Thematic Overview: Conflict and Humanitarian Settings

The impacts of conflict and humanitarian crises on modern slavery, human trafficking, forced labour and child labour

Introduction

There is a widespread assumption that armed conflict, natural disasters and other humanitarian settings increase vulnerability to certain forms of forced labour, modern slavery, human trafficking and child labour. These forms of exploitation can be incidental to conflict, humanitarian crises and natural disasters, as affected communities may be displaced and therefore become vulnerable. Or, in a conflict situation, they can be instrumental, used by armed groups as a financing mechanism, a recruitment tool or a method of warfare. For example:

The conflict and displacement in Syria have caused increased vulnerability to various forms of human trafficking, forced labour and child labour among those affected by the conflict, both within Syria and in neighbouring countries. In addition, in Syria and Iraq, the Islamic State (ISIS) has resorted to practices of slavery as a tactic of warfare to terrorize communities and forcibly instil their ideology. Women and girls are particularly affected, with reports of ISIS forcing religious minorities into chattel slavery for sexual purposes;

In Colombia, decades of internal armed conflict and displacement have left vulnerable groups, in particular women and children, at risk of forced and child labour, by armed groups;

In the Democratic Republic of the Congo (DRC), armed groups continue to take advantage of the political instability and protracted fighting to coerce men, women and children—especially from rural areas—into forced and child labour, often in artisanal mines and agricultural sectors, to fund their operations and assert political and territorial control;

In Libya, there are reports of people from Sub-Saharan African countries being traded by militias and organized criminal networks for enslavement, kidnapping for extortion and forced labour;

In Myanmar, the mass displacement of Rohingya, following reports of decades of systematic discrimination by state authorities as well as the renewed intensification of violence since 2017, has led to hundreds of thousands of men, women and children using unsafe routes to flee into neighbouring countries where they may be stranded in overcrowded camps, thus increasing their vulnerability to human trafficking and other forms of exploitation; and

In Nepal, the 2015 earthquake, coupled with the remnants following a decade-long civil war, left thousands of communities homeless and without livelihood, making them vulnerable to traffickers and forced labour as a means of survival.

Why do conflict and disaster increase the forms of exploitation addressed by Target 8.7?

Available research suggests the reasons that conflict and disaster increase forced labour, modern slavery, human trafficking and child labour include:

- Erosion of the rule of law, a breakdown of protection infrastructure and the normalization of violence in conflict and disaster settings, which make it easier to exercise coercion;
- Increased incidence of gender-based and sexual violence;
- Demand from armed groups for low or no-cost labour and sexual services;
- Physical, social and/or economic vulnerability (such as loss of shelter and livelihoods), which leads to risky coping behaviours (and, in some cases, dependence on non-state actors that use violence to provide protection);
- Reduced access to education, which makes children more vulnerable; and
- Disruption of family networks, which leaves children particularly vulnerable to child labour and forced marriage; and
- If there is a lack of access to regular means of travel in order to flee conflict and disaster, the use of migrant smugglers can make individuals vulnerable to these forms of exploitation.

The permissive environment offered by conflict and natural disasters given the breakdown of the rule of law also allows for the organization of forced labour, modern slavery, human trafficking and child labour on a scale that is usually not possible in other contexts. Armed groups—and in some cases, state elements—participate in these forms of exploitation:

- By fraudulently and forcibly recruiting people, especially children;
- To reduce costs and raise revenue. In Libya and Central America, for example, involvement in and taxation of migrant smuggling and human trafficking routes has become such a lucrative source of income that armed groups have competed violently for control of those routes, shaping local political and conflict dynamics; and
- To reinforce their ideological domination or as an instrument of terror. In Syria and Iraq, for example, ISIS has organized marketplaces where women and girls are sold as slaves, and has published material prescribing their subjugation.

What are the policy implications?

If armed conflict and natural disasters increase vulnerability to Target 8.7 exploitation, then efforts to end and prevent armed conflict and mitigate the consequences of natural disasters will naturally help eradicate forced labour, modern slavery, human trafficking and child labour. But, because this is an indirect approach, it is difficult to assess how effective conflict prevention is as an anti-slavery strategy.
In addition, direct and active anti-slavery measures are necessary within conflicts and humanitarian settings to mitigate the risks of human trafficking and exploitation.

