**Response to Joint Questionnaire by Special Rapporteur Mandate Holders**

**on protecting human rights during and after COVID-19**

**In particular to the Special Rapporteur on contemporary forms of slavery**

**By the Commonwealth Human Rights Initiative (CHRI)**

**and members of the Commonwealth 8.7 Network**

June 2020

The Commonwealth Human Rights Initiative (CHRI) welcomes the opportunity to respond to the joint questionnaire of the Special Procedure mandate holders, and has in particular focused on the questions of the Special Rapporteur on contemporary forms of slavery which explores the impact of COVID-19 on contemporary forms of slavery, as well as government and business response. CHRI welcomes the opportunity to provide the following input to the Special Rapporteur’s thematic report to the Human Rights Council at its 45th Session in September 2020. We recognise the effects of poverty and rising unemployment as a result of COVID-19 on contemporary forms of slavery and appreciate the call for mitigation and long-term planning against the long-lasting effects of COVID-19.

This submission is informed by members of the Commonwealth 8.7 Network[[1]](#footnote-1) and other organisations working in this sphere, namely:

* A21 (Australia)
* Australian Catholic Religious Against Trafficking in Humans (Australia)
* WARBE Development Foundation (Bangladesh)
* Survivors’ Network (Cameroon)
* Persons Against the Crime of Trafficking in Humans (Canada)
* Defence for Children International – Ghana (Ghana)
* Engage Now Africa (Ghana)
* Destiny Reflection (India)
* National Freedom Network (South Africa)
* Foundation for Innovative Social Development (Sri Lanka)
* Make A Child Smile (Uganda)
* Sophie Hayes Foundation (United Kingdom)

Members of the Commonwealth 8.7 Network work on diverse issues including: women’s rights; anti-trafficking initiatives; migrant workers’ rights; rights of indigenous peoples; protection of children; contemporary forms of slavery; survivor advocacy; vocational training and provision of other support to survivors; supply chain impact assessment; and direct service providers.

**1. What is the impact of the COVID-19 crisis on contemporary forms of slavery, including**

**descent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?**

The COVID-19 crisis has had a far reaching and disruptive effect on the vast majority of the world’s population. Lockdown measures put in place to protect public health have not stopped victims of contemporary forms of slavery from being forced to work, putting them at risk of contracting COVID-19. Increased demand for medical and other essential stock to tackle the pandemic, such as hand sanitiser and face masks (resulting in short lead times, irregular orders and price pressures by retailers), are creating conditions leading to more forced labour, abuse of workers, or other unscrupulous labour practices.

Moreover, economies are predicted to continue to struggle and contract post-COVID-19, leaving many people more vulnerable to exploitation and contemporary forms of slavery than before. The Committee for the Coordination of Statistical Activities [estimates](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/briefingnote/wcms_743623.pdf) that the COVID-19 pandemic will plunge 40-60 million people into extreme poverty due to job losses and businesses failing.

CHRI conducted several online consultations with members of the Commonwealth 8.7 Network examining how the COVID-19 crisis has affected those working to address issues related to contemporary forms of slavery in different Commonwealth countries. These meetings took place in April, May and June 2020. The impact of COVID-19 has been felt by all Network members who participated in the sessions, with some regional differences in how this impact has manifested itself. The following information is based on discussions with our Network members from all regions.

**Africa**

**Contemporary forms of slavery practices have continued** in **Africa**, despite lockdown measures. Engage Now Africa reported that traditional slavery, or Trokosi, has continued in **Ghana**, as well as forced labour, debt bondage, child labour in the fishing industry, domestic servitude and sexual slavery. However, in **Uganda**, Make A Child Smile has detected fewer cases of trafficking, most likely because traffickers’ movements, both domestically and cross-border, have been restricted due to lockdown measures.

