



# Trafficking in persons and protection of refugees, stateless persons and internally displaced persons (IDPs)

## Submission by the Rights Lab, University of Nottingham

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### About Us

The Rights Lab at the University of Nottingham is the first large-scale research platform for ending slavery, bringing together the largest group of modern slavery scholars in the world to tackle a key challenge of global development and one of the great human rights issues of our time. The Rights Lab works to support the wider antislavery movement with an advanced research agenda. More information about the Rights Lab is available at: <http://www.nottingham.ac.uk/rights-lab>

The evidence for this submission draws from evidence generated in a series of studies: a Modern Slavery and Policy Evaluation Centre funded project on human trafficking in Sudan, a Research to Action project funded by the International Labour Organization and International Organization for migration and an International Organization for Migration funded project on gender, COVID-19 and human trafficking, an Independent Anti-Slavery Commissioner and Rights Lab collaborative report on Re-trafficking, and inquiry into the treatment of modern slavery within the United Kingdom's Nationality and Borders Act and the results of which can be found [here](#), [here](#), [here](#), [here](#), [here](#) and [here](#).

### Introduction

Refugees, asylees/asylum seekers, and displaced persons are widely noted to be particularly vulnerable to exploitation, abuse, and contemporary forms of slavery. Disruption of income, material deprivation, alienation from family and social support systems, limited access to education, lack of migratory status, and dangerous security contexts with limited oversight and protection—all recognised risk factors driving human trafficking themselves—coalesce to make refugees, stateless persons, asylum seekers, and displaced persons one of the most at-risk populations for human trafficking. These groups are further impacted by structural factors including the lack of access to safe, formal migration routes, legal and procedural barriers to international protections, inadequate protection in 'safe spaces' including camps, and a failure to screen individuals and provide safety create vulnerabilities to exploitation. **These vulnerabilities manifest in different ways in different contexts often due to differences in state provision of protection in relation to interpretation of legal obligations and designation of resources.** Specific local factors influencing the risks faced, perpetrator demographics, dynamics of victimisation, and requirements for effective response efforts. Yet, in all countries considered in our research, displaced persons, refugees, and asylum seekers share a particularly high risk of exploitation and abuse.

This submission presents two case studies drawn primarily from a set of contemporaneous projects employing systematic, rigorous, inter-disciplinary mixed methods research focusing on migrants

traveling to and through Sudan along the Central Mediterranean Route<sup>1</sup> and ongoing projects within the United Kingdom.<sup>2</sup>

## Case Study 1) Refugees and exploitation of migrants travelling along the Central Mediterranean Route in, to and through Sudan

Case Study (1) covers the following key issues related to the experiences of stateless persons, refugees, asylum seekers, and displaced persons along the Central Mediterranean Route to, through and within Sudan:

1. The conceptual and procedural issues regarding access to international protection, as well as trafficking in persons for all purposes of exploitation of refugees, asylum seekers, displaced persons, and stateless people.
2. the challenges and gaps in the identification of victims in trafficking among refugees, asylum seekers and stateless persons, and
3. the risk factors or vulnerabilities to trafficking that emerge for people fleeing to seek safety.
4. Externalisation policies and the impact on trafficked persons or persons at risk of trafficking for all purposes of exploitation
5. Refugee and IDP camp management practices and policies to prevent trafficking in persons, identify, assist and protect trafficked persons
6. Detention and non-penalisation of refugee, asylum-seeker and stateless victims of trafficking
7. Special attention will be given to
  - a. The forms of exploitation
  - b. Particular (intersecting) vulnerabilities of individuals including gender, age, and ethnic group membership
  - c. Impact of practical limitations on access to rights
8. Effective preventative measures in place to protect displaced populations.

### Introduction

The Central Mediterranean Route is described as the most used route for irregular entry into the European Union. Approximately one quarter of all irregular border crossings to the EU pass through the Central Mediterranean Route which departs from states in Sub-Saharan Africa and travels through Libya to Italy.<sup>3</sup> Sudanese are one of the largest populations on this route, along with other populations from the Horn of Africa and North African states.<sup>4</sup>

Those that eventually follow the route often pass through or initially migrate to Sudan and many of these individuals seek and receive refugee status there. According to UNHCR, Sudan hosts around 1.1 million refugees in addition to an estimated 2 million internally displaced persons, making it home to one of the largest populations of displaced people globally. Sixty-one percent of the displaced population are children.<sup>5</sup> Within the population are significant numbers of Eritrean and Ethiopian refugees living in protracted displacement situations.<sup>6</sup> In addition, since 2011, nearly a million South Sudanese have lived in and around camps near the southern Sudanese border.<sup>7</sup> The numbers displaced persons is increasing or steady with ongoing conflict in Tigray and areas of Darfur.<sup>8</sup>

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<sup>1</sup> 'The Impacts of Covid-19 on Modern Slavery in Transition: A Case Study of Sudan' (MS-PEC), see [here](#); Lumley-Sapanski (2023) Mounting Crises: How intersecting crises in Ethiopia and Sudan are creating opportunities for exploitation and human trafficking of Eritreans available [here](#) ; Lumley-Sapanski and Schwarz (2022) Increased vulnerability to human trafficking of migrants during the COVID-19 pandemic in the IGAD–North Africa region, The Impacts of COVID-19 on Migration and Migrants from a Gender Perspective, International Organization for Migration [here](#) ;

<sup>2</sup> Rights Lab (2022) Confirmations, Commitments & Concerns - How will Part 5 of the Nationality and Borders Act on Modern Slavery be enacted? Available [here](#); and, Rights Lab (2022) Quick Reference Guide – UK Government modern slavery commitments in the Nationality & Borders Act. Available [here](#). See Rights Lab (2021) Consideration paper - Nationality and Borders Bill Part 5: Modern Slavery, for a full analysis of the provisions within the legislation and their related concerns. Available [here](#).

<sup>3</sup> Frontex, Migratory Routes, 2022, available [here](#).

<sup>4</sup> Ibid.

<sup>5</sup> 'Children in Sudan' (2020) UNICEF Sudan, accessed 19 February 2021, see [here](#).

<sup>6</sup> 'Sudan: Country Vision Note' (IFC, ILO, UNHCR, UNICEF, and the World Bank, 2020), see [here](#).

