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**Anti-Slavery International submission to the UN Special Rapporteur on Contemporary Forms of Slavery: The Nexus between Forced Displacement and Contemporary Forms of Slavery**

**March 2021**

**Introduction**

Anti-Slavery International, founded in 1839, is committed to eradicating all forms of slavery throughout the world. We work at local, national, and international levels, including exemplar frontline projects with partner agencies across four continents. Anti-Slavery International’s new five-year organisational strategy to deliver ‘freedom from slavery for everyone, always’ will focus our efforts on four priority themes: ending child slavery, responsible business, migration and trafficking, and slavery and the environment.

In response to the UN Special Rapporteur’s call for input on *The Nexus between Forced Displacement and Contemporary Forms of Slavery*, Anti-Slavery International wishes to highlight evidence on three areas. Firstly, the impact of climate change on forced migration and displacement which is driving vulnerability to all contemporary forms of slavery. Secondly in both Mali and Niger, where we address the practice of descent-based slavery, communities of slave descent are often affected by forced displacement. Lastly, welcoming the Special Rapporteur’s focus on child slavery during the International Year for the Elimination of Child Labour, we provide brief insight on factors exacerbating vulnerability.

1. **Climate change forced migration and displacement, and vulnerability to contemporary forms of slavery.**

Climate change is negatively impacting many of the most vulnerable people in the poorest countries in the world. Climate change is destabilising livelihoods, increasing vulnerability, and driving migration and displacement. According to a 2018 World Bank report, over 140 million people may be displaced by the impacts of climate change by 2050 if sufficient climate action is not taken.[[1]](#footnote-1) The 2019 report of the former Special Rapporteur on contemporary forms of slavery states that: “By 2050, approximately 5 billion people may live in areas where the climate “will exceed historical bounds of variability”, and 143 million people in sub-Saharan Africa, South Asia and Latin America will face internal migration due to climate change.”[[2]](#footnote-2)

People affected by slavery are among the most marginalised in the world. As the climate crisis continues to mount, the Covid-19 pandemic is also deepening economic and social inequalities, driving millions of people into situations of vulnerability and exploitation. Tackling these dual challenges together is crucial.

Climate change induced migration and displacement is already acting as a driver of contemporary forms of slavery, of both children and adults, including trafficking, forced labour and debt bondage. This trend will only increase if action is not taken to mitigate against climate change and its consequences.

Climate change, migration and vulnerability to slavery are also exacerbated by extractive or agribusiness sectors that occupy land, cut down forests, and pollute the air, water, and soil, making agriculture and even life untenable. Recent research found that industrialised agriculture was responsible for ‘staggering’ rates of global deforestation, particularly crops like soya, palm oil and sugar cane.[[3]](#footnote-3)

According to World Bank President, Kristalina Georgieva, “The number of climate migrants could be reduced by tens of millions through global action to reduce greenhouse gas emissions and with far-sighted development planning. There is an opportunity now to plan and act for emerging climate change threats”[[4]](#footnote-4)

Climate-induced migration cannot be seen in isolation from the impact of the Covid-19 pandemic on migration, with migrants impacted by lockdowns, loss of employment, and social distancing, and a painful process of mass return for internal migrants in India and many countries in Latin America for example.

A report by Dr Chris O’Connell, Dublin City University, and Anti-Slavery International, due to be published in April 2021, *From a vicious to a virtuous circle: Addressing climate change, environmental destruction and contemporary slavery,* establishes the link between climate change, migration and displacement, and vulnerability to all contemporary forms of slavery.

Based on research conducted in Peru and Bolivia in 2018 and 2019, countries which are highly vulnerable to the impacts of climate change and at particular risk of water scarcity[[5]](#footnote-5), it documents the ways in which climate change is driving displacement and migration, and vulnerability to contemporary forms of slavery. Participants outlined a scenario of rising social, economic, and environmental pressures. The impacts of climate change – such as the loss of crops to flooding, the death of livestock due to sudden freezes, a scarcity of water for irrigation and consumption – were highlighted over and over by participants. These shocks frequently constitute the ‘last straw’ for those in already precarious conditions, forcing them to supplement their income by abandoning their land or moving away from their families.

There is growing international consensus that human rights and environmental measures must be aligned and tackled together. In this context, it is crucial that the nexus between climate change, environmental destruction, and the drivers of contemporary forms of slavery is recognised and addressed.

The global response to climate change to date has prioritised a mix of technocratic fixes and market-based mechanisms that are insufficient to resolve these issues and often incompatible with a human rights approach. Instead, what is needed is a fundamental shift in the allocation of power and resources, failing which we risk a scenario of deepening inequality, exclusion, and vulnerability.

Those communities and countries most impacted by climate change and environmental damage must be provided with a suite of supports and options that protect fundamental human rights and enable them to build resilience to survive this crisis with dignity. The voices of those impacted by this multi-faceted emergency – among them land and environmental rights defenders, and those at risk of exploitation as well as survivors of slavery – must be heeded.