Many anti-slavery civil society organisations have had to **reduce their staff and operations** due to lockdown measures making it impossible for them to implement their programmes in-person. Engage Now Africa (Ghana) has had to reduce their staff and even lay off workers during the pandemic. Staff have been restricted to key management positions, executives and essential anti-trafficking field investigators who work remotely to assist police in investigations. Defence for Children International - Ghana’s staff are working remotely from home.

An issue raised by most of the Commonwealth 8.7 Network members in **Africa**, including the National Freedom Network (**South Africa**) and Survivors’ Network (**Cameroon**), has been **restricted access to food**. Members noted that although COVID-19 had not hit the continent as hard as was thought, lockdown measures have shut people out of work, reducing their income – with the knock-on effect that some have died from starvation. This was observed in April and in May and is in keeping with research from the International Growth Centre, whose simulation found that the “income shock” from lockdown measures would lead to severe food deprivation in Africa. This has disproportionately affected victims of contemporary forms of slavery, who are now more dependent on the [provision of accommodation and food by traffickers](https://www.marketwatch.com/press-release/human-trafficking-and-child-exploitation-on-the-increase-during-covid-19-2020-06-02). Civil society organisations have responded to this immediate need to support survivors by delivering food parcels and vouchers. It was also noted that as farmers currently are not allowed to recruit workers, food shortages are expected to continue in the future.

Another issue is the **adaptation of sex trafficking** to lockdown measures. As lockdown has made it difficult for traffickers to sexually exploit victims in commonly used spaces, such as hotels, CSOs have noted the movement of sex trafficking online. Defence for Children International - **Ghana** noted that, although it has been unable to collect data on this issue, there is a perception among civil society organisations and government agencies that there has been an increase in online child sexual exploitation. This adaptation of sex trafficking had made it more difficult to disrupt as the [transitory nature of the internet](https://www.equalitynow.org/interrupting_the_vicious_cycle_of_online_sex_trafficking) makes it harder for law enforcement to locate victims and perpetrators. These inputs are in keeping with findings from the [Global Initiative Against Transnational Organized Crime](https://unstats.un.org/unsd/ccsa/documents/covid19-report-ccsa.pdf) that COVID-19 has led to a rise in online child sexual exploitation.

In **Uganda**, civil society organisations have seen **a notable increase in the amount of child labour** used in the agricultural sector, as a result of increasing poverty, school closures and food shortages, leaving children more at risk of becoming victims of child labour. The International Labour Organization’s (ILO) COVID-19 and Child Labour report has also warned that increased poverty may drive households to child labour “in order to cope with job loss and health shocks associated with COVID-19, in particular, if they are not in the education system”. Defence for Children International - **Ghana** has reported an increase in children performing domestic work as their parents are overwhelmed by working from home and having to care for a household.

Multiple CSOs noted that they have observed **increases in crime**. Survivors’ Network have observed this increase in **Cameroon**, while members in **Nigeria** has seen a worrying trend of underaged children partaking in criminal activity due to school closures in the country. Defence for Children International - **Ghana** has seen an increase in the number of street children since lockdown, many of whom are engaging in illegal hawking of goods.

Survivors have **limited access to technology**, affecting what support services they are able to receive. Members have struggled to continue to provide face-to-face client support and face security challenges using the Zoom online communications platform. Survivors’ Network (**Cameroon**) has found that many survivors do not have access to WiFi, making them unable to access survivor services and resources. Defence for Children International – **Ghana** works primarily with children and young men, many of whom live in remote areas that have especially restricted access to technology, making it even more difficult to provide them with online services.

Finally, the National Freedom Network (**South Africa**) noted that **mid- and long-term survivors** who no longer receive victim care under government schemes are not receiving the care they need. Although there is support for those recently rescued under government schemes, there is a black hole for mid- and long-term survivors who are no longer receiving victim care.