<sup>7</sup> 'Global Humanitarian Response Plan Covid-19: United Nations Coordinated Appeal', see [here](#).

<sup>8</sup> Ibid.

These groups are largely unable to meet their own needs. Evidence indicates that the quality of life for these populations within Sudan drives onward migration in as many as 40 percent of refugee cases.<sup>9</sup> Displaced groups, refugees and asylum seekers are at a heightened risk of trafficking, recruitment by armed militias, exploitation, forced labour, and sexual exploitation.<sup>10</sup>

The predominate form of exploitation for refugees, IDPs, and asylum seekers identified here was abduction to Libya for the purposes of torture, extraction, and exploitation. Estimates from IOM surveys in 2016 indicated 73 percent of migrants along the Central Mediterranean route experienced human trafficking or a form of exploitation.<sup>11</sup> Most commonly, refugees and migrants are kidnapped and tortured to extract money from their diasporic connections. Women are often the victims of severe gender-based violence and torture.<sup>12</sup> Refugees, and particularly Eritreans, are sold for sexual or labour exploitation, or they may be held in debt bondage given their diasporic connections.<sup>13</sup> Upon reaching Libya, refugees continue to experience torture, extortion and forced exploitation (sexual or labour) up to and including death.<sup>14</sup>

Refugees and asylum seekers along the CMR face complex and intersecting risks to trafficking driven largely by Sudanese refugee policies and a lack of governmental accountability (and participation) there and in adjacent states. A set of pre-existing factors that shaped risks to trafficking in Sudan were negatively impacted by the coup, exacerbating vulnerability for refugees and survivors of trafficking. Specifically, refugee encampment policies, corruption within the Sudanese security forces, and a lack of security at the border were already known to create risks to trafficking.<sup>15</sup> The coup exacerbated the risks within these geographies, removing a semblance of oversight from the security forces or police who, instead of protecting at risk populations, increased their targeted hostility towards migrants and Eritreans in particular. Interviewees faced with forced roundups, extortion, and risks of abduction (and return to Eritrea) were considering risky migration through and to Libya.

*Refugee and IDP camp management practices and policies to prevent trafficking in persons, identify, assist and protect trafficked persons*

Sudan's refugee policies (registration and encampment) were identified by both survivors and camp administrators as contributing factors to risks of trafficking. Chiefly, encampment policies in Sudan dictate that refugees are unable to work and have no pathway to citizenship. Refugees are largely ineligible for state assistance.<sup>16</sup> This leaves them dependent on aid and humanitarian organizations for food, shelter, and safety.

Yet, camp conditions are poor and aid quantities are limited, often insufficient for survival: in long term displacement situations, aid agencies received 100 USD per month per refugee, similarly, refugees themselves described trying to survive on less than 5 USD a month.<sup>17</sup> This encourages both negative coping mechanisms and risky migration. A camp administrator described the relationship between levels of aid and risks to exploitation, 'We saw a direct correlation again, and the protection violations and trafficking increased when the World Food Programme [WFP] suspended food distribution. So, people who officially are not allowed to leave the camp, were cut off from their food rations, and that led to an increase [in protection violations and trafficking].'<sup>18</sup> Women in particular were forced to engage in sex work or were sexually exploited in exchange for resources according to camp administrators.

<sup>9</sup> UNHCR (2020). 'On this journey, no one cares if you live or die.' Abuse, protection, and justice along routes between East and West Africa and Africa's Mediterranean coast. Retrieved 16 February 2021 Available [here](#)

<sup>10</sup> Wuilbercq E, 'Lone Ethiopian Child Refugees Seen at Risk of Exploitation in Sudan' Reboot-Live, Reuters (Addis Ababa, 2020), see [here](#); Coker M and others, 'Things Must Not Fall Apart: The Ripple Effects of the Covid-19 Pandemic on Children in Sub-Saharan Africa', see [here](#); 'Global Humanitarian Overview 2021' (2020).

<sup>11</sup> Galos and Bartolini (2017) Galos, E., L. Bartolini, H. C. (2017). Migrant Vulnerability to Human Trafficking and Exploitation: Evidence from the Central and Eastern Mediterranean Migration Routes available [here](#)

<sup>12</sup> UNHCR 2020 Available [here](#)

<sup>13</sup> Galos et al 2017 Available [here](#)

<sup>14</sup> UNHCR. (2021b). Routes Towards Western and Central Mediterranean Sea: Working on Alternatives to Dangerous Journeys for Refugees, UNHCR's Updated Risk Mitigation Strategy and Appeal, (January 2021). Retrieved 04 May 2022 from [here](#); Kuschminder, K., & Triandafyllidou, A. (2020). Smuggling, Trafficking, and Extortion: New Conceptual and Policy Challenges on the Libyan Route to Europe. *Antipode*, 52(1), 206–226.

<sup>15</sup> Plaut, M. (2017). *Understanding Eritrea: Inside Africa's Most Repressive State*. Oxford University Press. Yohannes, H. T. (2021). The realities of Eritrea refugees in a carceral age [University of Glasgow]. Available [here](#)

<sup>16</sup> Crowther, M., & Plaut, M. (2019). Sudan and the EU: Uneasy bedfellows. In K. A. Van Reisen, M., Mawere, M., Stokmans, M., & GebreEgziabher (Ed.), *Africa: Human Trafficking and the Digital Divide* (pp. 593–629). Mobile Bamenda, Cameroon: Langaa Research & Publishing CIG.

<sup>17</sup> Lumley-Sapanski 2022 [here](#).

<sup>18</sup> Interview 2022, Sudan, Camp Administrator, Male

Furthermore, the lack of security within and around camps puts refugees at risk of both coercive recruitment for trafficking and other forms of violence. Refugees who did not initially live in camps were required to do so (in Shagarab camp in Eastern Sudan) and were abducted on the way. Traffickers and smugglers were able to enter and leave the camps, to coerce victims, and abduct them. Women were abducted and raped: 'some human traffickers who were used to abusing refugees, would pick up some girls rape them and return them'.<sup>19</sup> Perhaps most significantly, the Eritrean government coordinates forced returns from Sudan, kidnapping Eritreans from camps and forcibly returning them to Eritrea.<sup>20</sup> These are routine events 'designed to instil terror' in the population with the additional effect of encouraging onward migration.<sup>21</sup> The traffickers benefit from this situation, using it coercively to encourage use of their services.

