**Submission to the UN Special Rapporteur on Contemporary Forms of Slavery**

**by the York Centre for Applied Human Rights**

Prepared by:

1. Assem Altynbek
2. Bruna Patricia Acam
3. Ola Arinze Ojimba
4. Lawrence Chukwudum Nnoli
5. Sereen Banna

## BACKGROUND

This is a report in response the call for input on homelessness as a cause and consequence of contemporary forms of slavery made by the UN Special Rapporteur on contemporary forms of slavery, including its causes and its consequences.

## CAUSES OF HOMELESSNESS

The UN Commission for Social Development stated that *“homelessness is mainly driven by structural causes, including inequalities, poverty, a loss of housing and livelihood, a lack of decent job opportunities, lack of access to affordable housing driven by the financialization of housing, forced eviction, lack of social protection, lack of access to land, credit or financing, and high costs of energy or health care.”[[1]](#footnote-1)* Other factors may include climate change, disasters, conflicts, health, and social factors such as gender orientation (LGBTQ).

**Climate Change, Natural disasters, and armed conflict**

A great percentage of homelessness occurring on a large scale is ascribable to armed conflicts, climate change and natural disasters.[[2]](#footnote-2)

The prevalence of war globally creates different outcomes depending on the region.[[3]](#footnote-3) In2021, the total number of people worldwide who were forced to fleetheir homes due to armed conflicts, violence, fear of persecution and human rights violations was89.3 million.[[4]](#footnote-4) Armed conflict in Syria displaced about 6.8 million people rendering them homeless.[[5]](#footnote-5) Afghanistan and Sudan have 2.7 million and 2.4 million displaced people respectively while the conflicts in Venezuela and Myanmar have displaced 4.6 million and 1.2 million people respectively. Literature reviewed also show that millions of people became homeless due to armed conflict in the Northern part of Nigeria[[6]](#footnote-6) and the Democratic Republic of Congo in 2003[[7]](#footnote-7) while in Europe, the Russian invasion of Ukraine has also rendered many homeless.[[8]](#footnote-8)

In recent times, the impact of climate change has contributed to homelessness. There is a growing field of evidence that individuals experiencing homelessness are disproportionately impacted by disasters due to factors such as exposure to the elements.[[9]](#footnote-9) In 2020, the cascading effect of an intense South Atlantic Convergence Zone merged with the Kurumí subtropical cyclone over the South Atlantic ocean and led to severe flooding and landslides in South East Brazil displacing thousands of residents.[[10]](#footnote-10) Also in Louisiana, the incidence of Hurricane Katrina in 2005 destroyed more than one million homes consequently displacing millions of people.[[11]](#footnote-11) Furthermore, wild fires caused by climate change have also contributed to the growing rate of homelessness. In September 2020, thousands of homes were destroyed in Oregon by wildfires occasioned by global warming, leaving many homeless.[[12]](#footnote-12) In Africa, the thinning out of Lake Chad because of climate change has caused unrest among the communities within the Lake Chad basin. This unrest has led to people fleeing their homes and becoming homeless.

**Poverty**

Homelessness has been described as “one of the crudest manifestations of poverty [and] inequality”[[13]](#footnote-13) and constitutes one of the most evident illustrations of poverty and social exclusion occurring in all countries.[[14]](#footnote-14) Poverty in this regard is not limited to a state of absolute lack of means but also the lack of adequate means for the procurement of a suitable home either to own or to rent. This factor is a result of the constant rise in housing costs, rent hikes, stagnated wages and inflation which negatively affect economic purchasing power.[[15]](#footnote-15)

In a study carried out in Southeast Asia, homeless people were found to be people of absolutely no means who could not afford the cost of shelter, food, and health care. These individuals are unable to rent houses and consequently live on the streets.[[16]](#footnote-16) Also in research carried out in South Africa, 6 out of 30 homeless persons interviewed asserted that they became homeless after they lost their jobs and ran out of money.[[17]](#footnote-17) In India, most homeless people who take to begging do so as a result of poverty.[[18]](#footnote-18)

However, it bears mentioning that the absence of a permanent home is not in all cases ascribable to poverty. Absence of a permanent home could be a cultural practice as in the case of Bororo nomads in the Sahel region of Sub-Saharan Africa.[[19]](#footnote-19) Same is also applicable to the European gypsies who are itinerant in nature and do not live in houses.

**Social Exclusion, Culture & Gender orientation (LGBTQ)**

In Africa, the risk of homelessness for LGBTQ persons is extremely high because of the cultural aversion towards their sexual orientation. Claims are rife that LGBTQ is incompatible to African cultures and beliefs,[[20]](#footnote-20) and this has led to the enactment of legislations against the recognition of such sexual identities in most African countries. In Nigeria for instance, the Same Sex Prohibition Act criminalizes same sex union.[[21]](#footnote-21) The effect of this is that LGBTQ persons, due to their sexual orientation, suffer unemployment, extreme public antagonism and ostracism.[[22]](#footnote-22) This leads to an absence of stable income for these persons and consequently to homelessness.