**Asia**

In various Asian countries, **labour exploitation is a product and manifestation of power imbalances**. Those who are marginalised, discriminated against, and impoverished are at greater risk of exploitation. Those people are now at even greater risk, as they are vulnerable to exclusion from adequate healthcare; have their already-constrained movement restricted further by border closures and travel disruptions; and risk stigmatisation and discrimination by nativist rhetoric and politics. In **India**, [over 39 crore of unorganised and migrant workers](https://www.business-humanrights.org/en/india-covid-19-may-lead-to-rise-in-bonded-labour-and-human-trafficking) on the fringes or outside the socio-economic security umbrella, are the most vulnerable. Deprivation and hunger await them before and after they reach their villages across several states. They will be forced into debt and predatory interest rates even for their daily subsistence. This is likely to trigger inter-generational bondage and wage-less labour.

A primary concern of 8.7 Network members in Asia was that of the **increasing vulnerability of children to contemporary forms of slavery**. In **Sri Lanka**, the Foundation for Innovative Social Development (FISD) has noted increased violence against children, which has become more difficult to detect and prevent as organisations cannot reach the children they would normally be able to support. Furthermore, FISD has raised concerns that child labour may increase post-COVID-19 due to a potential economic crash in the country. COVID-19 has increased the vulnerability of children, an already at-risk group for contemporary forms of slavery, with [reports](https://globalinitiative.net/human-trafficking-covid-impact/) of ‘cybersex traffickers’ targeting children for exploitation in Southeast Asia.

Additionally, in **Bangladesh**, the WARBE Development Foundation stressed the **vulnerability of migrant workers to contemporary forms of slavery as well as COVID-19**. The [ILO](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_743268.pdf) has warned of the particular risks that migrant workers face during COVID-19 due to the precarious nature of the work they perform. WARBE reported that there is a view held by the public that COVID-19 has been brought into communities from abroad by returning migrant workers. There are many Bangladeshi migrant workers in the Gulf states and 600,000 such workers have returned. Internal migrant workers in Bangladesh are also travelling across the country to return home. Returning migrant workers may be subject to unfair treatment during quarantine and increased risk of contracting and spreading COVID-19. In May, WARBE found that undocumented migrants were at risk of being deported and that there were high infection rates among migrant workers.

The [Economic Survey of India 2017](https://www.bbc.co.uk/news/business-52733706#:~:text=Economic%20growth%20of%20around%207%C2%BD,provided%20a%20strong%20growth%20impetus.) estimates that inter-state migration in **India** was close to 9 million annually between 2011 and 2016, while the 2011 census pegged the total number of internal migrants in the country (accounting for inter- and intra-state movement) at a staggering 139 million. A study by the [Centre for the Study of Developing Societies (CSDS) and by Azim Premji University in 2019](https://www.unodc.org/documents/Advocacy-Section/HTMSS_Thematic_Brief_on_COVID-19.pdf) estimates that 29% of the population in India’s big cities are daily wage earners. According to the World Bank’s report, [COVID-19 Crisis Through a Migration Lens](https://openknowledge.worldbank.org/handle/10986/33634), the magnitude of internal migration is about two-and-a-half times that of international migration. It is estimated by the World Bank that the nationwide lockdown in India which started about a month ago has impacted nearly 40 million internal migrants. The [Interstate Migrant Policy Index 2019](https://globalinitiative.net/human-trafficking-covid-impact/), an index compiled by India Migration Now, a Mumbai-based non-profit that analyses state-level policies for the integration of out-of-state migrants, has revealed widespread apathy and discrimination toward migrants by state-level policymakers and migrant unfriendly policies.

Further concerns raised by CSOs include restricted access to food and deterioration of mental health among survivors. In **India**, CSOs that support survivors of slavery such as Destiny Reflection, have had to **stop their social enterprise export business**. This social enterprise is a major source of funding for the organisation’s outreach and rehabilitation programmes. The social enterprise, which employs survivors of contemporary forms of slavery, continues to pay survivor workers but is not receiving any income.

