



COVID-19 Position paper
**The impact and consequences of the COVID-19 pandemic on
trafficked and exploited persons**

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I. Background and objectives

The COVID-19 crisis has a potentially far-reaching, long-term negative impact on trafficked and exploited persons. Although at this stage it is not yet possible to assess the full impact of the pandemic on human trafficking, it is sure that its socio-economic consequences are already making precarious and marginalized people more vulnerable to trafficking and exploitation. The policies and measures adopted in the wake of the pandemic will be crucial in the unfolding crisis and will also shape how the labour market and, in general, societies will look like into the future. This paper aims at analyzing how the socio-economic consequences of the pandemic will exacerbate the vulnerabilities to trafficking, posing a further threat not only to actual victims, but also to people at risk of being trafficked.

II. The exacerbation of vulnerabilities to trafficking

Poverty and unemployment

Poverty has always been identified as one of the factors that renders people more vulnerable to trafficking.¹ The World Bank announced that the COVID-19 outbreak will be pushing about 40-60 million people into extreme poverty, “with our best estimate being 49 million”.² The COVID-19 outbreak has generated a catastrophic income loss and layoffs, which will have a particularly severe impact on the two billion people who work in the informal sector (mostly in emerging and developing economies).³ Informal workers usually lack basic social protections, including access to health services, and with the loss of essential daily income for a prolonged period, they will find themselves at higher risk of poverty, which may lead them to turn to risky or exploitative employment.

In many countries, informal workers, which represent the highest percentage of employed population, have been particularly affected.⁴ The lockdown measures adopted by several countries prompted millions of informal workers to return to rural areas through perilous journeys on foot, pushing them into extreme poverty. In Latin America and the Caribbean, where 113 million people live in low-income *shantytowns*, families are forced to beg to avoid starvation.⁵ The World Food Program

¹ An introduction to Human Trafficking: Vulnerability, Impact and Action, at page72: https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf. See also Article 9 of the Protocol to Prevent, Suppress and Punish Trafficking in persons, especially women and children.

² World Bank, “The impact of COVID-19 (Coronavirus) on global poverty: Why Sub-Saharan Africa might be the region hardest hit”, 20 Apr 2020 <https://blogs.worldbank.org/opendata/impact-covid-19-coronavirus-global-poverty-why-sub-saharan-africa-might-be-region-hardest>

³ ILO Monitor: COVID-19 and the world of work. Second edition published on 7 April 2020 https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_740877.pdf

⁴ UN Secretary-General Report on the Socio-Economic Impact of COVID-19 <https://unsdg.un.org/sites/default/files/2020-03/SG-Report-Socio-Economic-Impact-of-Covid19.pdf>

⁵ The Guardian, “Lockdown measures leave the poor Latin Americans with impossible choice: stay home or feed families”, 21 Apr 2020 <https://www.theguardian.com/world/2020/apr/21/latin-america-coronavirus-lockdowns-low-income>

reported that more than a quarter of a billion people would be suffering acute hunger by the end of the year.⁶

Remittances sent by migrant workers to their families alleviate poverty in lower- and middle-income countries, increase the expenditure for basic consumptions such as food, education, and may reduce child labour in households where children are obliged to work in order to provide for the family's basic needs. In 2018, in more than 30 countries, remittances represented the 10% of gross domestic product (GDP).⁷ The World Bank estimates that the global remittances are projected to decline sharply by about 20 percent in 2020 due to the economic crisis induced by the COVID-19 pandemic and shutdown.⁸ The loss of remittances will affect families' ability to spend on immediate livelihoods needs and expose them to higher risks of extreme poverty.⁹

Suggested measures:

- States should provide immediate support for the most affected populations, in particular informal workers, and activate fiscal stimulus, including in the forms of cash transfers, low interest rates, access to credit, insurance and wage support schemes, which would prevent them from seeking irregular or exploitative employments;
- Social protection benefits schemes should be extended to everyone to make sure that no one is left behind;
- States should make efforts to ensure that formal workers and enterprises do not fall into informality as a result of the crisis.