In addition, former refugees report being kidnapped and abducted on their way to or from within camps while under the supposed protection of UNHCR. There are limited spaces to register for refugee status in camps, and refugees identified the process of reaching the registration point as a 'chokepoint'.<sup>22</sup> To reach camps, refuge seeking migrants had to travel overland as undocumented persons to find safety. In the process of seeking the registration point, individuals are targeted for abduction this included by government officials. These individuals were in turn trafficked or sold to traffickers by border police ostensibly responsible for taking them to camps.<sup>23</sup>

#### *Access to international protection for victims of trafficking or persons at risk of trafficking for all purposes of exploitation: conceptual and procedural issues*

Refugees pointed to cases of exploitation by those responsible for ensuring international protection. Refugees in camps and camp administrators both described situations in which camp administrators or aid workers were involved in exploitation: 'At the same time, the sexual exploitation and abuse etc, are perpetrated by government counter parts, be it [x] or the military counterparts... And us as a protection actor that is trying to support survivors of these acts, and then bring perpetrators to justice, to refer them to court, it is obviously a quite tricky business. They were involved, we advised the entity on how to prevent some of these things from happening, but this very entity is very often the perpetrator.'<sup>24</sup> While INGOs were involved in identifying and referring cases of exploitation to the criminal justice system, and providing protection and assistance to survivors, the participation of other governmental entities in the exploitation of refugees was problematic. This situation made it difficult for survivors to receive justice or security.

Refugees additionally raised concerns that they had been asked to 'buy' their resettlement spaces by local staff in 2018. Though UNHCR undertook a full investigation,<sup>25</sup> refugees stated that they faced retribution from local staff for raising concerns.<sup>26</sup> This left them in a difficult position where they were unable or unwilling to seek safety from the protective actor and lost hope in a legal solution to their displacement. Corruption within UNHCR may not be pervasive and may have been addressed, but the perception contributed to a lack of trust in the system.

Consequently, having lost hope in legal routes or a durable solution, refugees were considering or had considered irregular migration. Refugees are forbidden from moving legally to Khartoum, requiring 'illegal' movement between the two places. One refugee described the challenges this entailed and risks to trafficking: 'Because of the hardship in the refugee camp, people get out of the refugee camp, and they migrate to Khartoum. They have to pay smugglers, in the process they get kidnapped. They are asked to pay like \$6,000 USD. The safer way uses the main road...but the cheaper way is \$4,000 USD but it is more risky. Most likely you get kidnapped by traffickers and you pay like \$6,000 to be released. The situation in the refugee camp is frustrating'.<sup>27</sup>

Finally, the deterioration of the security conditions in Sudan were manifest predominately in Khartoum, where refugees were living in fear. Refugees and refugee NGO workers described experiences of constant harassment by police and military personnel who arrested, detained, and in some cases physically attacked them. The security forces targeted them due to their migratory status; they were

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<sup>19</sup> Interview, Exile, Male, Canada

<sup>20</sup> Interview, Exile, Male, Canada.

<sup>21</sup> Gerrima, Z. (2022). State Violence and Suicide Migration. White paper, Available upon request.

<sup>22</sup> Lumley-Sapanski, 2023 [here](#)

<sup>23</sup> van Reisen, M., Estafanos, M., & Rijken, C. (2014). The Human Trafficking Cycle: Sinai and Beyond. Wolf Legal Publishers; Lumley-Sapanski (2023) [here](#)

<sup>24</sup> Interview 2022, Camp Administrator, Sudan, Male

<sup>25</sup> See UNHCR 2018 Available [here](#)

<sup>26</sup> Interview 2022, Khartoum, Male

<sup>27</sup> Interview, Khartoum, 2022, Age 37 Male

frequently stopped and asked to demonstrate their legality. However, upon doing so, the card was ripped up and a bribe of between 300 and 500 USD was demanded.<sup>28</sup> Failure to pay can result in threat of expulsion to Eritrea. UNHCR was able in some cases to help refugees to guarantee release from detention, but this was not a given. As one man described: 'I have a refugee card. I have status, because when I was in the refugee camp, I got it. But in the city of Khartoum, having refugee status or not does not help you at all, because the security forces have, aggressive attitude towards the refugees...continuous rounding up, and arresting, and certain sections of the general public has a negative attitude towards the refugees.'<sup>29</sup>

As a result of the deteriorating conditions in Eritrea and Sudan, lack of security, and risks of repatriation, Eritrean refugees and migrants were considering further migration, despite experiences of human trafficking in Libya and knowledge of current conditions.

#### *Externalisation policies and the impact on trafficked persons or persons at risk of trafficking for all purposes of exploitation*

The externalization of European Union borders through agreements like the Khartoum Process (KP) and Joint Valletta Agreement have been critiqued as contributing factors to the exploitation and abuse of migrants and refugees along the Central Mediterranean Route.<sup>30</sup> The EU approach has been described as palliative, focusing on stopping irregular migration to European states, rather than the root causes of migration.<sup>31</sup> More specifically, the KP prioritizes cooperative solutions between African and European partners to fight "irregular migration, migrant smuggling, and trafficking in human beings".<sup>32</sup> While 'laudable enough',<sup>33</sup> in effect the funding mechanism was to be used to train African "law enforcement and judicial authorities" in new methods of investigation and assistance.<sup>34</sup> Europol and Frontex were to assist in providing technical assistance to partners to enable the recognition of falsified documents. The inclusion of partners like Libya and Sudan who have a record of human rights violations and the documented record of participation by high ranking military officials and border officers in trafficking has been widely identified as enabling perpetration.<sup>35</sup>

There has been significant critique of the Khartoum process and the EUTF distribution of funds<sup>36</sup> within Sudan. The KP and EUTF structure as enacted in Sudan ties migration management to external support, eliciting compliance with EU policy priorities (i.e., stopping northward migration.<sup>37</sup> The majority of money through the EUTF, was initially allocated to capacity building went to law enforcement, justice, and broader security. The EU separately earmarked money to train Sudanese border police and intended to provide the Sudanese authorities with surveillance and registration equipment for use in identification and apprehension of victims and perpetrators of human trafficking.<sup>38</sup> The effect of stopping northbound immigration is to limit legal mobility routes or the right to seek protection with impacts for reliance on smuggling, trafficking and exploitation.