This social exclusion based on gender and sexual orientation is further evidenced by the fact that sourcing for verifiable data linking LGBTQ to homelessness in many regions of the world is challenging due to the existence of these strong anti-LGBTQ legislations and cultures.[[23]](#footnote-23) Homelessness and CFS occur as a result of multiple layers of rejection, oppression, homophobia and transphobia suffered by LGBTQ persons. In Vietnam, a true story is told of a boy whose father violated him because he was homosexual, and his mother thought a “female soul possessed him.” The negative pressure from people around him made him decide to leave his home and take to the streets where other homeless children abused him and took away all his money. Subsequently, he met a man who solicited sex from him for money which he succumbed to in order to survive.[[24]](#footnote-24) This story epitomizes the experiences of many socially excluded minorities around the world.

**Forced Marriage**

In a focus group interview,[[25]](#footnote-25) one of the interviewees from CWISH, a member of the CLARISSA Consortium Nepal, disclosed that forced marriages of girl children contribute to homelessness in Nepal. Forced marriage, though prohibited by Nepal’s National Code,[[26]](#footnote-26) lacks proper implementation. Consequently, Nepal is reckoned to be one of the countries with the highest rate of forced marriages.[[27]](#footnote-27) In a lot of cases, the young brides attempt to evade such marriages, flee from their homes, and then end up on the streets extremely vulnerable to criminal gangs who molest them and recruit them into prostitution and other vices.[[28]](#footnote-28) Forced marriages often occur in the form of child marriages and rightly so, because children are incapable of giving consent.[[29]](#footnote-29) In its 2016 report titled “[Our Time to Sing and Play’: Child Marriage in Nepal](about:blank)”, Human Rights Watch revealed that “Nepal has the third-highest rate of child marriages in Asia, with 37 percent of girls marrying before age 18 and 10 percent before 15.

## EVIDENCE OF HOMELESSNESS BEING A CAUSE AND CONSEQUENCE OFCONTEMPORARY FORMS OF SLAVERY

## SEXUAL EXPLOITATION AND CHILD FORCED LABOUR

Evidence shows that the majority of the victims of trafficking were in economic need and unable to meet basic needs, such as shelter, food, or healthcare.[[30]](#footnote-30) Furthermore, it has been noted that extreme poverty makes many young homeless people more vulnerable to people who take advantage of their obvious needs.[[31]](#footnote-31) This vulnerability to exploitation is evident in the “Big Daddy” case in Sierra Leone where a pimp collected 40-50 street girls, housed them and engaged them in commercial sex. The girls received no pay for engaging in sex and were not allowed to leave the house.[[32]](#footnote-32)

Children on the street are vulnerable to exploitation because they lack a protective environment.[[33]](#footnote-33)They face all forms of exploitation such as domestic servitude, forced begging and sexual exploitation[[34]](#footnote-34) in the search for survival and shelter. For example, in Bangladesh, children work in factories as apprentices for no pay in exchange for a sleeping space and food.[[35]](#footnote-35) Additionally, children are underpaid for their services. In Uganda street girls engage in prostitution for a meagrely pay of $0.27-$1.27 per day, or payment in kind.[[36]](#footnote-36) In Africa, boys are sexually exploited by drug lords or women who employ them.[[37]](#footnote-37) In countries like Bangladesh, girls are sexually exploited, get pregnant and have several abortions while on the streets.[[38]](#footnote-38)

Sexual exploitation has been demonstrated to cause homelessness. In a study conducted in the US, it was found that trafficking may be both a cause and consequence of homelessness.[[39]](#footnote-39) People end up homeless in their effort to escape problematic situations.[[40]](#footnote-40) In the focus group discussions, lived experiences of exploited girls who resorted to the streets for survival due to mistreatment, particularly sexual exploitation by their employers, were shared.[[41]](#footnote-41) Furthermore, research revealed that children who suffer child domestic labour run away from their employers because of sexual abuse, ill-treatment and overwork with no pay, and end up on the streets.[[42]](#footnote-42)

Evidence shows that women are more vulnerable to sexual exploitation.[[43]](#footnote-43) The United Nations Office on Drugs and Crimes reported that 67% of the detected victims of sexual exploitation were women while 25% of the victims were girls. Men and boys ranked lowest with 5% and 3% respectively.[[44]](#footnote-44) However, for forced labour, men and boys ranked highest at 38% and 21% respectively.[[45]](#footnote-45) Unlike sexual violence, the variance in gender percentages was very slight which shows that women and girls were a soft target for traffickers. In the US, reports showed that black American women and immigrants were most vulnerable to sex trafficking than any other race.[[46]](#footnote-46)

