



Walk Free's submission to the call for input issued by UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences

19 March 2021

Introduction

1. Walk Free welcomes the opportunity to contribute to the call for input regarding the nexus between forced displacement and modern slavery, issued by the UN Special Rapporteur on contemporary forms of slavery (**Special Rapporteur**).
2. Walk Free is an evidence-based international human rights organisation with a mission to end modern slavery globally within our generation. Walk Free approaches this challenge through a combination of direct implementation, grassroots community engagement, and working in partnership with faiths, businesses, academics, NGOs, and governments around the world.
3. The nexus between forced displacement and modern slavery has been examined in several standalone Walk Free reports, including: *Murky Waters* (2020),¹ *Stacked Odds* (2020),² *Migrants and Their Vulnerability* (2019),³ and *The Other Migrant Crisis* (2014),⁴ and a forthcoming report on internally displaced persons. Further, Walk Free is the author of the *Global Slavery Index (GSI)*,⁵ the world's leading dataset on measuring and understanding modern slavery. The GSI assesses country-level prevalence, vulnerability, and government responses to modern slavery. To date, Walk Free have published four editions of the GSI, the most recent in 2018. The impact of forced displacement on modern slavery has been analysed in each edition to date. Further, Walk Free has taken an active role on this issue by supporting the UNHCR's ongoing work to embed anti-trafficking responses into existing humanitarian responses.⁶
4. Walk Free would welcome any requests from the Special Rapporteur to discuss and/or provide further detail regarding the submissions contained herein.



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Forced displacement and modern slavery

Is information/evidence available regarding displaced persons such as asylum seekers, refugees, internally displaced persons (IDPs) and stateless persons being subjected to contemporary forms of slavery in your country?

5. Walk Free submits that while there is some evidence available on the vulnerability of displaced persons to modern slavery, this information is often incomplete due to difficulties in researching highly mobile populations, and as data is not often disaggregated by gender or age. However, it should be noted that the amount of information gaps can vary depending on the specific driver of displacement – for example, relatively more evidence is available on the risks faced by displaced persons fleeing conflict, than climate change.⁷ The details below summarise the nexus between forced displacement and modern slavery and identify gaps in data where relevant.
6. Based on the best available estimates, there were 79.5 million people displaced globally in December 2019. This included 45.7 million internally displaced people (**IDPs**), 4.2 million asylum seekers, 3.6 million Venezuelans displaced abroad, and 26.4 million refugees.⁸ This forced displacement was largely a result of crises, such as conflict, natural disasters, or climate change. Specific risks associated with these types of crises are detailed below at paragraphs 10 to 16.
7. Regardless of the cause of displacement or whether a person is displaced within their own country or outside its borders, sites and travel routes where large numbers of displaced people coalesce are hotspots of modern slavery for several reasons:
 - a. Vulnerable migrants have greater and more immediate survival needs, in addition to reduced resilience, which can be exploited by traffickers with fraudulent offers of assistance;⁹
 - b. The high concentration of migrants in a particular area allows traffickers to easily identify and target them;¹⁰
 - c. There is little, if any protection, available for unaccompanied child migrants – particularly if they are young girls;¹¹
 - d. Disruptive changes in social norms, including as a result of long-term residence in displacement sites, can lead to increased risk as opportunities and regulation by competent authorities are limited;¹²
 - e. Vulnerable migrants can also be exploited by private individuals who own the land on which displacement sites are located;¹³ and



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- f. Finally, breakdowns in the rule of law and an inter-related lack of capacity and resources among host governments to effectively manage displacement sites and protect displaced groups increase risk of exploitation.¹⁴
8. Risk is further compounded for displaced persons forced to repeatedly flee, as they often face disruptions to social networks, limited financial resources, and a lack of legal documentation, which is typically lost in the early stages of flight.¹⁵
9. These issues are further complicated by COVID-19 pandemic, which has spurred internal displacement for people evacuating from epidemic hotspots to perceived 'safe' places,¹⁶ or have been compelled to move due to lost livelihoods during the pandemic, or in search of access to health care.¹⁷