Analysis conducted by the independent contractors GDSI and Altai at the behest of the EU suggests that the EUTF investments have had significant impacts in migration governance but that the results in terms of impacts on human trafficking are limited if any.<sup>39</sup> The 2021 GDSI report states the EUTF made significant efforts to strengthen operational capacity to tackle criminal networks involved in smuggling and trafficking of human beings. Specifically, significant investments were made in border management, law enforcement and criminal justice to improve identification of criminal actors.<sup>40</sup> Yet the GDSI report

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<sup>28</sup> Interview 2022, Khartoum, Age 40, Male,

<sup>29</sup> Interview, 2022, Khartoum, Age 41, Male

<sup>30</sup> Reitano, T. (2016). The Khartoum Process: A sustainable response to human smuggling and trafficking? [Here](#) Reitano, T. (2017). Human Trafficking in Africa: Do we need a new definition? Global Initiative Against Transnational Organized Crime, [here](#) ; Davitti, D. (2018). Biopolitical Borders and the State of Exception in the European Migration "Crisis." *European Journal of International Law*, 29(4), [here](#)

<sup>31</sup> Tewolde-Berhan, Z., Plaut, M., & Smits, K. (2017). Chapter 12: The policy agenda in Europe and Africa. In *Human Trafficking and Trauma in the Digital Era: The Ongoing Tragedy of the Trade in Refugees from Eritrea*.

<sup>32</sup> Tewolde-Berhan et al 2017, pp. 12– 13

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Reitano, 2016/2017 [Here](#) and [here](#) ; Lumley-Sapanski, Schwarz and Valverde Cano 2021 [here](#)

<sup>36</sup> See Oxfam 2021 available [here](#)

<sup>37</sup> Oxfam 2021 available [here](#)

<sup>38</sup> Tubiana, J., Saeneen, C. W., & Mohammud, G. (2018). Multilateral Damage. Available [here](#)

<sup>39</sup> Altai Consulting. (2021). EUTF Monitoring and Learning System HoA 2020 YEARLY REPORT. Available [here](#)

<sup>40</sup> GDSI. (2021). Mid-term Evaluation of the European Union Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa 2015-2019. Available [here](#)

also notes that few activities specifically concern trafficking in human beings and that there was little evidence of the quality of results of those activities to date or their long-term impacts.<sup>41</sup>

#### *Detention and non-penalisation of refugee, asylum-seeker and stateless victims of trafficking*

Within migrant detention situations, both state operated and militia controlled, survivors described situations of torture and exploitation that benefited from a lack of oversight. Survivors interviewed in Khartoum (refugees and other stateless individuals) had been taken to Libya from Khartoum or the border of Sudan-Eritrea for a period of between eight months and four years. Interviewees described conditions of mass detention, physical abuse, and sexual violence in line with experiences detailed by UNHCR and IOM.<sup>42</sup> Abductees were kept with dozens of others in warehouses, in the dark, without access to the outside. Several experienced violent clashes between militias or armed forces and witnessed death.

In these detention situations, migrants at times interacted with authorities—be it international non-governmental organizations (INGOs) or state entities—but with no intervention. These interactions took several forms. When migrants were transported to Libya, they went through military check points or were followed by border security forces in armed vehicles. One woman gave birth in a Libyan hospital where, due to complications, she was forced to stay for several days. When she recovered, she was released to the people who had abducted and detained her. They then brought her back, with the baby, to the detention facility. Another man was ‘rescued’ from one center by UNHCR and taken to a government detention facility run by security forces, where conditions were worse: Finally, I was handed over to the UNHCR. But UNHCR works with the security forces. Even the UNCHR we were safe under their care and control, but we were in detention we never got the chance to get out. We were starving. In 24 hrs we got one piece of bread, and a small piece of cheese.’<sup>43</sup>

During these experiences, Eritrean migrants and refugees were forced to solicit money from their networks. The average cost cited was 5000 to 5,500 USD to be released. Their torture was often conducted while on the phone with their families to elicit a response. Once refugees had paid the smugglers, they were transported by the same individuals back to Khartoum. In Khartoum, they did not seek or receive medical treatment due to fears of interacting with security forces or a lack of knowledge of available resources.

#### *Gendered inequalities in access to international protection for victims of trafficking*

Surveys show that women are likely to experience sexual violence and exploitation throughout their migratory journeys. Border closures associated with criminalization of migration, in addition to Covid-19, have made movement more difficult within Sudan and across borders. For example, Eritreans and Ethiopian women trafficked in Eastern Sudan report exposure to SGBV during the journey. Eritrean women in particular are often trafficked for exploitative domestic work in Khartoum and are common victims of severe harm.<sup>44</sup>

Women and girls in Sudan—particularly internally displaced persons (IDPs), refugees and those from rural areas—are vulnerable to exploitation, including sexual exploitation and exploitation through domestic work. Migrant and displaced women are frequent victims of abduction and sexual exploitation and violence. The criminalization of migration and border closures has forced those migrating to access increasingly invisible and dangerous routes. This increases their susceptibility to targeting by traffickers. Well-organized and cross-border criminal syndicates are known to have forced Ethiopian women into commercial sex in Khartoum by manipulating debts in association with other forms of coercion. Traffickers also compel Ethiopian women to work in private homes in Khartoum and other urban centres where they are frequently subjected to extreme harm. These women are at an increased risk due to their invisibility during the pandemic, including escalating levels of violence and murder.<sup>45</sup>

Upon reaching Libya, Sudanese migrants often experience forced exploitation described as ‘akin to trafficking’ and endure abuse.<sup>131</sup> This often takes the force of contract labour, an experience of increasing exploitation wherein women are forced to work off a ‘debt’. Some women are forced into

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<sup>41</sup> GDSI 2021 Available [here](#)

<sup>42</sup> Galos et al 2017 [here](#)

<sup>43</sup> Interview 2022, Male, Khartoum, Age 40

<sup>44</sup> ‘Migration in West and North Africa and across the Mediterranean: Trends, Risks, Development and Governance’ (2020) [here](#); ‘On This Journey, No One Cares If You Live or Die.’ Abuse, Protection, and Justice along Routes between East and West Africa and Africa’s Mediterranean Coast’ (2020), see [here](#).