For child forced labour, the most vulnerable are orphaned children, migrants and street children aged 4-17 years.[[47]](#footnote-47) Children as young as 12 years of age are trafficked for forced labour as domestic workers in South Asia.[[48]](#footnote-48) Male children are predominantly exploited through gang related activities, forced begging, and forced labour in farms and factories[[49]](#footnote-49) while girls predominantly experience sexual exploitation and domestic servitude.[[50]](#footnote-50)

Exploiters, in most cases, are people known to the victims, either as family members, friends, close and distant relatives, or religious leaders.[[51]](#footnote-51) Traffickers utilise misleading ploys to attract and manipulate their victims. Traffickers, who are usually acquainted with their victims, attract them with enticing employment advertisements and false job opportunities.[[52]](#footnote-52) Some children experiencing forced labour are sold by their parents usually based off of false promises by exploiters to provide these children with a better future.[[53]](#footnote-53)

## ORGANISED CRIMES AND GANG EXPLOITATION

Street children in Bangladesh are prone to getting involved with street gangs.[[54]](#footnote-54) Such children reportedly leave home to stay on the streets due to peer pressure.[[55]](#footnote-55) Children who drop out of school and run away from home, as is predominantly the case in Nepal and Bangladesh, end up being lured into street gangs by older gang members,[[56]](#footnote-56) usually with enticements of money or other favours like protection and tutelage.[[57]](#footnote-57) In the UK, gang recruiters target homeless youth who are struggling and looking for a way out of homelessness because they are vulnerable and in need of relational affiliations.[[58]](#footnote-58) Same thing happens in the US.[[59]](#footnote-59) These children are predominantly male children.[[60]](#footnote-60) They run away from the homeless shelters provided by the government because of the restrictions on their freedom imposed by the shelters.[[61]](#footnote-61) In Bangladesh, the rehabilitation centres and shelters for street children are usually abusive towards these children and this accounts largely for why they run away into the streets where gangs welcome them with open arms.[[62]](#footnote-62)

As members of street gangs, these children are exploited by older gang members and made to carry out the dirty work of drug peddling and other illegal acts like gang fights and killings.[[63]](#footnote-63) Acts like these make these children the targets of the criminal justice system from an early age. They obtain criminal records and become blacklisted by certain housing providers.[[64]](#footnote-64) This leads to a situation whereby as youths, they cannot access move-on accommodations when they finally find the courage to break free from their gangs and are therefore forced to remain homeless.[[65]](#footnote-65) The same goes for finding decent job opportunities; criminal records hinder their ability to secure decent jobs in the society and so these children grow into adulthood remaining dependent on street gang activities for survival.[[66]](#footnote-66)

There are young people who after quitting gangs were targeted by drug dealers and their former gang members who forcefully took over their properties and accommodations therefore plunging them back into homelessness.[[67]](#footnote-67) While homeless, these ex-gang members become vulnerable to re-entry into the gangs they once had affiliations to.

In South Africa, fathers introduce their sons to gangs which take these children out of the homes and into the streets.[[68]](#footnote-68) These South African children are exploited by gangs as they are reported to carry out roles of carrying and selling weapons and drugs for older gang members.[[69]](#footnote-69) They lose ties with their families and become street children.

In Britain,[[70]](#footnote-70) children who are involved in gang activities are reported to distance themselves from family and social care services, avoid school, go missing from their families and communities and end up in homeless shelters or on the streets of a different city from the ones they lived with their families.[[71]](#footnote-71) Some of these children run away from their cities and families as a result of the threats to their lives and the lives of their loved ones by rival gangs. They are ultimately forced into homelessness because of fear, substance abuse and mental ill-health emanating from gang exploitation.[[72]](#footnote-72)

## HOMELESSNESS AND CONTEMPORARY FORMS OF SLAVERY WITHIN THE LGBTQ COMMUNITY

In the US, young people who identified as LGBTQ are 120% times more likely to experience homelessness than their cisgender and straight peers.[[73]](#footnote-73) This is the same in the UK.[[74]](#footnote-74) LGBTQ youth in the UK experience parental rejection, familial physical, sexual and emotional abuse and violence, and a high rate of bullying in schools.[[75]](#footnote-75) Lack of acceptance causes 46% of LGBTQ youth in the USA to run away from their families, foster care and social service providers, and make up an alarming 40% of America’s homeless youth population.[[76]](#footnote-76) Mental and physical ill-health due to abuse and social discrimination cause them to turn to the streets.[[77]](#footnote-77)