Conflicts

10. People fleeing situations of violence and conflict are particularly vulnerable to modern slavery, human trafficking, forced labour, and child labour.¹⁸ Women and girls in conflict areas are at particular risk of forced marriage and forced sexual exploitation. Both forms of exploitation are used as weapons¹⁹ and sources of funding for terror.²⁰ Importantly, countries with ongoing conflicts have the highest scores on the Vulnerability Model in the Global Slavery Index.²¹
11. As described in paragraph 7, in the context of conflict, risk of exploitation also rises as a result of breakdowns in the rule of law,²² and the increased presence and acceptance of violence – including gender-based and sexual violence – as a fact of life.²³ These risks follow displaced persons throughout the migration journey.
12. Further, as conflicts are increasingly more complex and prevalent,²⁴ and more frequently involve non-state armed groups²⁵ that are not included under the scope of humanitarian laws, vulnerable populations are left unprotected from the significant risk of exploitation.²⁶ The increase in non-state armed groups has, in addition to the securitisation of migration,²⁷ further complicated an already complex and dangerous journey to safety for displaced populations.²⁸ In the wake of the 11 September 2001 terror attacks, many governments severely restricted access to asylum in service of national security concerns – measures which have been criticised by the UN's refugee agency for merely diverting migrants to riskier routes, and increasing their vulnerability to human trafficking.²⁹
13. Beyond restrictive asylum policies engendering greater risk of exploitation among protractedly displaced groups,³⁰ government inaction linked to displacement may also increase risk to modern slavery. For example, the refusal of governments to repatriate, de-radicalise, and reintegrate displaced wives and children of ISIL fighters in the Al-Hol displacement camp in North-eastern Syria due to security concerns, impacts the risk of modern slavery in two key ways. Firstly, and more immediately, Yazidi women and their children living in disguise in the camp³¹ are at risk of further exploitation by radicalised inhabitants as violence in the camp grows.³² Secondly, and in the longer-term, given that



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most of the displaced population are children under the age of 12³³ and in light of reports that note children are being indoctrinated by radicalised camp inhabitants, continued international inaction to address their protracted displacement will likely entrench the risk of conflict, displacement, and modern slavery across future generations.³⁴

Natural disasters and climate change

14. Natural disasters, whether rapid or slow onset, can result in large-scale displacement, and the resulting economic and social disruption increase pre-existing, and create new, modern slavery risks.³⁵ In the event of rapid onset natural disasters, immediate survival needs and a lack of government protection can drive many to irregular migration, increasing their risk of human trafficking within domestic borders.³⁶ Surges in trafficking has been noted following the tsunami in Indonesia (2004), Cyclone Sidr in Bangladesh (2007), Typhoon Haiyan in the Philippines (2013), the earthquake in Nepal (2015), among others.³⁷
15. In regions prone to natural disasters, climate change will exacerbate displacement and related modern slavery risks. For example, in the Pacific Island Countries (**PICs**), a region where natural disasters are common and climate change and rising sea levels threaten to submerge islands under water, further displacement and increased risk to modern slavery is likely.³⁸ Future competition for land between host and displaced communities may also increase conflict, and therefore further exacerbate risk, particularly for women and girls who face socio-cultural and legal barriers to accessing land.³⁹ The COVID-19 pandemic has also hamstrung responses to the climate crisis.⁴⁰
16. As such, while climate change leads to slow onset natural disasters, such as droughts or land erosion, it hastens and magnifies the impact of pre-existing drivers. For example, the impact of rising temperatures have increased water scarcity in the Arab States, which in turn has fuelled armed conflicts and contributed to the use of water as a weapon in the region.⁴¹ Drought, rising sea levels, flooding, salinisation, and erosion, among other factors, are also likely to spur mass risky migration as the climate threat increasingly becomes reality: for example, an estimated 13.3 million people will likely be displaced as a result of climate change in Bangladesh by 2050.⁴² This is already evidenced in the internal and international displacement of vulnerable communities in Peru and Bolivia, where people have fled their homes following climate-related disruptions to livelihoods and cultural norms, and now are in search of employment, arable land, and water.⁴³



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Is there a gender dimension to exploitation and if so, in what way?

17. Women and girls are disproportionately affected both by modern slavery, where they account for 71 per cent of all victims,⁴⁴ and forced displacement, including displacement driven by conflict⁴⁵ and climate change.⁴⁶
18. The heightened risk to exploitation faced by females from conception and throughout their lifetime is due to entrenched patriarchal biases within international and domestic laws, economic markets, and socio-cultural norms.⁴⁷ This gender inequality, and its resulting impact on vulnerability to modern slavery, is further exacerbated in times of crisis.⁴⁸
19. Displaced women and girls contend with increased vulnerability to modern slavery at every stage of the migration journey, from the initial flight to residing in the host country or displacement site,⁴⁹ and commonly face increased sexual and gender-based violence, limited access to essential support services, and a lack of gender sensitive humanitarian assistance.⁵⁰

Human trafficking

20. Throughout the migration journey women and girls are at greater risk of human trafficking.⁵¹ Conflict, poverty, limited access to education and gender inequality pushes women and girls into unsafe migration pathways, where they are more likely to be targeted by traffickers.⁵² Limited opportunities and urgent survival needs may force women and girls to accept risky and exploitative work.⁵³ Traffickers exploit this desperation by offering assistance to relocate displaced persons⁵⁴ or offering employment opportunities.

