**UN Women Submission to the upcoming Report of the Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences “The Nexus between Forced Displacement and Contemporary Forms of Slavery”**

UN Women welcomes the opportunity to provide this submission for the upcoming report “The Nexus between Forced Displacement and Contemporary Forms of Slavery” of the Special Rapporteur on Contemporary Forms of Slavery, including its Causes and Consequences, and acknowledge its relevance.

UN Women would like to emphasize the importance of addressing the gendered nature of modern slavery and the linkages between gender inequality, violence against women and girls, migration, displacement, and trafficking in persons, considering the deeper understanding of the gendered nature of this nexus. We believe that the achievement of gender equality, the empowerment of all women and girls, and the realization of their human rights must be at the core of all international policy commitments, as the foundation for addressing all forms of violence against women and girls, including forced exploitation.

UN Women is grateful for the opportunity to contribute to the Special Rapporteur’s forthcoming report. We ask, therefore, that the Special Rapporteur consider the following issues when drafting the report.

1. **The Gender Dimensions of Contemporary Forms of Slavery**

Year after year, global evidence continues to show that women and girls are disproportionately affected by trafficking in persons, which remains deeply gendered in its manifestation and impact and persists as a grave form of violence against women and girls.

According to the United Nations Office on Drugs and Crime (UNODC)[[1]](#footnote-2), women and girls together represent 69 percent of detected victims of trafficking in persons globally, with adult women representing 50 percent of detected victims and girls representing 19 percent. The most two common forms of exploitation are sexual exploitation, accounting for 50 percent of total detected cases, and labour exploitation, accounting for 38 percent.

* 1. **Trafficking in Women and Girls in Forced Labour**

Exploitation for the purpose of forced labour happens in a range of economic sectors such as agriculture, construction, and domestic servitude. In the construction sector, for example, adult men are the majority of detected victims. However, where forced labour revolves around domestic service, women and girls are the predominant victims.

In such cases, it has been documented that many female victims were promised regular travel documents, but once they arrived in the destination country, they realized they had been deceived and did not have the required documentation to enter through regular channels. Existing in the shadows without regular migration status leads to social isolation for these women, forcing them to work as domestic servants and they are paid far less and with longer working hours than was agreed before departure. In many cases, the precariousness of their situation puts them at a high risk of violence in the home, with many domestic workers suffering abuse by family members, including psychological, physical, and sexual abuse.

Similarly, female victims of trafficking for forced labour in other sectors, such as agriculture and in the textile industry, also report being victims of sexual abuse and violence. In fact, according to the former Special Rapporteur for Contemporary Forms of Slavey, Mrs. Urmila Bhoola, reported in 2019 that 98 percent of women and girls subjected to forced labour have experienced sexual violence.[[2]](#footnote-3)

* 1. **Trafficking in Women and Girls for Sexual Exploitation**

While the sex and age profiles of detected victims who are trafficked for the purpose of forced labour are more diverse, the same is not true with detected victims of trafficking for the purpose of sexual exploitation, which continues to be the most detected form of exploitation in the world.

According to UNODC, when it comes to trafficking for the purpose of sexual exploitation, adult women account for 67 percent of total detected victims, and girls for 25 percent, together representing a total of 92 percent of victims of sexual exploitation.[[3]](#footnote-4) Additionally, according to the limited data available from the Counter Trafficking Data Collaborative, 83 percent of transgender and gender non-conforming people who are victims of trafficking, are trafficked for the purposes of sexual exploitation as well.[[4]](#footnote-5)

* 1. **Women and Girls Exploited in the Context of Migration and Forced Displacement**

Refugee and migrant women and girls, and those that live in displacement are also at significant risk of trafficking, abduction, extortion, early and forced marriage, sexual exploitation, and forced labour. Displacement disrupts the lives of the women and girls who are forced to move, including their schooling, training, employment, and livelihoods. Their economic hardship and lack of social protection paired with protracted conflict, ongoing fragility, and disruption to the rule of law leaves them vulnerable to criminals who may subject them to sexual exploitation and forced labour.

As highlighted by CEDAW General Recommendation No.38 on Trafficking in women and girls in the context of global migration, there are gender specific dimensions of displacement at every stage of the displacement cycle, during flight, settlement and return. Women and girls living in rural and remote areas, indigenous and ethnic minority communities, those with disabilities, with an irregular migration status, as well as those who are displaced, stateless or at risk of statelessness, refugees, asylum-seekers, women in conflict or post-conflict settings or girls living in alternative care face greater vulnerability to being trafficked because of the economic, social and political exclusion they experience.[[5]](#footnote-6) Girls who are unaccompanied or separated from their families are particularly vulnerable to exploitation.[[6]](#footnote-7)

Forced labour can also be a root cause of displacement and may compel women and girls in exploitative labour situations to move elsewhere.[[7]](#footnote-8) As said, women and girls continue to be disproportionately affected by modern slavery and their vulnerability is further exacerbated in situations of displacement.