In the USA, LGBTQ persons suffer employment discrimination which prevents them from securing accommodation and forces them to the streets.[[78]](#footnote-78) Lack of shelter facilities that are structured to meet the special sexual identity needs of LGBTQ persons has been found to drive them away from such shelters and into the streets in order to avoid the inhumane and degrading treatments associated with resorting to those shelters.[[79]](#footnote-79)

Homeless LGBTQ persons are extremely susceptible to CFS.[[80]](#footnote-80) They are most commonly prone to being exploited by sex traffickers and for unpaid labour while on the streets, as surveys conducted in the US found that LGBTQ youth are three times more likely to engage in survival sex while on the streets.[[81]](#footnote-81) In a UK survey of homeless people including LGBTQ persons, 24% of them stated that they had been promised actual wages, but never received any, even after completing the work they were hired to do.[[82]](#footnote-82) Sex traffickers have been studied to prey on the vulnerability of their victims.[[83]](#footnote-83) They build rapport and a feeling of dependency with especially the vulnerable LGBTQ youths by seeking to meet their needs.[[84]](#footnote-84) Traffickers offer these youths a sense of family, love and community which they barely experienced while within their families and the society, thus gaining the loyalty and dependence of these youths.[[85]](#footnote-85) These youths often do not understand that they are actually being trafficked and abused. Alex, an LGBTQ youth who was a victim of homelessness and exploitation while on the streets in the UK stated that victims who escape trafficking and sexual exploitation suffer trauma and mental illnesses and find it hard to engage with the society afterwards for a lack of trust and the fear of “opening up”.[[86]](#footnote-86) This keeps them on the streets.

Homeless LGBTQ youths in the US are discovered to face increased encounters with the justice system while on the streets because of their sexual identity and the illegal activities they indulge in while on the streets such as prostitution.[[87]](#footnote-87) They become registered offenders at young ages and end up losing their chances of securing decent employment throughout their lifetime.[[88]](#footnote-88) They are often forced into the underground economies to meet their basic needs for survival through panhandling, selling drugs, sexual work and theft.[[89]](#footnote-89) Furthermore, housing providers are discovered to be generally unwilling to offer rental and sales services to registered offenders within the LGBTQ community which makes it increasingly difficult for these LGBTQ persons to secure decent accommodations.[[90]](#footnote-90) Without an equal and guaranteed access to decent jobs and accommodations within the society, they resort back to the streets even after their emancipation from CFS.

# **COVID-19 AND CFS**

Following the COVID-19 pandemic, a drastic drop in the detection of trafficking for sexual exploitation was observed.[[91]](#footnote-91) In data collected for 2021, countries in South-East Asia, Central America, and the Caribbean reported reduced rates in all forms of trafficking. Nonetheless, Europe and the Americas have reported higher rates of trafficking since 2020.[[92]](#footnote-92) Trafficking for forced labor and trafficking for sexual exploitation were equivalent for 2020, rating almost thirty-nine per cent each.[[93]](#footnote-93) Trafficking for forced criminal activities forced marriages, exploitative on-the-street begging, and removal of human organs followed. Women and girls also remain formally more detected in trafficking than men and boys, regardless of the Contemporary form of human trafficking. According to the UN Global Report on Trafficking in Persons, while the Middle East and North Africa detect more male victims of human trafficking subjected to forced labor and child forced criminal activity, South Asia detects an equal number of male and female trafficked persons.[[94]](#footnote-94) In the case of human trafficking as CFS, the Government Response Index found that sixty-eight countries found ‘endemic complicity’ in CFS cases that involved government official corruption that delineated whether cases would be investigated.[[95]](#footnote-95)

## RECOMMENDATIONS

1. Decriminalization of offences such as loitering and prostitution which inappropriately result in the arrest and conviction of homeless persons.
2. The criminal laws should be harnessed to criminalize all acts of exploitation and effectively prosecute and punish exploiters.
3. States are urged to revise the definitions of homelessness in their national legislations in order to keep up with current forms of homelessness.
4. States are urged to positively review Living Wage Laws to ensure that they meet economic realities.
5. Governments should get more economically and politically invested in skill development programs to aid the financial independence of young people.
6. Governments should ensure that social safety net policies cover all youths, including school dropouts.
7. Shelters and rehabilitation services should be improved to meet the specific needs of children and LGBTQ persons to ensure their effective rescue and rehabilitation within a friendly and conducive environment.
8. State governments, especially in Asia and Africa, should consider creating effective systems that provide valid forms of identification for all children within their territories in order to ensure proper social reintegration of street children.
9. The proper recognition and monitoring of LGBTQ communities should be enforced by governments across the globe so that LGBTQ experiences and needs can be known, understood and appropriately catered for.

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