<sup>45</sup> Ibid

prostitution to pay debts and support themselves. Sexual violence during the journey and after arrival are common, a practice used at times to extort a ransom.<sup>46</sup>

*Prevention of trafficking in persons among IDP, refugees, asylum seekers and stateless persons:*

The following suggestions emerged from conversations with survivors and stakeholders:

Nominally, refugee status determination processing times are said to take 30 days in Sudan. However, decisions being made within this timeframe are uncommon as noted by UNHCR, the US DOS and interviewees. Granting refugees arriving from Eritrea access to humanitarian protection upon entry would significantly reduce fear of deportation, sense of liminality, and improve access to resources.

Additional international organizational presence in border areas in Eastern Sudan and access to support services for arriving Eritreans would reduce risks of trafficking.

Refugees described corruption within gatekeeper roles of international governmental organizations who controlled eligibility for refugee services including resettlement. Perceptions of corruption deterred trust in the organization. Improving perceptions of the UNHCR and other INGOs in Sudan and Libya by addressing previously stated concerns and protecting whistle-blowers would help to re-establish trust.

Opening more refugee registration sites across Sudan and removing requirements to travel to Shagrab to file for status would eliminate abduction hotspots.

Promote peaceful co-existence between host and refugee communities through awareness raising within the host communities to combat negative stereotypes and xenophobia, including by working with police and border forces.

The transitional government of Sudan had reduced the number of migrant detainees in detention centres, enhanced coordination between government agencies, and prepared health isolation centres for migrants. This may help to ease the circumstances driving exploitation and trafficking amongst communities of migrants and displaced persons.<sup>76</sup>

## Conclusion

Human trafficking and other forms of exploitation thrive in situations of insecurity, such as internally displaced persons and refugee camps. SDG 8.7 requires governments to take immediate and effective measures to eradicate human trafficking. Refugees, asylum seekers and internally displaced persons encounter a unique set of challenges that are shaped by their displacement and legal status, and which greatly increase their vulnerability. Refugee and migrant camps are overcrowded and underfunded, making it difficult to prevent slavery and exploitation. Refugees are increasingly vulnerable to abuse due to poverty, insecurity, and a lack of resources. It is imperative that governments, international and local non-governmental organisations, and intergovernmental actors coordinate to ensure that the specific support needs of displaced persons are fulfilled.

Responses must take into consideration the protection of basic rights and access to entitlements. Rule of law must be strengthened in camps, with police or community protection officers trained to identify potential victims of contemporary slavery and other forms of exploitation, and respond effectively. Individuals have the right to asylum or refugee protection within second states, consideration should be given to resolving protracted refugee crises such that individuals can access their basic rights to education, livelihood, and security. This will reduce the necessity of onward migration and risks to trafficking on the move. More broadly, responses should be varied, context specific, and focused on upholding human rights, particularly Article 3 and 4 of the Universal Declaration of Human Rights—namely, the right to life, liberty and security of the person and the right to freedom from slavery.<sup>47</sup>

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<sup>46</sup> Ibid

<sup>47</sup> See [here](#).

## Case Study 2) The current situation for non-UK national trafficked persons in the United Kingdom

### Introduction

The focus of this section of the submission is the United Kingdom and related specifically to foreign born, trafficked persons identified within the UK jurisdiction.

The National Referral Mechanism (NRM), the government-funded system through which victims are formally identified and offered support and assistance in the UK, reported the identification and referral of 12,727 potential victims of modern slavery in 2021.<sup>48</sup> This represents a 20% increase on referrals compared to the preceding year. In addition to direct referrals to the NRM, 3,190 'Duty to Notify' (MS1) forms were submitted – this is a process enacted under the [Section 52 of the Modern Slavery Act \(2015\)](#) that requires public bodies and law enforcement to identify potential (adult) victims regardless of receiving their consent to enter the NRM. This means that nearly 16,000 potential victims were identified in 2021.

Of those identified, 77% (9,790) of referrals were male and 23% (2,923) of referrals were female. 43% of all referrals related to children. Labour exploitation was the most reported exploitation type for identified adults and criminal exploitation for children. The most common nationalities referred into the NRM in 2021 were UK, Albanian and Vietnamese.

Of the decisions made in relation to trafficking cases in 2021, 90% of reasonable grounds and 91% of conclusive grounds decisions were positive.

Those identified as potential victims are entitled to accommodation (where needed), practical help and advice, interpretation and translation services, financial support (between £35-£65 per week depending on accommodation situation), healthcare to meet physical, emotional, and mental health needs, specialist legal advice, education for school-aged dependent children, transport to important appointments and future-planning support. The support is accessed via the Modern Slavery Victim Care Contract that is contracted from the Home Office to the Salvation Army.

The introduction of the [Nationality and Borders Act \(2022\)](#) (hereafter, 'the Act') solidifies the government's direction of travel in relation to modern slavery – clearly viewing this as an immigration issue. The Act requires new regulations to be put into place and requires changes and additions to the [Modern Slavery: Statutory Guidance for England and Wales \(under Section 49 of the Modern Slavery Act 2015\)](#) and [Non-Statutory Guidance for Scotland and Northern Ireland](#). This has led to new regulations coming into force (as of January 2023) and amended guidance being produced.

### *Access to protection in the UK for trafficked persons*

There are widely shared concerns that the introduction and enactment of the Act has reduced, and will continue to reduce, the protections afforded to victims of trafficking within the UK.<sup>49</sup> Various reports compiled by the Rights Lab outline the potential impact of the legislation, as well as the commitments that the Government made to ensure that victims would still be afforded the support and protections required.<sup>50</sup>

The positioning of central modern slavery provisions within immigration legislation continues to be a matter of general concern, as it conflates these distinct areas of policy and creates a risk of discriminatory practice within the NRM by treating victims differently according to their immigration status.

The government refute these concerns; stating that the legislative changes presented in the Act are necessary to tackle modern slavery and human trafficking. For example, in the [New Plan for Immigration Policy Statement](#), the government confirmed its commitment to ensuring police and courts have the necessary powers to bring perpetrators to justice, while giving victims the support they need to rebuild their lives.

<sup>48</sup> For further information, see <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

<sup>49</sup> Nationality and Borders Act 2022. Available at <https://www.legislation.gov.uk/ukpga/2022/36/contents/enacted>

<sup>50</sup> Rights lab, 2022, Confirmations, Commitments & Concerns - How will Part 5 of the Nationality and Borders Act on Modern Slavery be enacted? Available [here](#); and, Rights Lab, 2022, Quick Reference Guide – UK Government modern slavery commitments in the Nationality & Borders Act. Available [here](#).



