chair), Dorothy Estrada Tanck (Vice-Chair), Elizabeth Broderick, Ivana Radačić, and Meskerem Geset Techane, **Working Group on discrimination against women and girls**, Catherine S. Namakula, current Chair-Rapporteur; Barbara G. Reynolds, Vice-Chairperson, Dominique Day, Sushil Raj and Miriam Ekiudoko, **Working Group of Experts on People of African Descent**, Michael Fakhri, **Special Rapporteur on the right to food**, Fernanda Hopenhaym (Chairperson), Elżbieta Karska, Anita Ramasastry and Pichamon Yeophantong (Vice-Chairperson), **Working Group on Business and Human Rights**, Irene Khan, **Special Rapporteur on Freedom of Opinion and Expression**, Gerard Quinn, **Special Rapporteur on the rights on persons with disabilities**

#### **Committee on the Rights of the Child**

Danwood Mzikenge Chirwa (Malawi), Chairperson; Hina Jilani (Pakistan), Suamhirs Piraino-Guzman (Honduras), Ecaterina Schiling (Republic of Moldova), Georgina Vaz Cabral (France), **Board of Trustees of the UN Voluntary Trust Fund on Contemporary Forms of Slavery**

Maya Sahli Fadel, **Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa (African Commission on Human and Peoples 'Rights)**

Yuyun Wahyuningrum, **Representative of Indonesia to the ASEAN Intergovernmental Commission on Human Rights (AICHR)**, Prof. Dato' Dr. Aishah Bidin, **Representative of Malaysia to AICHR**, Aileen S. Mendiola-Rau, **Representative of Philippines to AICHR**, Prof. Dr. Amara Pongsapich, **Representative of Thailand to AICHR**

#### **Inter-American Commission of Human Rights**

**Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA)**