The lack of gender and age sensitive migration laws and policies may also impact women and girls’ vulnerability to exploitation in the context of displacement. Discriminatory migration and asylum policies heighten women and girl’s vulnerability to all forms of exploitation and trafficking at all stages of the migration cycle, in transit, in reception, and accommodation facilities in border and destination countries.[[8]](#footnote-9) Women and girls may face both direct and indirect discrimination in states’ migration policies, limiting their access to safe and regular migration pathways as well as to regular and decent job opportunities. [[9]](#footnote-10)

For example, a policy which denies a woman the right to migrate because she is pregnant or the main caregiver of a child under the guise of ‘protection’ can actually put them at greater risk, as instead of migrating through regular channels, these women may instead migrate using irregular channels, and often using the services of smugglers, which of course heightens their risk to being trafficked. Mandatory minimum income requirements for visas makes it difficult for women who are often employed in low-waged and insecure employment to obtain visas because they do not meet the criteria.

* 1. **Trafficking in Women and Girls as a Form of Gender-Based Violence**

The Committee on the Elimination of Discrimination against Women (CEDAW) recognized that trafficking in women and girls is a phenomenon rooted in gender-based discrimination and inequality and constitutes a form of gender-based violence, due to the gender-specificity of the forms of exploitation of women and girls, as well as its consequences, including the harmful impact on them.[[10]](#footnote-11)

Trafficking in persons happens due to a confluence of cross-cutting issues; these include poverty, migration, particularly irregular migration, large-scale land acquisition, environmental factors, conflict, and, certainly, gender inequalities. These issues frequently intertwine with one another, as, for example, gender inequality place women and girls in a position of greater vulnerability to exploitation, vulnerabilities that may only increase in contexts of conflict and displacement.

Gender inequalities also leave women and girls often with limited or no access to services, including education and skills training, and thus unable to equally enjoy rights and legal protections on the same basis as men. In certain contexts, women are more likely to be economically insecure. Gender discriminatory laws mean that women are often structurally dependent on men for financial security and access to land, leaving those without this “male protection” or wealth, for example, widows, unmarried women, and girls from poor families, more exposed and vulnerable to exploitation.

Deeply rooted gender inequalities and discrimination including gendered poverty and socio-economic exclusion, lack of access to education for girls, coupled with discriminatory social norms, harmful masculinities and unequal power relations place women and girls in a position of greater vulnerability to the whole continuum of violence against women, and thus, to trafficking.

1. **The Impact of COVID-19 on Contemporary Forms of Slavery**

According to the Secretary General’s report on Trafficking in Women and Girls, the experience of previous health crises has demonstrated that women and girls, including migrant and refugee women and girls, were at heightened risk of gender-based violence, intimate partner violence and sexual exploitation, abuse and trafficking. For instance, during the Ebola crisis, child sexual exploitation was said to have increased, with research that suggests that 10 per cent of young people knew of girls who were being forced into prostitution following the loss of a family member.[[11]](#footnote-12) However, from the analysis of these past crisis, trafficking is often overlooked as part to humanitarian responses.[[12]](#footnote-13)

Concerning the context of the COVID-19 pandemic the reality is no different. New risks and challenges were created for victims and survivors of trafficking, and the already existing vulnerabilities of at-risk groups, such as women and girls, including migrants and refugees, were only exacerbated.

According to data collected by UN Women and the Office of Democratic Institutions for Human Rights (ODIHR), from the beginning of the pandemic, every third survivor reported being targeted with at least one offer which were directly or potentially related to possible exploitation. These offers included sexual exploitation, or employment without provision of information on the type of job of skills required for it. Furthermore, close to two thirds of respondents to UNW and ODIHR’s survey of frontline trafficking services reported that they are seeing an increase in online recruitment by traffickers, which shows how traffickers have been quickly adapting their activities to the circumstances of the lockdown.[[13]](#footnote-14)

The overall economic downturn caused by the pandemic is also causing a deeply negative effect on children worldwide, this in turns has a significant impact on their health and development. For example, with the closure of schools as a result of the pandemic, children, especially girls, are facing increased risks in exploitation, a rise in domestic violence and economic insecurity of households, and a dramatic increase in the amount of time children spend online, which may heighten their expose to child sexual abuse material online.[[14]](#footnote-15) In addition, as noted in the Secretary General Report on Trafficking in Women and Girls, families experiencing poverty, which is more predominant in the context of COVID-19, may see child marriage as a way to alleviate financial hardship, particularly in the context where children are out of school, leading to an increase in trafficking for child, early and forced marriage.[[15]](#footnote-16)

As restrictions are lifted, children may be trafficked, forced out of school and into labour, as they are expected to bear the burden of sustaining their families. Children who are victims of abuse, street children, stateless children, internally displaced or migrant children who are undocumented and/or unaccompanied are particularly vulnerable to exploitation. This is corroborated by the United Nations Sustainable Development Group Policy Brief on The Impact of COVID-19 on children, which reported increased risks of sexual exploitation of children living in camps for refugees, migrants, and internally displaced persons.[[16]](#footnote-17)

