

Protecting refugees from modern slavery



UNHCR

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Issue: Protecting refugees from modern slavery

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Introduction

People often look at slavery as a concept of the past. But right now, an estimated 50 million people are trapped in slavery worldwide. Anti-Slavery International defines modern slavery as "the severe exploitation of people for personal or commercial gain." Meaning today's slavery could include any type of exploitation, such as but not limited to human trafficking, forced labour and debt bondage.

Many attributes factor into the severe discrimination that refugees face each day. Primarily, modern slavery is a global concern that many are victims of. Therefore, this issue requires a comprehensive as well as sensitive approach. Due to a variety of reasons, the vulnerable state of refugees puts them at high risk as a population to suffer from modern-day forms of slavery including the shape of human trafficking; forced labour and recruitment of child soldiers. Accordingly, the lack of legal, social and economic protection creates a susceptible environment for exploitation. In an aim of escaping poverty and instability, many people were trapped into these harsh conditions that they could not escape. Insufficient aid for refugees being a problem as it is, many have to face these risks of slavery alongside this. Accordingly, the United Nations High Commissioner for Refugees has underlined that the aim of the 1951 United Nations Convention relating to the Status of Refugees was to create a better world in which the horrors of World War II wouldn't be repeated. So as the UNHCR, the delegates' primary aim should be ensuring that victims of oppression and persecution are decently treated.

Furthermore, modern slavery is an issue that is often overlooked due to the hidden nature of human trafficking, social oppression, and the standardizing of unlawfully enforced labour of children as well as adults. These acts of violence often occur in numerous shapes and forms which is another reason why it is prone to be disregarded. This can be exemplified through bonded labour (debt bondage) and domestic servitude. Therefore, fearing the danger of their passports being taken away and facing even more detrimental circumstances, refugees are forced to comply with modern slavery.

Definition of Key Terms

Bonded labour (debt bondage)

A form of the most common modern slavery where people are forced into unjust working conditions in order to pay off their debt caused by poverty. This results in the loss of control over an individual's employment statuses and economic independence.

Descent-based slavery

Descent-based slavery is when individuals are born into harsh conditions where they are treated as property for someone else's benefit. This is the case where slavery is inherited from parental succession.

Domestic servitude

Domestic servitude is an ostensibly normal form of modern slavery which is commercialized as hired live-in help where persons are forced into working under exploitation. This is an interconnected topic that falls under both forced and bonded labour.

Exploitation

Taking unfair advantage of a person or a group, the disrespectful use of another's vulnerability for gain.

Forced labour

Forced labour is when people are exploited into working for either little or no pay which is usually covered under the global supply chains. This form of slavery is another aspect that is often overlooked due to its standardised nature.

Human trafficking

The illegal trade of humans through force, fraud, or coercion for forced labour, sexual exploitation, or other forms of involuntary servitude.

Modern slavery

Numerous definitions fall under the category of modern slavery. These include any "aspect of control, involuntary actions and exploitation." It should be noted that this issue is also often disregarded as the majority of populations perceive it as a problem in the past.

Refugee

People who are forced to flee their country because of persecution, war, or violence. As the United Nations High Commissioner for Refugees, the link between statelessness and refuge is important to examine.

Sex trafficking

Sex trafficking involves the unlawful and involuntary commercial sex acts that any woman, man, or child can be subjected to. Due to sex traffickers enslaving their victims, this topic falls under modern slavery.

State-imposed forced labour

State-imposed forced labour falls under occurrences of governmental authorities necessitating individuals to work even though they have not volunteered to do so. This can also be linked to hidden slavery behind global supply chains.

Unlawful recruitment of child soldiers

The use of children as weapons in war falls under the unlawful act of recruit of child soldiers. Refugees are often targeted in these cases due to their defenceless states, causing them to be used as combatants, guards, servants, messengers, and many other coercive actions. This topic is defined as a war crime by the United Nations.

General Overview

Modern Slavery Today

As mentioned before, modern slavery is a boundless topic when it comes to the challenges faced by refugees today. Although it may not always occur in the same shape, form, or structure as it did in the past, such as the slavery from the Transatlantic slave trade, modern slavery creates an urgency that is overlooked as a consequence of its history. This widespread issue encompasses a range of exploitative practices, including forced labour, human trafficking, debt bondage, and other forms of involuntary servitude.