There is concern that specific provisions within the Act are incompatible with ECAT and will end up narrowing support and protections for survivors.<sup>51</sup> Whilst the Government claim to be compliant with ECAT obligations, the Act does not enshrine ECAT wholesale into domestic legislation. The Government have also chosen to reduce and narrow the grounds on which non-UK national victims can apply for temporary leave in the UK.

Furthermore, the legislation disapplies the 2011 EU Trafficking Directive.<sup>52</sup> [Section 68](#) of the Act disapplies the Directive 'in so far as it is incompatible with provisions in the Nationality and Borders Act'. The Directive has a stronger enforcement mechanism than ECAT and direct effect in UK law, providing an important avenue for justice for victims. Existing UK legislation does not enshrine specific assistance and support measures included in the Directive. The loss of the direct effect of the Directive in UK law limits victims' rights and opportunities for redress within the UK legal system.

## Risks to Trafficking in persons

### *Non-refoulement obligations: application to risks of trafficking in persons*

The principle and obligations of non-refoulement guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm. This principle applies irrespective of migration status and is enshrined in international human rights law.<sup>53</sup>

The UN Trafficking Protocol and ECAT include clauses obliging states to protect trafficked persons from re-victimisation (see Article 9 (b) of the UN Trafficking Protocol and ECAT article 16.5).<sup>54</sup> The legislation states that countries must ensure that any repatriation occurs with due safety for the individual being returned (see UN Trafficking Protocol Article 8 and ECAT article 16.2).<sup>55</sup> The EU Directive further states that measures to support and assist integration are required (Article 11).<sup>56</sup> The Office of the High Commissioner for Human Rights (OHCHR) Guidelines on Human Rights and Human Trafficking proposes states need to consider how to prevent reprisals upon return, especially where re-trafficking is likely to occur.<sup>57</sup> All these international documents refer to the principle of non-refoulement and the obligations of states to ensure this principle is adhered to in relation to those identified as victims of trafficking. Whilst the UK Government has disapplied the [EU Directive](#) it remains a signatory to ECAT and therefore the principle of considering how to prevent re-victimisation and ensure safe repatriation continue to be applicable within a UK context.

The risks to non-UK national victims of trafficking in the UK in relation to the application of non-refoulement obligations include:

- Lack of pathway to status in the UK once determined to be a victim of trafficking.
- Lack of funded repatriation and reintegration programme specifically for identified victims.

Both risks have the potential to increase the risk of re-trafficking.

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<sup>51</sup> See Rights Lab, 2021, Consideration paper - Nationality and Borders Bill Part 5: Modern Slavery, for a full analysis of the provisions within the legislation and their related concerns.

<sup>52</sup> Directive 2011/36/EU Of The European Parliament And Of The Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. Available [here](#).

<sup>53</sup> Under international human rights law, the prohibition of refoulement is explicitly included in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED). In regional instruments the principle is explicitly found in the Inter-American Convention on the Prevention of Torture, the American Convention on Human Rights, and the Charter of Fundamental Rights of the European Union.

<sup>54</sup> OHCHR. (2000). UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Available at: <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx> & Council of Europe. (2015). Council of Europe Convention on Action against Trafficking in Human Beings. Available at: <https://rm.coe.int/168008371d>

<sup>55</sup> *Ibid*

<sup>56</sup> Official Journal of the European Union. (2011). Directive 2011/36. EU on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. Available at: <https://eur-lex.europa.eu/legalcontent/en/TXT/?uri=CELEX%3A32011L0036>

<sup>57</sup> OHCHR. (2002). Recommended Principles and Guidelines on Human Rights and Human Trafficking. Available at: <https://www.ohchr.org/sites/default/files/Documents/Publications/Traffickingen.pdf>

As outlined in a Rights Lab report, [Re-Trafficking: the current state of play](#)<sup>58</sup> there is currently no specific returns and reintegration process or package for those identified as trafficked persons who do not have the right to remain and reside in the UK. As noted above, without this, the risk of re-trafficking increases. A lack of economic and social stability and a lack of support are often presented as underlying causal factors that enable both initial trafficking and re-trafficking to occur. If an individual is socially included, economically empowered, has access to the employment market and has the social support they need, the risk of re-trafficking reduces. Therefore, sustainable reintegration strategies and pathways, that assist individuals to rebuild and re-establish their lives must be part of any policy approach to addressing human trafficking, regardless of whether reintegration and resettlement is occurring in the UK or in another country. Individual country guidance, published by the Home Office offers considerations that should be made by decision makers when considering the return of any national to their country but there is no overarching returns policy for identified victims. In the UK, current policy approaches and guidance do not address the application of non-refoulement principles to victims of trafficking.

Whilst the UK Government offers a [voluntary returns service](#), this is not specific to identified victims of trafficking and, with the exception of a financial payment depending on circumstances (up to £3,000); this programme offers no support once out of the UK. No risk assessment in relation to re-victimisation, re-trafficking or reintegration is conducted. Organisations working within the UK anti-trafficking/slavery sector have repeatedly called for a specialised programme to assist survivors of trafficking who would like to return to their country of origin.<sup>59</sup>

In relation to considering non-refoulement principles and obligations, there is also the potential risk with the implementation of the Nationality and Borders Act (2022) and the removal directives in relation to the Rwanda policy<sup>60</sup> that these principles will not be applied to identified victims. There is also the risk that non-UK nationals, with no right to remain will be removed from UK territory before having been identified as a potential victim of trafficking therefore limiting their access to protections to which they are entitled.

#### *Statelessness and the nexus with trafficking in persons for all purposes of exploitation*

The UK Government have recently issued new guidance in relation to providing identified victims '[temporary permission to stay \(VTS\)](#)'<sup>61</sup> in the UK under revised immigration rules established in January 2023 as part of the enactment of the Nationality and Borders Act (2022). VTS replaces the previous 'Discretionary Leave to Remain' policy.

Victims granted temporary permission to stay (or 'VTS') under this policy are not considered to be on a route to indefinite leave to remain (ILR) in the UK and ILR would need to be applied for and granted under another form of leave outside of the VTS policy.