**Caribbean and Americas**

In **Canada**, Persons Against the Crime of Trafficking in Humans (PACT) has found that children and young people are struggling to continue their education due to school closures. PACT raised the concern of **an increase in online grooming of children**. As children are spending more time online unsupervised, they are more vulnerable to being exploited by adult predators who are also spending more time online. Safeguarding of children has been particularly challenging due to lockdown measures. Indeed, according to Equality Now, there are an estimated 1.5 billion children out of school amid school closures worldwide who are particularly vulnerable to sexual predators seeking [https://www.equalitynow.org/covid\_19\_online\_exploitation](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_745287.pdf).

**Europe**

In the **United Kingdom**, CSOs raised concerns on how COVID-19 has impacted their **ability to deliver services to survivors**. This is part of a wider global trend where victim assistance and support has been seriously disrupted by COVID-19, as found by the [Global Initiative Against Transnational Organized Crime](https://www.theigc.org/covid-19/). The Sophie Hayes Foundation has moved their educational and vocational training workshops online, which has been challenging as many survivors do not have access to a laptop or smartphone. COVID-19 has therefore negatively impacted the level of support and essential services provided to survivors.

Also in the **United Kingdom**, COVID-19 is **changing the ways in which businesses operate**, including in industries such as the hospitality industry which typically have high levels of exploitation. COVID-19 has exposed weaknesses in how our economies are structured, leaving vulnerable groups open to exploitation and slavery. This is especially true of the gig economy which is based on precarious labour with little job security. Importantly, it is those who are the most economically vulnerable who will continue to work in precarious environments and despite lockdown measures, putting them at risk of contracting COVID-19.

A21, which works in several countries in Europe, noted that **repatriations of survivors** have been particularly hard to realise in this region. COVID-19 travel restrictions and border closures have made it increasingly difficult to plan safe routes home for survivors. A21 has been working with border enforcement agencies across several countries to overcome this challenge. As noted by [Hope for Justice’s report](https://www.reuters.com/article/health-coronavirus-trafficking/coronavirus-fuels-cybersex-trafficking-fears-for-children-in-southeast-asia-idUSL8N2BI0P9?fbclid=IwAR2Gry2709HduYX0UuYfhc4-9Hszxf8ayKSjmVFvxaZR28UktjMMNEN3rYo) on the implications of COVID-19 on human trafficking and modern slavery, diminished and overwhelmed victim services are now less able to provide repatriation support.

**Pacific**

Similar to organisations in the United Kingdom, in Australia **survivors do not have access to WiFi and technology** enabling adaptation of support services to online formats. Members of the Commonwealth 8.7 Network have tried to mitigate this by providing technological support to their clients so that they have access to online services and events.

Concerns were raised by Australian Catholic Religious Against Trafficking in Humans (ACRATH) on the **vulnerability of migrant workers** who are on temporary work-based visas in **Australia** and are not able to work. This was reiterated by A21 in Australia.

Also in **Australia**, A21 has found that **school closures** have made it challenging for survivors with children to access services. Survivors without access to childcare have to spend their time taking care of their children, which restricts the amount of time they can spend accessing services including online language courses and meetings with their social workers. This disproportionately affects female survivors.

In **Vanuatu**, a Commonwealth 8.7 Network member found that much of the public did not understand the prevalence and severity of COVID-19. This was mainly attributed to **low literacy rates** among the population. The implications of this are that vulnerable groups do not have the information they need to properly protect themselves from the virus. According to John Hopkins University, low literacy rates are more common in [developing countries and among women](https://translatorswithoutborders.org/blog/literacy-levels-covid-19/), making it imperative for countries to find other ways of communicating information on COVID-19.

In **Australia**, A21 has found that **international students** who are unable to get home and are struggling to stay afloat financially are at increased risk of exploitation. Universities have tried to make provisions to this group, but these do not meet many students’ individual needs. In some cases, students have negotiated with their landlords, but this has been done on an individual basis. COVID-19 has emboldened traffickers to exploit student visas, a tactic that was being used in 2019 in Australia and New Zealand as described in the [US Trafficking in Persons Report 2019](https://www.openicpsr.org/openicpsr/project/115789/version/V3/view).