Refugees being subjected to compulsory labour is seen frequently especially in global supply chains. Many individuals (including children) are left with no choice but to work in institutions such as factories and prisons. These acts usually happen under bonded labour or indentured servitude where a person is contracted to work without pay for a certain amount of time in order to pay for their debt. Domestic servitude is another exemplified version of forced labour which involves coercion into working in private households which causes an oversight due to the isolation from external perception. Likewise, descent-based (hereditary/ inherited) slavery is another misfortune that many have to face. This challenge is not only something people are born into, but a circumstance that cannot be escaped. Families with a history of slavery often face severe restrictions on freedom and mobility and create hereditary systems of servitude. Accordingly, this aspect is one of the roots of this problem that creates a barrier against stopping it. Children coerced into these conditions become victims of human trafficking such as child sex trafficking, forced marriage and recruitment of child soldiers. Child marriages, in many cases, cause severe physical and psychological harm. Similarly, the compulsion to recruit children and use them as weapons in war exposes life-threatening situations and creates irreversible emotional trauma. Thus, these realities are another component of this problem that is hard to detect.

According to the 2022 Global Estimates of Modern Slavery, the most common form of modern slavery is trafficking, an act of crime where a person is forcefully recruited or moved and then forced to do dangerous, criminal acts or legwork. These people are trafficked with the aim of exploitation. A report by the NGO Stop the Traffic estimates that nearly 26.7 million are exploited for forced labour. Half of all victims of forced labour are controlled and prevented from escaping because of debt bondage. According to a report from the International Labor Organization in 2016, out of 40 million modern slavery victims, 70 percent were women and girls. In some forms, such as sexual exploitation, this rate goes up to 99%. The same report stated that over 17.3 million are in forced marriage. 37% of victims of trafficking in forced marriage were children, which points out yet another highly affected group. An estimated 10.5 million children are subject to modern slavery. It is easy to say that these numbers are pretty unreliable and that the real number of affected people is higher than many might think. It is true, and the area with the biggest gap between determined and true numbers is the case of children, mainly because of how hard it is to first recognize what is happening to them as exploitation, and then raise a concern or report any act. Current systems in many countries around the world show an over-reliance on people having to self-identify as victims of exploitation.

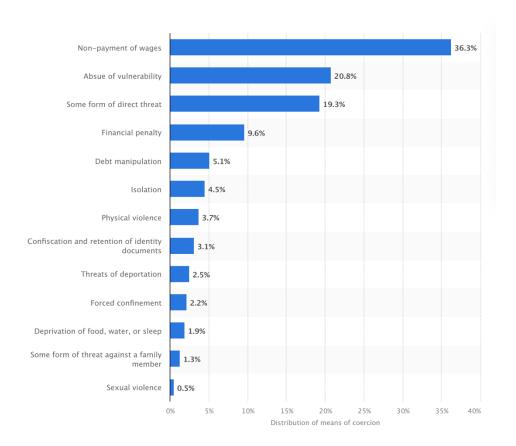


Figure 1: Number of people living in modern slavery worldwide in 2021, by region (statista.com)

The Susceptibility of Refugees to Modern Slavery

The current state of refugees, caused by forced displacement and their need for safety, increases the difficulties they encounter in escaping modern slavery. This creates an environment where exploitation increases, and it becomes more likely for the vulnerability of refugees to be taken advantage of. Furthermore, refugees often face discrimination or gender-based violence and social exclusion because they are a minority. This hampers their access to essential services which consequently increases the risks of them being victimized through modern slavery.

Lack of legal documentation makes refugees easy targets for slavery due to the insufficiency of protection they have under law which also results in disrupted social structures and segregation. This can be seen through the refugee camps, intended as temporary settlements for displaced individuals seeking safety and protection, unfortunately, becoming a place where the likelihood of modern slavery is increased.

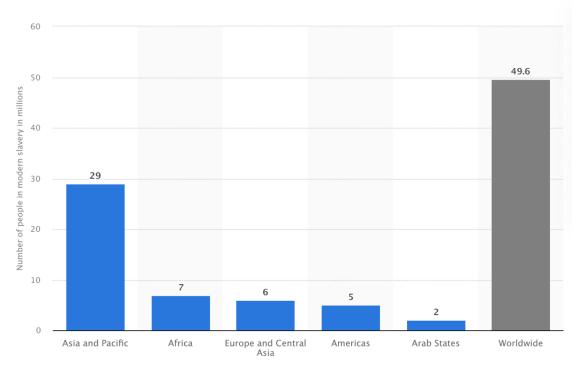


Figure 2: Number of people living in modern slavery worldwide in 2021, by region (statista.com)

Insufficient access to education and employment is another crucial factor to be considered. Refugees often face barriers to accessing formal education due to factors such as language barriers, lack of documentation, and overcrowded schools in host countries. Not getting the necessary education leads to uncertainties when it comes to their employment. The economic instability created by limited employment options can push refugees to accept exploitative job offers out of desperation for income. This vulnerability is coerced by unscrupulous employers who subject refugees to forced labour conditions. Therefore, these factors create a cycle where limited education results in limited employment opportunities and so on, so forth.