Early and forced marriage

21. Various factors during crises increase the risk of early and forced marriage,⁵⁵ such as: weakened rule of law, heightened gender-based discrimination, increased poverty, reduced access to education, beliefs that marriage provides protection to females, stigma related to pregnancy outside of marriage, and disrupted support networks.⁵⁶
22. Given widespread views that consider girls as economic burdens whose value is inextricably linked to fulfilling traditional gender roles of homemaker, mother, and wife,⁵⁷ families struggling to survive may rely on early marriage as a negative coping mechanism.⁵⁸ Further, food insecurity, which affects nearly 750 million people, or almost 10 per cent of the world's population, and is already higher among women across all regions,⁵⁹ also increases risk to early and forced marriage in both conflict and climate displacement scenarios.⁶⁰
23. The relationship between crises and early and forced marriage has been well documented. For example, in the wake of millions of women and girls displaced into Lebanon and Jordan following the Syrian conflict, a significant increase in forced and child marriage was noted among refugees in the host countries.⁶¹ Further, in the PICs, while forced and early marriage



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were already commonplace with an estimated 20 per cent of girls in 2019 were married before the age of 18, forced displacement can further exacerbate risks of early marriage.⁶²

Forced sexual exploitation

24. In the context of conflict, women and girls generally face higher risks of rape, including as a weapon of war, sexual slavery, forced pregnancy, survival sex, and other forms of sexual violence.⁶³ Conflict-related sexual violence can both lead to, and result from, displacement. From transit routes to informal settlements, temporary lodgings, displacement sites, and camps, women and girls are disproportionately at risk of gender-based violence and exploitation.⁶⁴ In 2014, it was estimated that among female refugees worldwide, at least one fifth experienced sexual violence⁶⁵ - which exposes displaced women and girls to significant and intergenerational stigma which can impact willingness to report assaults or access support services.⁶⁶

25. Climate-induced displacement also increases risk of forced sexual exploitation and sex trafficking.⁶⁷ Further, extractive sectors which contribute to environmental degradation and climate change increase risk of trafficking for women and girls. For example, in Senegalese gold mines, Nigerian women and girls are trafficked into the region for sexual exploitation, deceived by traffickers with false offers of employment in Europe.⁶⁸ In Brazil, there are reports that dam construction companies contribute to the vulnerability of women and girls being trafficked for sexual exploitation.⁶⁹ Climate change also exacerbates risk for people living in displacement sites. Rohingya women and girls in internally displaced camps in Bangladesh already face significant risk of sexual exploitation⁷⁰ and are at further risk of displacement and exploitation due to recurrent monsoons and cyclones by climate change.⁷¹



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Is there any indication/evidence that domestic rules and/or legislation related to the regulation of displaced persons contribute to an increased vulnerability of displaced persons to exploitation?

26. Laws, rules, and regulations related to irregular migration and asylum-seeking can, as discussed above at paragraphs 12 and 13, impact risk of exploitation among displaced persons, particularly when they lead to protracted displacement of vulnerable groups.⁷² Further, restrictive migration regimes which divert displaced people to irregular routes exposes vulnerable migrants, and women and girls in particular, to greater risk of human trafficking and forced sexual exploitation.⁷³ Finally, irregular migration and asylum-seeking regulations that do not empower female voices or perspectives in decision-making processes – particularly the voices of highly vulnerable groups such as adolescent girls⁷⁴ – leave significant gaps in protection which can increase the risk of modern slavery, including forced sexual exploitation and forced and early marriage.⁷⁵
27. An analysis of government response data collected pursuant to the Global Slavery Index showed that of 184 countries, only 36.4 per cent had laws or systems that protect asylum seekers and refugees. A majority of countries (63.6 per cent) either do not have laws or systems that protect asylum seekers or refugees in their country, or there is evidence that refugees or asylum seekers are systematically detained, arrested, deported or discriminated against.⁷⁶ This includes many countries who are relatively wealthy and signatories to the 1951 Refugee Convention, such as Australia, Denmark, Japan, the Netherlands, the United Kingdom, and the United States.⁷⁷
28. In Australia, refugees and asylum seekers are subject to indefinite detention on offshore processing sites in Nauru, where they experience significant neglect by authorities, lack access to essentials including food, shelter, and medicines, and experience systemic sexual abuse, including rapes perpetuated by guards.⁷⁸ The continued failure of the Australian government to address the mistreatment of asylum seekers processed offshore is considered a deliberate policy to deter further asylum seekers arriving by boat by some human rights experts.⁷⁹ A roundtable convened by the opposition government in 2019 noted that the policy diverted asylum seekers from arriving via boats to planes, which has increased use of bridging visas while asylum claims are being processed, and increased risk to forced labour and labour exploitation, including in the agricultural sector.⁸⁰ Meanwhile, the new United States administration has recently shifted away from the controversial Migrant Protection Protocol (MPP) which detained asylum seekers in Mexico, some for as long as two years, until the date of their court hearings in the United States.⁸¹ Reports indicate that traffickers targeted vulnerable migrants waiting in camps under the MPP system, including for forced labour and sexual exploitation.⁸²



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