Finally, a number of **pre-existing issues have compounded the negative impact of COVID-19**. Members noted that victims of contemporary forms of slavery were already struggling to get access to basic necessities, which has now only worsened due to COVID-19. Furthermore, many Pacific states are affected by poor governance and weak rule of law, issues which have only been exacerbated by the crisis.

**2. What steps have been taken by the Government to reduce increased risks of contemporary forms of slavery in the context of the outbreak? Please, share any good practices and identify persistent challenges, including with regards to prevention; identification of victims; provision of access to recovery and rehabilitation services; and investigation and prosecution of slavery-related crimes.**

Governments have been overwhelmed with adaptation to and containment of COVID-19. This has made it difficult for many governments, especially in regions that are under-resourced, to prioritise responses to contemporary forms of slavery. Given this, there has been limited action taken to mitigate the increased risks of contemporary forms of slavery in the context of the outbreak.

However, some governments have established schemes which offer **financial support to civil society organisations providing frontline service delivery for survivors of contemporary forms of slavery**. The **United Kingdom** government [pledged](https://www.equalitynow.org/covid_19_online_exploitation)£1.7 million in emergency support for modern slavery charities, with the support allowing victims to stay in safe accommodation for the next three months and access financial assistance and support services remotely. A21 noted that the **Australian** government has given grants to organisations providing essential frontline services during the pandemic, as well as survival grants to organisations that have seen a drop in their revenue.

Engage Now Africa reported that the **Ghanaian** government has **raised public awareness** on COVID-19 through TV and radio. However, these awareness-raising efforts have not been specifically geared towards preventing contemporary forms of slavery.

In **Uganda**, Make A Child Smile has reported that the government is making efforts to **repatriate victims** of contemporary forms of slavery who have been stranded abroad due to lockdown measures. Victims have been asked to organise themselves into groups in order to travel together to return home.

Defence for Children International - Ghana has seen a concerted effort by the **Ghanaian** government, pushed by civil society organisations, to task child protection agencies to step-up efforts in monitoring and disrupting online child sexual exploitation by **enabling child protection** through[awareness raising, online reporting and legal reforms](https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf). The government has made commitments to capacitate these agencies by providing the necessary resources. Furthermore, the Ghanaian government is trying to raise public awareness on the rights of victims of violence and on how to report situations of violence.

In **Australia**, A21 has noted that the government has **extended visas for migrant workers**. This provides some legal protection for migrant workers whose visas are dependent on work in a time when they are not allowed to perform any work.

**3. Are there indications of an increase in the number of people employed in informal or**

**illegal economies since the outbreak of the pandemic? Are there reports of forced labour**

**and exploitative labour practices in such business sectors, such as long working hours,**

**low pay, no adequate time to rest, and no holiday pays, etc.?**

COVID-19 has had and will continue to have a dampening effect on economies across the world. The [ILO](https://www.oecd.org/economy/economic-survey-india.htm) has warned that there may be an expansion of the informal economy if there is a collapse of formal micro, small and medium-sized enterprises. Workers in the informal economy are [more likely to experience exploitation and abuse](https://globalinitiative.net/human-trafficking-covid-impact/), putting them at especial risk of contemporary forms of slavery.

In **Australia**, A21 raised concerns about **seasonal and informal sector workers**. Farmers have seen a higher percentage of applicants applying to work in the **agricultural sector**. The government has issued a statement reminding workers to follow social distancing guidelines. However, A21 noted that this will be difficult to monitor in current circumstances.

In **Uganda**, Make A Child Smile reported that it has not yet **not seen any indications of an increase of people employed in informal or illegal economies**. This may be due to the fact that people’s movements have been restricted to maintain social distancing. However, Make A Child Smile anticipates that many people are likely to lose their jobs and may end up in informal or illegal economies.