The UK government state that the VTS policy objective is to deliver a fair and effective permission to stay process in relation to confirmed victims of modern slavery, it also intends to support the principle of a needs-based approach to supporting victims of modern slavery.

Article 14 of ECAT<sup>62</sup> states:

*'Each Party shall issue a renewable residence permit to victims, in one or other of the two following situations or in both:*  
*(a) the competent authority considers that their stay is necessary owing to their personal situation;*

<sup>58</sup> Rights Lab (2021). Re-Trafficking: the current state of play. Available at: [https://www.antislaverycommissioner.co.uk/media/1705/iasc-and-rights-lab-re-trafficking-report\\_november-2021.pdf](https://www.antislaverycommissioner.co.uk/media/1705/iasc-and-rights-lab-re-trafficking-report_november-2021.pdf)

<sup>59</sup> See for instance - <https://unitedkingdom.iom.int/voluntary-return-and-reintegration-survivors-trafficking>

<sup>60</sup> The Home Office has agreed a relocation agreement to remove people who make dangerous journeys to the UK and are considered 'inadmissible' to the UK's asylum system. The UK intends to send some asylum seekers to Rwanda to seek asylum there, without the possibility of return. Nobody has yet been sent to Rwanda amid ongoing legal challenges, although the High Court upheld the overall lawfulness of the policy in December 2022. For further information please see: <https://commonslibrary.parliament.uk/research-briefings/cbp-9568/>

<sup>61</sup> Home Office Guidance, 2023, Temporary permission to stay for victims of human trafficking and slavery. Available [here](#).

<sup>62</sup> Council of Europe Convention on Action Against Trafficking in Human Beings (2005) Available [here](#)

*(b) the competent authority considers that their stay is necessary for the purpose of their cooperation with the competent authorities in investigation or criminal proceedings.*<sup>63</sup>

In order to be compliant with ECAT, signatories can elect whether to grant a residence permit in the circumstances described in 14(1)(a) or 14(1)(b), or in both. The VTS guidance represents a change in the government's policy intention in relation to granting permission to remain in the UK. Through the Nationality and Borders Act 2022, the government have reduced the circumstances in which a grant of VTS will be considered. Under Section 65 of the Act, VTS will only be considered for victims who are: cooperating with public authorities in the investigation and/or prosecution of their exploiters to stay in the UK for that purpose, as necessary, in line with Article 14 (1) (b). Previously the UK has offered temporary leave based upon both (a) and (b).

The guidance still outlines that pursuing compensation and seeking assistance in recovery from any physical or psychological harm, arising in respect of the relevant exploitation, can be considered under the VTS. However, the Act at Section 65 (4) (a) and (b) makes it clear that permission to stay is not necessary for these purposes if the Secretary of State considers that the person is capable of seeking assistance from outside the UK, and that it would be reasonable for the person to do so in the circumstances.

#### *Child protection and child trafficking among refugee, stateless persons and IDPs*

There has recently been concern raised in the UK media in relation to the number of unaccompanied asylum-seeking children (UASC) going missing in the UK.<sup>64</sup> It has been reported that 4,600 unaccompanied children have been placed in hotels since July 2021, with 400 episodes of children going missing. 200 children who had gone missing were unaccounted for in February 2023.<sup>65</sup>

The government's approach of placing UASC in commissioned hotels rather than within Local Authority care has been criticised and concerns have been raised about missing children being at risk of exploitation and the appropriate safeguards to offer them protection against exploitation not being in place.<sup>66</sup> Evidence uncovered by The Guardian newspaper shows that gangs are trafficking UASC across the UK, removing them from hotels commissioned by the Home Office, for the purpose of criminal exploitation (movement of drugs and county lines activity).<sup>67</sup>

The number of UASC who have also been identified as victims of trafficking are not known. The two data sets whilst collated are non-comparable. Other reports have found that 13% of unaccompanied children went missing from care in 2020 (692 of 5,263).<sup>68</sup> Whilst the proportion of unaccompanied children recorded as having gone missing decreased (14% in 2018), the authors propose this group remains at very high risk of going missing and remain at higher risk than the general 'looked after children' population.

#### *Detention and non-penalisation of stateless victims of trafficking*

Between 2017 and 2019, the number of individuals in UK immigration detention settings referred to the NRM increased from 3% (501) to 16% (1,767). Of all referrals to the NRM involving adults in 2019 (5,866), 30% were identified in immigration detention settings. Some victims have been wrongly treated as perpetrators of crime, rather than as potential victims, and only had indicators of victimhood identified once in detention. Of 1,767 potential victims referred to the NRM in 2019 from detention, 90% received

<sup>63</sup><https://rm.coe.int/168008371d#:~:text=Article%2014%20%E2%80%93%20Residence%20permit&text=the%20competent%20authority%20considers%20that,in%20investigation%20or%20criminal%20proceedings.>

<sup>64</sup><https://www.theguardian.com/uk-news/2023/feb/18/uk-missing-child-refugees-put-to-work-manchester-gangs> & <https://www.communitycare.co.uk/2023/01/23/200-unaccompanied-children-still-missing-after-disappearing-from-home-office-hotels/>

<sup>65</sup> <https://www.communitycare.co.uk/2023/01/23/200-unaccompanied-children-still-missing-after-disappearing-from-home-office-hotels/>

<sup>66</sup> Ibid

<sup>67</sup> <https://www.theguardian.com/uk-news/2023/feb/18/uk-missing-child-refugees-put-to-work-manchester-gangs>

<sup>68</sup> <https://www.ecpat.org.uk/Handlers/Download.ashx?IDMF=bb993f93-9445-4f75-bc1e-d051d76ab668>

a positive reasonable grounds decision. It is concerning that limited connections appear to be made between the criminal activity for which they were arrested potentially being linked to their exploitation.