A UNHCR report from July 2023 examined the connection between migration and modern slavery in more detail. The report confirms that migrants are at a higher risk of being subjected to slavery and human trafficking, as well as states that certain sub-groups of migrants are even more vulnerable. These sub-groups are mainly migrants who are fleeing violence and conflict, migrants who are moving through irregular channels, migrants who have been dislocated from community and family support structures, and those who are left without access to legitimate forms of employment, legal status or social protection. Other vulnerable types include migrants who are working in sectors of the economy that are not covered by labour laws or sectors that are out of sight. An example of that would be the exploitation of people in maritime activities not adequately regulated by laws. A lot more common example is, people, usually women, working as domestic workers in private homes (out of sight), or girls forced to marry at a young age living under complete control of their husbands.

Economic Challenges Caused by Exploitation and Insufficient Aid

Refugees have to rely on unstable income and resources such as humanitarian aid, bonded labour, and indentured servitude. Inadequate refugee aid exacerbates these issues, leaving many people without the financial resources they need to reconstruct their lives securely. Their inability to attain necessities is hampered not just by a lack of humanitarian aid, but also by uncontrolled labour markets where exploitation is unrestrained. The cycle of poverty factors into refugees' inability to escape low-wage jobs under unjust circumstances. Economic challenges also affect the social integration of refugees. Limited economic opportunities can lead to social exclusion and marginalization, hindering their ability to contribute positively to the communities in which they seek refuge.

Timeline of Key Events

Date	Event
September 25, 1926	The Slavery Convention, 1926, is entered into force
	under the human rights instruments.
May 1 1022	International Labour Organization, Forced Labour
May 1, 1932	International Labour Organization, Forced Labour
	Convention, 1930 (No. 29) is entered into force.
December 10, 1948	The Universal Declaration on Human Rights was
	adopted, declaring slavery illegal on a global level.
July 28, 1951	The United Nations Convention Relating to the
	Status of Refugees outlined the rights of refugees.
April 22, 1954	1952 Refugee Convention is entered into force.
September 7, 1956	The Supplementary Convention on the Abolition of
	Slavery, the Slave Trade, and Institutions and
	Practices Similar to Slavery was passed to secure the
	abolition.
1981	Mauritania became the last country to abolish
	slavery. (There's no exact date since it didn't pass
	•

criminal laws but only enforced a presidential

decree.)

November 18, 2000 UN Protocol to Prevent, Suppress and Punish

Trafficking in Persons, Especially Women and

Children was adopted.

June 20, 2019 International Labour Organization (ILO) adopted

Convention no.190 on Violence and Harassment in

the World of Work which recognized the link

between violence, harassment, and modern slavery.

September 23, 2019 UN Global Compact for Refugees was affirmed,

focusing on assistance for refugees.

March 2019 The Global Compact on Migration was adopted,

providing a framework on the protection of migrants'

rights.

December 2, 2022 The UN Resolution recognizing the intersectionality

of refugees and modern slavery was adopted.

Major Parties Involved

International Labour Organization (ILO)

The ILO being a specialised agency of the United Nations has passed many conventions on forced labour and protecting the rights of workers. Conventions such as Convention No. 29 and No. 105 aim to mandate and set international labour standards that protect refugees as well. Taking that into account, the ILO has provided global estimates of modern slavery and promoted raising public awareness of this issue. This organization has taken many initiatives toward solving modern-day issues such as forced labour.

India

Due to many factors including the high population, India has the highest number of people living in modern slavery. Approximately 11 million people live either as forced workers; under sexual exploitation, forced marriages, or by other types of compulsion. India has a history of providing asylum

and support for refugees. Following a non-refoulement policy, India does not forcibly return refugees to a country in a case where they may face prosecution. India's involvement with the United Nations High Commissioner for Refugees has contributed to ensuring the well-being of refugees against modern slavery.

China

Likewise, due to several reasons, China has the second highest number of an estimated 5.8 million people living under modern slavery. This number may seem significantly less compared to the population of China; however, there are many other aspects to consider for this issue. China not being a signatory of the 1951 Refugee Convention and the lack of a clear legal framework for recognizing and protecting refugees that comes with this makes it challenging for individuals fleeing persecution or violence to seek asylum in China. With that being said, China has established bilateral agreements with neighbouring countries to manage migration.