Climate action and building back from the Covid-19 pandemic needs to happen fast, but also needs to be participatory and fair. This is where the growing agenda around a ‘just transition’ to a zero-carbon future comes in, with a particular focus on protecting the most vulnerable.

There is a need for action on all fronts, for a comprehensive and integrated social, economic, and environmental response that builds the resilience of vulnerable populations to external shocks like Covid-19 as well as to climate impacts and contemporary forms of slavery. This is in line with the spirit of the Agenda 2030, which treats the individual Sustainable Development Goals and targets as part of an ‘indivisible whole’. This holistic vision needs to ensure a rights-based approach, with international labour standards guaranteed for all and decent work as requisites for achieving sustainable development.

Including:

* **Empowering affected communities:** Adopt participatory and inclusive decision-making processes at all levels to ensure the meaningful participation of workers, affected groups and vulnerable communities, so that their voices are heard and reflected in target-making and solution design.
* **Facilitating and supporting safe migration:** Both internally and across borders, in order to mitigate against the impact that climate-induced migration and displacement has on driving vulnerability to contemporary forms of slavery.
* **Promoting responsible business practice:** Mandatory human rights and environmental due diligence laws with strong liability provisions should be put in place at national and regional levels.
* **Promoting a Just Transition:** The Sustainable Development Goals (SDGs) should be met with a global, just, and transformational recovery. Leadership from across government, business, trade unions and civil society on rights-centred approaches to climate action could make a significant contribution to securing processes of transition that benefit all people.
* **Addressing the nexus:** Governments and international institutions to recognise the cross-cutting issues of climate change and vulnerability to modern slavery and identify specific measures to tackle these. These will include climate mitigation and net zero by 2050, finance for adaptation, resilience and loss and damage, and focussing on climate-induced migration responses.
1. **Forced displacement of people of slave descent and people affected by slavery in Mali and Niger.**

In Mali and Niger, where the practice of descent-based slavery persists, we have often received reports of people of slave descent being evicted from their land. This is typically because those considered to be their ‘masters’ (despite the abolition of slavery) lay claim to rights over the land (or are granted those rights in customary courts), simply because of their status vis-à-vis those considered slaves. Indeed, under customary law, ‘slaves’ could not own land (or anything, as they are considered ‘possessions’ themselves), even though they may have lived and worked on the land for generations. Therefore, as demand for agricultural land has increased, so have attempts to sell off and/or evict people of slave descent from land to which they have credible claims of ownership.

**In Mali,** our partner TEMEDT estimates there are 800,000 people of slave descent, out of a national population of some 18 million. Some 200,000 of this number are believed to remain under the total control of their “masters” in situations of slavery, while the remaining people of slave-descent are subjected to widespread discrimination in all aspects of life, including being forcibly displaced from their land by the traditional slave owning classes.

The limited number of past efforts to address slavery and slavery-based discrimination have been impeded since 2012 by ongoing conflict in northern Mali, where the most serious incidence of slavery and slavery-based discrimination is located. This has severely weakened state institutions and access to justice, and made it harder for government, international agencies, and NGOs to implement programs or deliver humanitarian and other assistance to vulnerable communities.

There has been an upsurge in violence against and forced displacement of people of slave descent in Kayes, West Mali, over the past few years. This has reportedly resulted in the forced displacement of over a thousand people of slave descent. Due to the lack of State authority in Kayes, the traditional slave-owning classes have apparently been using this opportunity to reassert their power over communities of slave descent, reclaiming land that would have belonged to them under customary law, as ‘masters’ of the resident communities. People of slave descent have been evicted from the land, displaced, and subjected to violence. Temedt has also collected evidence in the past year of humiliating and violent ceremonies carried out by masters within communities of slave descent to reinstate their subjugation.

At the time of writing, we are conducting research to fully establish the evidential basis on slavery and related discrimination in Mali. This is being conducted in three localities in northern Mali (Andaraboukane, Gossi and Menaka) where descent-based slavery and related discrimination is prevalent. The study will serve to identify (a) the likely incidence of slavery (b) the main forms of slavery and slavery-based discrimination, and (c) the perceptions and needs of enslaved persons and communities, including the scope for seeking liberation and any obstacles in this regard. Issues will include, for example, access to land, access to education and other services for children, or the extent of payment or non-payment for services rendered to “masters”. It will assess the extent to which such grievances have been resolved at the local level, and through which mechanism (traditional authority systems, or others). A smaller component of research will also be conducted in Kayes. We will share the findings of this research with the Special Rapporteur once it becomes available.

The Government of Mali has been slow to take action to tackle slavery and related discrimination. There is no specific law defining and criminalizing slavery. In 2014, TEMEDT prepared a draft law on the repression of slavery and practices similar to slavery and submitted it to the National Assembly. However, its adoption remains a highly sensitive issue in the context of the present conflict, given the Government’s desire to gain the cooperation of prominent slave-holding groups such as Tuareg leaders as part of its peacebuilding and counter-insurgency effort. It is widely believed the adoption of such a law will be difficult to achieve in the immediate future, despite being vital in efforts to eradicate slavery.