In **Ghana**, Defence for Children International - Ghana notes that there has been an increase in individuals performing **petty and menial labour**, a potential indicator that persons, including children, are moving into informal and illegal economies.

**5. Since the outbreak, has the Government continued investigating and prosecuting human rights violations related to decent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?**

Law enforcement, like all public services, has been affected by the COVID-19 pandemic. The United Nations Office on Drugs and Crime has [found](http://hopeforjustice.org/wp-content/uploads/2020/04/Hope-for-Justice-2020.-Covid-19-and-potential-implications-on-human-trafficking-and-other-forms-of-modern-slavery-internationally.pdf) that governments are diverting police to new tasks for the enforcement of lockdowns, thereby deprioritising investigations of contemporary forms of slavery. This has the potential to lead to a “climate of practical impunity where traffickers can operate with even lower risk of detection and conviction”.

However, there have been examples of law enforcement agencies which have continued to prevent, investigate and prosecute contemporary forms of slavery cases.

In **Nigeria**, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), which is the national taskforce on human trafficking, has **used social media to raise awareness** of the prevalence of human trafficking in an attempt to identify and prevent the crime. NAPTIP used [Twitter](https://twitter.com/DGNaptip/status/1253202242649444357) to warn Nigerians about the new tactics traffickers are using to target vulnerable groups.

In **Kenya**, the Anti-Human Trafficking Child Protection Unit (AHTCPU) has [outlined](https://www.unicef.org/ghana/press-releases/children-increased-risk-harm-online-during-global-covid-19-pandemic-unicef?mod=mw_more_headlines&tesla=y) several challenges in regards to **prevention, identification, and prosecution of the commercial sexual exploitation of children**. The commercial sexual exploitation of children has increased during COVID-19. As the exploitation is live streamed, it has become more difficult to make arrests as predators leave few traces and are well prepared to quickly leave the premises where the abuse occurs. Furthermore, when victims are rescued it is unclear where they will receive shelter and aftercare. However, Kenyan detectives have been continuing to investigate contemporary forms of slavery and have successfully identified locations in Kibera slum in Nairobi and Mombasa where children are being sexually exploited.

In **Australia**, A21 has noted several **arrests and materials seized relating to online child sexual exploitation** during the pandemic. Online child sexual exploitation has increased during lockdowns, with law enforcement making efforts to disrupt this trend.

In **Ghana**, Engage Now Africa reported that **six cases of trafficking in persons** have been investigated with three resulting in prosecutions. These occurred during lockdown, showing that investigations and prosecutions have continued in Ghana. Defence for Children International - Ghana noted however that **investigations** are not widespread and tend to focus on child abuse cases. This organisation also noted that prosecutions are continuing. However, crimes constituting contemporary forms of slavery in Ghana often remain invisible, which makes them difficult to report, both for witnesses and victims. This has only worsened during lockdown.

In **Uganda**, Make A Child Smile relayed that the government has **put on hold most investigations and prosecutions** during the pandemic to minimize physical contact and promote social distancing. As witnesses, lawyers, judges and suspects must travel to attend court and potentially mix, these movements have been minimised in order to maintain lockdown measures.

**About the Commonwealth Human Rights Initiative**

CHRI is an independent international, non-governmental organisation working for the practical realization of human rights. Through research, advocacy and mobilization it works to address human rights issues in the areas of access to justice, access to information, freedom of information and opinion, and contemporary forms of slavery and human trafficking. Headquartered in New Delhi, CHRI has offices in London and Accra.

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1. An international member-driven network of over 60 national and local civil society organisations from all regions who share a common vision to eradicate contemporary forms of slavery and human trafficking. Founded by the Commonwealth Human Rights Initiative, the Commonwealth 8.7 Network serves as a knowledge-sharing platform, working collaboratively to raise awareness, build capacity, provide support to survivors, and advocate for change to laws and policies. [↑](#footnote-ref-1)