North Korea

North Korea has the highest prevalence of people living under modern slavery with approximately 105 people per 1,000 population. There have been many reports from sources concerning North Korea's involvement in coercive actions such as enforced labour. The UN and other international organizations have frequently voiced alarm over North Korea's violations of human rights. Aiming to put pressure on the North Korean government to solve human rights issues, particularly forced labour, sanctions have been put in place in response to these worries. North Korea tightly controlling its borders restricts the freedom of movement, creating a restrictive environment that contributes to a lack of refugee protection.

Eritrea

Eritrea has the second highest prevalence of people living under modern slavery. This number is an estimate of 90 people per 1,000 population. Subsequently, many Eritreans have fled the nation as a result of human rights violations, economic hardship, and political repression. Eritrea has been a major source of refugees and asylum seekers, with people going to neighbouring nations as well as other regions in search of refuge.

Mauritania

Mauritania with 32 people per 1,000 population has the third highest prevalence of modern slavery. Historically, the country has grappled with problems such as caste-based slavery, discrimination, and exploitation. Although Mauritania has taken steps such as implementing a legislative framework and a national action plan to protect refugees from modern slavery, it remains

an issue to this day. Additionally, Mauritania is a signatory of ILO's Forced Labour Convention (No. 29), the Palermo Protocol.

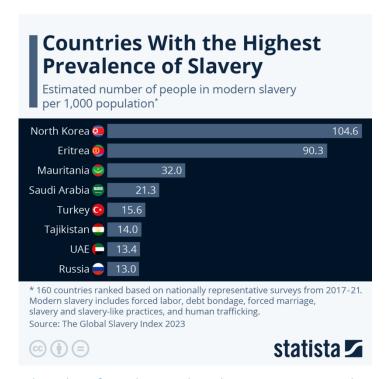


Figure 3: Estimated number of people in modern slavery per 1,000 population (statista.com)

Anti-slavery international

Founded in 1839, it is one of the oldest international human rights organizations in the world. It is a non-governmental organization that deals with the root causes of slavery and its consequences to achieve sustainable change.

The International Organization for Migration

IOM is a key intergovernmental organization that addresses solutions concerning migration globally. These include different forms of modern slavery.

Walk Free Foundation

Walk Free is an international human rights organisation consisting of statisticians, criminologists, lawyers, and international development experts who help come up with reliable statistics to thoroughly understand the situation in modern slavery worldwide. It works in partnership with businesses, academics, NGOs, and governments around the world, to address slavery both case-by-case and in its root causes.

Amnesty International

Amnesty International is an NGO that focuses on human rights advocacy. It investigates cases of modern slavery and documents the abuses aiming to bring attention to instances of exploitation and forced labor.

Previous Attempts to Solve the Issue

Many initiatives by various governments, international organizations, and non-governmental entities to solve the issue of modern slavery among refugees. International organizations such as the United Nations and the International Labour Organization (ILO) have enforced legal frameworks to protect individuals from coercive living and working conditions. The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Forced Labour Convention can be examples of this. Certain countries have also carried out national legislation and policies, increasing the legal framework that protects the refugees. Anti-trafficking initiatives and humanitarian aid programs have, likewise, contributed to solving this issue. However, the lack of these resources is still a problem faced today. Trafficking in women for means of sexual exploitation has existed for thousands of years, and unfortunately, it is only in the past few years that this trade has finally been acknowledged as a "problem that needs to be addressed" by communities and governments. It was counted as a big step towards ending slavery when international institutions recognized forced marriage as a form of slavery, but there is still a lot to be done when it comes to fighting against it.

The Global Slavery Index, as well as the countries with calamitous scores in modern slavery, also published data comparing countries with actions in solving this situation. The top 10 countries with the best government response to modern slavery are: the United Kingdom, Australia, Netherlands, Portugal, the United States, Ireland, Norway, Spain, Sweden, and Albania in the particular order. To gather more information on possible government actions regarding slavery, the initiatives of these countries can be examined.

Although there are international conventions that deal with types of modern slavery, it is also essential that countries deal with it on a personal level. Australia, ranking second on the list, passed its Modern Slavery Act in 2018, which contains measures to promote transparency and accountability in business practices to combat modern slavery and ensure that companies take responsibility for their supply chains. Likewise, in 2015, UK passed a Modern Slavery Act, which is considered one of the most comprehensive legislative frameworks globally. As a higher-income country, the UK has more

resources to dedicate to addressing modern slavery, and it actually needs the high rate of government response it has. In fact, many sectors including farming, hospitality, beauty, construction, manufacturing, car washes, or domestic service rely heavily on migrant workers that are in many cases forced to work or debt bondage. Forced criminal activity is also a prevalent form of forced labour across the UK, including forced begging, theft, work on cannabis farms, or fraud. Importantly, the UK has a National Referral Mechanism that helps identify and support potential victims of modern slavery.