Moreover, compared to the situation before the outbreak of the pandemic, survivors of trafficking are facing more difficulties in accessing almost all essential services. They have not been able to meet their basic needs, including having access to food, water, safe and comfortable accommodation, besides not having access to test for COVID-19 when needed. In the few places where services remain available, survivors are being poorly informed about them. All these factors are severely impacting survivors and putting them at further risk of exploitation. This is also negatively impacting their psychological well-being and increasing their vulnerability to falling again on the hands of traffickers.[[17]](#footnote-18)

1. **Conclusion and Recommendations**

In light of the above, we urge the Special Rapporteur to observe the below recommendations when drafting his forthcoming report:

* 1. Consider and address the root causes that render women and children, especially girls, more vulnerable to trafficking in persons, and the consequences they suffer while living under exploitation, which are deeply rooted in gender discrimination and inequality.
	2. Adopt a gender-transformative and intersectional approach by addressing the systemic conditions that result in economic, social and political inequalities of women and the conditions that deny women and girls their fundamental rights particularly women and girls belonging to the most marginalized groups that are particularly vulnerable to trafficking and contemporary forms of slavery, including, for example, indigenous women and girls, women and girls of color, and from lower GDP countries, and lesbian, bisexual and transgender women.
	3. Acknowledge and address the fact that refugees and migrant women and girls, and those that are displaced are at significant risk of trafficking, abduction, extortion, early and forced marriage, sexual exploitation, and forced labour, as a consequence of their gender at all stages of the migration and displacement cycle during flight, transit, in reception centres, in settlement, in destination countries or upon return.
	4. Promote the need for gender and age sensitive migration laws and policies in the context of displacement to establish safe migration pathways for women and girls and protect them from human rights violations including risks of smuggling, trafficking, exploitation, and contemporary forms of slavey.
	5. Address demand that fosters exploitation of women and girls, applying a gender-responsive approach, which promotes gender equality and women’s and girls’ empowerment, including by recognizing the need to address structural, social, economic factors that perpetuate gender inequalities and make women and girls disproportionally affected by exploitation.
	6. Address the impacts and consequences of the COVID-19 pandemic and how they have disproportionally impacting survivors of exploitation, specially women and girls, as well as creating new risks to at-risk groups.
1. UNODC, [Global Report on Trafficking in Persons](https://www.unodc.org/unodc/data-and-analysis/glotip.html) (2021) [↑](#footnote-ref-2)
2. Figure presented by the former Special Rapporteur on Contemporary Forms of Slavery, Mrs. Urmila Bhoola, in 2019 to the Human Rights Council in Geneva. Statement available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24959&LangID=E> [↑](#footnote-ref-3)
3. UNODC, [Global Report on Trafficking in Persons](https://www.unodc.org/unodc/data-and-analysis/glotip.html) (2021) [↑](#footnote-ref-4)
4. CTDC. n.d. [Human Trafficking and Gender: Differences, Similarities and Trends](https://www.ctdatacollaborative.org/story/human-trafficking-and-gender-differences-similarities-and-trends). [↑](#footnote-ref-5)
5. CEDAW/C/GC/38 [↑](#footnote-ref-6)
6. CEDAW/C/GC/38 [↑](#footnote-ref-7)
7. ILO, [HL Panel on Internal Displacement](https://www.un.org/internal-displacement-panel/sites/www.un.org.internal-displacement-panel/files/published_ilo_submission.pdf) (2020) [↑](#footnote-ref-8)
8. CEDAW/C/GC/38 [↑](#footnote-ref-9)
9. CEDAW/C/GC/38 [↑](#footnote-ref-10)
10. CEDAW/C/GC/38 [↑](#footnote-ref-11)
11. [A/75/289](https://www.unwomen.org/en/digital-library/publications/2020/07/a-75-289-sg-report-trafficking) [↑](#footnote-ref-12)
12. [A/75/289](https://www.unwomen.org/en/digital-library/publications/2020/07/a-75-289-sg-report-trafficking) [↑](#footnote-ref-13)
13. UN Women and ODIHR, Guidance [“Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic”](https://www.unwomen.org/en/digital-library/publications/2020/07/guidance-addressing-emerging-human-trafficking-trends-and-consequences-of-the-covid-19-pandemic) (2020) [↑](#footnote-ref-14)
14. UN Women and ODIHR, Guidance [“Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic”](https://www.unwomen.org/en/digital-library/publications/2020/07/guidance-addressing-emerging-human-trafficking-trends-and-consequences-of-the-covid-19-pandemic) (2020) [↑](#footnote-ref-15)
15. [A/75/289](https://www.unwomen.org/en/digital-library/publications/2020/07/a-75-289-sg-report-trafficking) [↑](#footnote-ref-16)
16. UNSDG, Policy Brief [“The Impact of COVID-19 on Children"](https://unsdg.un.org/sites/default/files/2020-04/160420_Covid_Children_Policy_Brief.pdf) (2020) [↑](#footnote-ref-17)
17. UN Women and ODIHR, Guidance [“Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic”](https://www.unwomen.org/en/digital-library/publications/2020/07/guidance-addressing-emerging-human-trafficking-trends-and-consequences-of-the-covid-19-pandemic) (2020) [↑](#footnote-ref-18)