[Sections 58 and 59 of the Nationality and Borders Act \(2022\)](#) bring into force 'slavery and trafficking notices' (STINs). Individuals with protection or human rights claims are required to provide relevant information relating to being a victim of slavery or human trafficking, to the Secretary of State, within a specified period. This approach is prefaced on the notion that potential victims should act in 'good faith' and inform the authorities of pertinent information at the earliest opportunity. The notices are only applicable to those trafficked persons who have a humanitarian protection claim in process. Sections 58 and 59 disproportionately affect third country national victims. As identified in a 2021 [Rights Lab](#) report<sup>69</sup>, this process appears to conflate immigration and modern slavery decision-making, penalising people if they do not (or are unable to) comply within a specified period. The introduction of such notices appears to place greater emphasis on the immigration status of a potentially trafficked person, rather than focussing on the crime(s) committed against them and the impact of this on their ability to make disclosures.<sup>70</sup>

The introduction of the notices has the potential to penalise non-UK nationals should they not complete the process correctly or within the timeframe dictated, by damaging their credibility. This will impact negatively on individuals' protection or human rights claims as well as their trafficking claims. It could lead to claims being dismissed and individuals being liable to detention and removal, as well as not receiving the support they require and are entitled to. This is problematic as legal cases affirm that it can take victims a long time to come forward after their trafficking experience.

A report prepared by [Flex and The Labour Exploitation Advisory Group](#)<sup>71</sup> cites insecurity in relation to immigration status and fear of removal and detention as barriers to victims reporting their exploitation. It further notes that for those within a detention setting, the expectation from professionals that victims will voluntarily disclose experiences does not constitute the proactive approach to identification required.

[Section 63 of the Nationality and Borders Act \(2022\)](#) deals with disqualification from protection, should a potential victim be deemed to have claimed in 'bad faith, or be determined to pose a threat to public order. Disqualification from protection means that the mandatory requirements to provide protection and support under the reflection and recovery period (offered via the NRM and the Modern Slavery Victim Care Contract (MSVCC)), the prohibition on removal, and any requirement to grant limited leave to remain, will cease to apply (Sections 63(2), 64, and 65). Protection or leave may also be revoked.<sup>72</sup>

350 Foreign National Offenders (FNOs) were referred to the NRM between 2017 and 2019 (see Home Office Data on Detention Section 5 Table 2 (b)).<sup>73</sup> In total over the same period, 22,765 potential victims were referred into the NRM. This means only 1.5% of all referrals into the NRM related to FNOs. What is not clear is: (a) what offence they were charged with (and whether they would have fallen within Section 63); (b) if the offence was linked to their experience of exploitation; (c) if they received a positive conclusive grounds decision and were deemed to be victims of modern slavery; and (d) how this will be impacted by the proposed public order exemption in Section 63.

There are concerns that Section 63 plays into the hands of exploiters and that the cessation of protection and prohibition on removals risks damaging policing and prosecution efforts, reduces self-reporting, and penalises victims, particularly third country nationals. Victims may be reluctant to offer information about experiences and perpetrators for fear of being implicated and having protections ceased. Section 63 has the potential to have a knock-on effect to reducing the number of investigations and criminal

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<sup>69</sup> Rights Lab, 2021, Consideration paper - Nationality and Borders Bill Part 5: Modern Slavery, for a full analysis of the provisions within the legislation and their related concerns. Available [here](#).

<sup>70</sup> Ibid, p.12

<sup>71</sup> Labour Exploitation Advisory Group & Focus on Labour Exploitation, 2020, Opportunity Knocks: improving responses to labour exploitation with secure reporting. Available at <https://www.labourexploitation.org/publications/opportunity-knocks-improving-responses-labour-exploitation-secure-reporting>

<sup>72</sup> Rights lab, 2022, Confirmations, Commitments & Concerns - How will Part 5 of the Nationality and Borders Act on Modern Slavery be enacted? Available [here](#). See p.14-17

<sup>73</sup><https://www.gov.uk/government/publications/issues-raised-by-people-facing-return-in-immigration-detention/issues-raised-by-people-facing-return-in-immigration-detention#data-tables>

proceedings against traffickers by removing victims of crime and witnesses and discouraging victims from coming forward and reporting crime in the first place.

Furthermore, whilst the prevailing rhetoric from the UK Government has been that victims of modern slavery are abusing modern slavery laws, Rights Lab research<sup>74</sup> presents evidence to the contrary. Government figures show that of the 4,582 FNOs being released from detention in 2020, 288 were referred into the NRM while they were detained. This means that less than 3% of NRM referrals in 2020 related to FNOs with trafficking claims. This runs counter to the UK Government's claims that serious criminals are currently abusing the systems in place. In addition, figures show that of those who were detained for immigration-based offences, 27% were identified as potential victims during their time in detention and referred to the NRM.

Within criminalised spaces, like immigrant detention centres or deportation proceedings, trafficking victims are discredited; this is also true in criminalised spaces of criminal justice, like those undergoing criminal proceedings. Where a victim is identified influences the outcome of whether their claim of exploitation is positive. In the UK, for instance, cases identified by the Home Office division were less likely to receive a positive outcome on their case than the subsection of cases processed who were (almost exclusively native or resident UK victims) at a ratio of 2:8.<sup>75</sup>

*Prevention of trafficking in persons among IDP, refugees, asylum seekers and stateless persons including, in particular:*

Identified victims in the UK who are entered to the National Referral Mechanism (NRM) are not entitled to access the labour market in the UK. As identified in a Rights Lab report 'The benefits and barriers of accessing employment'<sup>76</sup> work can play a vital role in all our lives, adding meaning and purpose, routine and stability, and offering financial independence. Conversely, unemployment can be detrimental to an individual's mental and physical health, leading to lower self-esteem and higher rates of anxiety, depression and even mortality. Many victims will be prevented from accessing the labour market due to their immigration status. The report highlights this as a pressing issue due to the significant delays experienced in NRM decision-making, meaning a gap of many months or even years before they re-enter the labour market (either in the UK if eligible or in another country), and can therefore experience a significant loss of work-related skills and confidence.

Under the VTS identified victims granted permission to stay have recourse to public funds with no prohibition on work or accessing higher education for the duration of their temporary stay.

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<sup>74</sup> Rights Lab, 2021, Consideration paper - Nationality and Borders Bill Part 5: Modern Slavery, for a full analysis of the provisions within the legislation and their related concerns. See p 44.

<sup>75</sup> Detention Taskforce, 2021, 'Bad Decisions: the creation of an Immigration Enforcement Competent Authority will undermine identifying and protecting victims of crime'. Available [here](#).

<sup>76</sup> Rights Lab, 2021, The benefits and the barriers to accessing employment: Considerations for survivors of modern slavery. Available here: <https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/resources/reports-and-briefings/2021/may/rights-lab-access-to-work-pathways-final.pdf>