There are promising initiatives outside the top 10 too. In August 2020, Tonga ratified the International Labor Organization Convention, 1999 to ensure that all children now have legal protection against the worst forms of child labour. Brunei finalised a National Action Plan on tackling human trafficking and established a National Committee on Trafficking in Persons. The Democratic Republic of Congo criminalised human trafficking in domestic legislation in 2019. Since 2018, 15 countries have criminalised human trafficking in line with the UN Trafficking Protocol, bringing the total number of countries to 137. In addition, 150 countries now have a National Action Plan related to at least one form of modern slavery.

Possible Solutions

While protecting refugees from modern slavery, it is important to find solutions that address the root problem as well as those that help current victims of slavery and acts of its kind.

As stated in the general overview, there are already national and international laws and policies that intend to protect migrants from abuse. Though it is important to take a country-specific approach and find legislation that is missing in one nation. Depending on the state, there are always some gaps in national laws, that often exclude or do not cover certain groups of people and therefore leave them more vulnerable to abuse than others. Thus, any national law regarding modern slavery needs to be revised. When it comes to laws, it would also serve as a crucial and long-lasting solution for countries to ensure through legislation that migrants are protected by closing the gap between criminal and labour laws. While finding legislative solutions, yet another crucial aspect to be considered is the implementation of such laws. Depending on what the legislation handles, a body should always monitor the implementation of new decisions and therefore keep the solution functioning.

One of the reasons why refugees are more vulnerable to exploitation was that they are unsupervised and unprotected. This is way more common in refugees that use an irregular channel of

migration. To ensure that refugees are not trafficked, exploited and abused during transit or arrival in countries, migration pathways need to be safer. Opening more routes for migration will help increase legal and thus safer routes, and for that political support is necessary.

The fear or inability of victims of approaching authorities for help was also mentioned. To determine the cases of modern slavery more often and accurate, governments and civil society should educate migrants about their rights and responsibilities. This education can also be given to employers or employees in different sectors, as a step to create a healthier work environment and enable workers to report potential abuses in a workplace. Public campaigns can also encourage citizens to report suspicious activities, fostering a community-wide approach to combating modern slavery.

As stated, there is right now an estimated 50 million victims of modern slavery worldwide. Therefore, any action that aims to help current victims needs to be taken attentively and quickly. Since all countries have different resources and different levels of helping people in a reported case, it is important to bolster the capacity of first responders in crises. This could be done by implementing specialised training programs, raising awareness, and enhancing collaboration among law enforcement, social services, and non-governmental organisations. Additionally, investing in technology for better data collection and information sharing can improve response time and effectiveness.

Further Reading

https://www.antislavery.org/what-we-do/migration-and-trafficking/

(Migration and trafficking, information about the categorization of modern slavery, researched data on the issue)

https://www.endslaverynow.org/learn/slavery-today

(Information specific to modern slavery, the occurrences of human trafficking, a further understanding of the experience that victims of this issue have)

https://news.un.org/en/story/2007/03/213492

(A past attempt to resolve the issue initiated by the United Nations, Governments, and non-governmental organizations (NGOs), a clear example of a possible solution)

www.sandwell.gov.uk/modern-slavery/types-modern-slavery

(Overlooked incidents of modern slavery such as domestic servitude, forced criminality, and financial exploitation)

https://www.unhcr.org/sites/default/files/2023-03/background-guide-challenge-3-refugees-access-to-jobs-and-financial-services.pdf

(Research report from the United Nations High Commissioner for Refugees on employment accessibility for refugees, economic inclusion, and important aspects of the issue to address)

https://publications.iom.int/system/files/pdf/migrants_and_their_vulnerability.pdf

(Migrants and Their Vulnerability to Human Trafficking, Modern Slavery and Forced Labour - International Organization for Migration. A report from the IOM that examines the connection between migration and vulnerability to modern slavery. It can be used if delegates want a lot more detailed version of what is stated in this research report.)

https://academic.oup.com/migration/article/1/2/176/990551

(Troubling freedom: Migration, debt, and modern slavery – Julia O'Connell Davidson. A good article that sums up the role of economy, migration, and citizenship in modern slavery)

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