Policy actors, including development and humanitarian practitioners, may therefore wish to focus more directly on the immediate connections between armed conflict and natural disasters, on the one hand, and forced labour, modern slavery, human trafficking and child labour on the other. Examples include:Working to identify victims and at-risk populations

Research suggests that, in times of crisis, already existing vulnerabilities can be exacerbated. This suggests a need to understand and target vulnerabilities at the onset of crisis, or—if possible—before the crisis even occurs. However, the ability to identify victims or individuals and groups at risk of exploitation in times of conflict and natural disasters is significantly hampered due to several factors. First, the breakdown of governance structures and formal institutions, the destruction of infrastructure as well as displacement make it hard to gather reliable information and analyse it correctly. Second, definitional complexities, coupled with a lack of training to fully understand both the definitions of many of these forms of exploitation as well as the duties and responsibilities of officials who are likely to come into contact with vulnerable groups (such as law enforcement, border control agents, and national and international aid actors in both development and humanitarian response), make the correct identification of victims and at-risk populations difficult. This may also have far-reaching implications in terms of self-identification, as victims may not know that the situation they are in qualifies as Target 8.7 exploitation. Third, victims may refrain from seeking protection due to a risk of discrimination and stigmatization by their community, fear of possible retaliation by their traffickers or fear of deportation or removal to a different country.

The International Organization for Migration (IOM) has conducted a study to help better identify at-risk populations and vulnerability to human trafficking among migrants along the Central and Mediterranean Migration Routes, many of whom have fled conflict-related violence in Iraq, Libya, Nigeria and Syria.

In El Salvador, Guatemala and Honduras, a network of service providers has been created to identify victims of trafficking and survivors of sexual and gender-based violence among those fleeing violence perpetrated by non-State armed groups. The network consists of UN agencies, civil society and faith-based organizations, shelters and State institutions.

The United Nations Department of Peacekeeping Operations is providing anti-trafficking training to law enforcement in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Guinea-Bissau, Libya, Mali and Somalia to assist with victim identification.

The European Commission is working with countries in the region to set up National Referral Mechanisms as a means to identify victims and at-risk populations, including those that have fled conflict. A number of recent EU-funded projects have sought to improve the response to human trafficking in the context of forced displacement and irregular migration.

Additionally, the development of indicators at the national, regional and international levels (including by the International Labour Organization and the UN Office on Drugs and Crimes) can be applied towards victim identification. While these indicators are not specific to conflict and humanitarian situations, indicators developed to identify victims during times of peace may also be helpful in identifying victims in situations of conflict or humanitarian settings, given that research indicates that conflict leads to an intensification of already existing vulnerabilities.

Working with communities affected by conflict and disaster to reduce vulnerability
Empowering communities by way of livelihood programmes, schooling or vocational and educational training can reduce their vulnerability to falling into the hands of traffickers. Additionally, engaging influential members of a community, such as religious and traditional leaders, to leverage their influence could help reduce vulnerabilities of communities affected by conflict and natural disaster. This can help, for example, to better identify at-risk individuals and populations, determine and enhance resilience mechanisms that may already be in place, and remove the stigma around survivors of Target 8.7 exploitation.

In Iraq, Yazidi religious leaders, working together with the UN and NGOs, have welcomed Yazidi women and girls who were abducted and forced into sexual slavery by ISIS back into their community. The government of Iraq has also been working together with the UN to break the cycle of marginalization and discrimination of survivors of conflict-related sexual violence. Children born as a result of rape are particularly vulnerable, as they are often marginalized and lack birth registration, and therefore risk being targeted for future radicalization and recruitment.

In Nepal, the US Agency for International Development (USAID) has been working with earthquake-affected communities to reduce the risk of them being pushed into human trafficking, including by providing shelter, educational programmes and vocational training. In Myanmar, the US Department of Labor is supporting the exit of children from child labour through educational and livelihood interventions.

Jordan, which hosts more than 1 million Syrian refugees displaced by conflict, is working with the International Labour Organization (ILO), to support decent work opportunities and recruitment processes for refugees and migrant workers to increase their resilience and reduce their vulnerability to human trafficking and forced labour.

Working directly with groups engaged in violations to change their behaviour
Since groups engaged in these violations often hold significant political power, working with them directly can be crucial to changing both their behaviour and conflict dynamics. Geneva Call, an NGO, is working directly with non-state armed actors around the world to encourage their respect for international humanitarian norms in armed conflict, in particular as it relates to preventing and ending child recruitment. The organization regularly provides training to non-state armed actors. In 2016, Geneva Call organized a conference with representatives of 21 non-state armed actors to discuss challenges that these groups face in

implementing international standards and mechanisms related to child protection, including difficulty in age assessment. Together, they developed a set of implementable recommendations specifically for non-state armed actors.

The Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC) works with armed groups, listed in the Secretary-General's annual report on CAAC, to design context-specific action plans that outline measures to bring the respective group's behaviour in line with international law.

Disrupting, sanctioning and prosecuting violations

The UN Security Council has expressed its concern about the practice of human trafficking in armed conflict. Resolutions 1267 (1999), 1989 (2011), 2253 (2015) and 2368 (2017) established a range of sanctions measures (including asset freezes, travel bans and arms embargos) against ISIS, Al-Qaeda and associated individuals, all of whom have strategically resorted to the practice of human trafficking. In November 2017, the Secretary-General called on the Security Council to include human trafficking criteria when adopting or renewing sanctions regimes in situations of armed conflict, and to ensure that monitoring groups, teams and panels of experts supporting the work of relevant sanctions committees work closely with anti-trafficking experts. And, in June 2018, the UN Security Council sanctioned six people for their involvement in human trafficking in Libya.

The US Treasury Department's Office of Foreign Assets Control administers country-specific sanctions programs that authorize the freezing and blocking of assets of individuals associated with the recruitment and use of child soldiers, including in Burundi, the Central African Republic, the Democratic Republic of the Congo (DRC) and Somalia.

The Prosecutor of the International Criminal Court (ICC) announced in November 2017 that her Office is considering launching a preliminary investigation into alleged crimes against migrants transiting through Libya, including for human trafficking, should the situation fall within the Court's jurisdiction. [Link to thematic overview on international criminal justice.]

Reducing the income available from these violations

Human trafficking is currently a high-reward and low-risk crime. Proceeds from forced labour alone—which may involve human trafficking—is estimated to exceed $150 billion annually. Financial institutions are uniquely positioned to intercept financial flows associated with these crimes and therefore reduce the actual and perceived profitability of these crimes. Financial institutions can come into contact with financial flows associated with Target 8.7 exploitation, as traffickers and others may place funds derived from these crimes into the formal financial sector. The global financial sector is working to counter this problem by identifying financial transactions indicative of these crimes to help disrupt not only the financial flows, but

ultimately also the operations – and to reduce the income available from these violations and thereby decrease the incentive to engage in these practices.

Financial Intelligence Units (FIUs) have started issuing advisories on identifying activity indicative of human trafficking. And financial sector regulators, including the Financial Action Task Force (FATF), have used this information to develop "typologies" that help regulators, banks and other financial sector actors understand the ways that funds from modern slavery, human trafficking, forced labour and child labour enter and move through the sector. Interpol works closely with international organizations and governments to disrupt human trafficking networks, leading to the arrests of hundreds of traffickers.

In the United States, following widespread concerns that the mining of tin, tantalum, tungsten, gold – or so-called "conflict minerals" – contributes to the financing of conflict in the Democratic Republic of the Congo (DRC), Congress implemented the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010. Section 1502 of the Dodd-Frank Act requires companies registered on the US stock market to report annually whether minerals sourced from the DRC or neighbouring countries are financing conflict. The Enough Project has concluded that this provision underpinned significant improvements in the transparency of corporate supply chains and a reduction of mines controlled by conflict actors in eastern DRC.

Further readings:
United Nations Secretary-General, Report of the Secretary-General on Trafficking in Persons in Armed Conflict Pursuant to Security Council Resolution 2331 (2016), UN Doc. S/2017/939 (10 November 2017).
United Nations Human Rights Council, Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children. UN Doc. A/71/303 (August 2016);
James Cockayne and Summer Walker, Fighting Human Trafficking in Conflict: 10 Ideas for Action by the United Nations Security Council (September 2016).
International Organization for Migration (IOM), Addressing Human Trafficking and Exploitation in Times of Crisis (December 2015).
Inter-Agency Coordination Group against Trafficking in Persons, Issue Brief 2: Trafficking in Persons in Humanitarian Crises (June 2017).
Sarah Craggs, Laura Lungarotti, et al. "Responding to Human Trafficking and Exploitation in Times of Crisis: Reducing the Vulnerabilities of Migrants in Preparedness, Response and Recovery Efforts," Migrants in Countries in Crisis Initiative Issue Brief (January 2016).
Geneviève Colas and Olivier Peyroux, Trafficking in Human Beings in Conflict and Post-Conflict Situations (June 2015).
International Centre for Migration Policy Development, Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons – A Study of Syria, Turkey, Lebanon, Jordan and Iraq (December 2015).
UNODC, Global Report on Trafficking in Persons – in the context of armed conflict (2018).