**In Niger,** our partner Timidria estimates that there are around 750,000 people of slave descent. People of slave descent, who no longer live under the direct control of their traditional masters, but are still socially perceived as ‘slaves’, face widespread stigma and discrimination. They experience discrimination and exploitation, including land eviction, employment discrimination, disenfranchisement, prohibitions of inter-caste marriages and violence. In addition to food and water scarcity, these communities are generally overlooked by government-run services and poverty alleviation programmes due to their marginalisation and remote location.

Anti-Slavery International’s programme of legal assistance in Niger provides support to people affected by slavery to take legal cases against their former ‘masters’. Over the years, this has also included legal cases to challenge the eviction of communities of slave descent from land that they had cleared and cultivated for generations. Regrettably, it is our finding that the courts usually rule in favour of the traditional ‘slave-owning’ classes in such cases of land ownership.[[6]](#footnote-6) Consequently, Anti-Slavery International and Timidria have been calling for revisions to land tenure legislation in order to redress this pervasive form of discrimination and forced displacement.

1. **Child slavery**

The 2017 Global Estimates showed that child slavery requires special attention; with very little change in the estimated number of children in forced labour in the period under consideration.[[7]](#footnote-7) Then, 4.3 million children were in forced labour, representing 18 per cent of the 24.8 million total forced labour victims worldwide. In addition, 5.7 million children were in forced marriage.[[8]](#footnote-8)

Since then, the economic and social impact of the Covid-19 pandemic threatens to push more children into hazardous and exploitative work and increase all forms of child slavery. UNICEF and the ILO have reported that even the progress on reducing net child labour seen in recent years is under threat as a consequence of economic difficulties, with more children now at risk of being pushed into hazardous and exploitative work.4

At the same time, the impact of climate change and environmental degradation on labour and migration will intensify over the coming years.[[9]](#footnote-9)This will lead to conditions where children are more vulnerable to forced migration, forced displacement, and forms of child slavery.

If the world is serious about achieving SDG Target 8.7, including the elimination of child labour by 2025, we need to pursue a ‘leave no one behind’ approach, where action to reach the most excluded – including children in slavery – is prioritised by governments and the international community.

Including:

* Efforts for the elimination of child labour by 2025 to recognise and address child slavery issues more clearly: without a focus on child slavery it will be impossible to achieve elimination of child labour.
* The introduction and implementation of laws and policies which address child slavery by decision makers and power holders. Including investment in initiatives which prevent child slavery and its drivers, particularly social protection systems and an accessible quality education.
* The voice of those with lived experience of child slavery, and those vulnerable to slavery, to be heard and taken into account in developing solutions.
1. World Bank. 2018. *Groundswell: Preparing for Internal Climate Migration*. World Bank. [↑](#footnote-ref-1)
2. UN Special Rapporteur on contemporary forms of slavery, *Current and emerging forms of slavery,* A/HRC/42/44, 25 July 2019, para16 [↑](#footnote-ref-2)
3. Stokstad, E. 2018. ‘New global study reveals the ‘staggering’ loss of forests caused by industrial agriculture’. Science Magazine, September 13. [↑](#footnote-ref-3)
4. World Bank. 2018. *Groundswell: Preparing for Internal Climate Migration*. World Bank. [↑](#footnote-ref-4)
5. These cases were selected due to a shared vulnerability to the impacts of climate change and patterns of exploitation, but also due to differences in their institutional frameworks, influences and political models. [↑](#footnote-ref-5)
6. For example, past case study: **Mohamed Azagalla and others vs Elh Hassane Halidou, 6 April 2015**

Elh Hassane Halidou claimed ownership of land comprised of 30 fields, farmed by the Bellas (Black Tuaregs, considered to be of slave descent), who the accused called “slaves”. Elh Hassane Halidou considered that slaves are not entitled to own agricultural lands, in the Hyawane village in the rural commune of Sakoira, which is situated 40 km away from Tillabéri. The Bellas and the Tuaregs have been living in this area since 1750 as nomadic populations. They had been farming the agricultural lands since 1930.

On 3 September 2015, the Court issued its ruling on this ‘customary’ matter, with reference to Sonraih and Bellah customs and consultation with Sonraih and Bellah advisors, that the disputed land was the exclusive property of El Hassane Halidou and his associates. [↑](#footnote-ref-6)
7. *Global estimates of child labour: Results and trends, 2012-2016*, International Labour Office (ILO), Geneva, 2017 wcms\_575499.pdf (ilo.org) p25 [↑](#footnote-ref-7)
8. ILO and Walk Free Foundation, *Global estimates of modern slavery: Forced labour and forced marriage* (Geneva, International Labour Organization, 2017) [↑](#footnote-ref-8)
9. ILO article on Migration and child labour at <http://www2.ilo.org/ipec/areas/Migration_and_CL/lang--en/index.htm> [↑](#footnote-ref-9)