Vulnerabilities linked to the migration status

COVID-19 has had a huge impact on the migration status of workers, including seasonal workers who lost their jobs or were restricted in their movements to reach harvest areas, or because the activities they were employed in had ceased to operate or operated with restrictions. Although many countries have been promoting measures to regularize migrants and/or extend their work permits¹⁰, many of them are or were left without protection and therefore, they are likely to become victims of traffickers. The risk of being victimized is double-faceted: as they lose their job, not only they might find themselves without a regular permit, and consequently become more vulnerable to exploitative situations, but they might also be unable to return home, given the prolonged travel restrictions, and be obliged to find alternative or illegal ways to sustain themselves. Even when the restrictive measures will be eased in certain countries, the risks for irregular migrants to become victims of trafficking and labour exploitation will persist. For example, employers will be faced with the difficulties of employing foreign workers and might rely on those who are already in a vulnerable situation. In an attempt to

⁶ World Food Program insight, "Risk of hunger pandemic as COVID-19 set to almost double acute hunger by end of 2020", 16 Apr 2020 <https://insight.wfp.org/covid-19-will-almost-double-people-in-acute-hunger-by-end-of-2020-59df0c4a8072>

⁷ The World Bank, Personal Remittances https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?most_recent_value_desc=true

⁸ The World Bank, "World Bank Predicts Sharpest Decline of Remittances in Recent History", 22 April 2020 <https://www.worldbank.org/en/news/press-release/2020/04/22/world-bank-predicts-sharpest-decline-of-remittances-in-recent-history>

⁹ UN, "Remittances matter: 8 facts you don't know about the money migrants send back home" 17 Jun 2019 <https://www.un.org/development/desa/en/news/population/remittances-matter.html>

¹⁰ International Monetary Fund, Policy responses to COVID-19 <https://www.imf.org/en/Topics/imf-and-covid19>

speed up production after months of loss of income, employers might be more willing to rely on cheap and disempowered labour.

Migrant domestic workers find themselves at a particular risk of exploitation, violence and abuse. The International Labour Organization estimates that approximately 53 million people, mainly women and children, are employed as domestic workers and of those, 30 percent, or nearly 16 million, have no access to legal protection.¹¹ Domestic workers employed in countries where the *kafala* system is implemented are particularly vulnerable to labour exploitation, as they are bound to their employers who have the power to deny or withhold the work permits, leaving them without any proper documentation. Moreover, during the lockdown, domestic workers might be obliged to work extra hours, since entire families and children are staying home, or required to take care of people who fell sick of COVID-19 without adequate health protections.¹² With families losing jobs, domestic workers can experience delays in payment of their wages or lose their income. Finally, alongside the rise of domestic violence during lockdown¹³, domestic workers in abusive or exploitative working conditions can find themselves at higher risk of violence and abuse by their employers or family members.

Suggested measures:

- States should formally acknowledge the contribution of migrant workers to support economies and fill labour shortages;
- States should consider regularization and extension of temporary permits to allow migrant workers to access social benefits schemes;
- States should ensure safe mobility within and across countries and grant working visas to seasonal workers;
- States should make sure that all workers are provided with adequate health protections and that occupational safety and health measures are put in place;
- States should strengthen legal and social protection pathways for victims of labour exploitation;
- States should not suspend labour inspections due to the COVID-19; labour inspectorates should be trained to recognize cases of trafficking and exploitation;
- States should facilitate access to justice for victims of trafficking and exploitation;
- States should not detain, charge or prosecute exploited persons for irregular work or irregular residence status;
- States should not detain, charge or prosecute victims of trafficking for labour exploitation for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons (non-punishment principle).

¹¹ ILO "Global Estimates of Modern Slavery", pag. 33

https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf

¹² Human Rights Watch, "Domestic workers in the Middle-East risk abuse amid COVID-19 crisis",:

<https://www.hrw.org/news/2020/04/06/domestic-workers-middle-east-risk-abuse-amid-covid-19-crisis>

¹³ New York Times, "A new Covid-19 crisis: domestic abuse rises worldwide" 6 Apr 2020

<https://www.nytimes.com/2020/04/06/world/coronavirus-domestic-violence.html>

Vulnerabilities linked to the migration journey

The Special Rapporteur on trafficking has already extensively highlighted the risk of trafficking in mixed migration movements. As she reported “People do not necessarily enter mixed migration movements as trafficked persons, but might become trafficked during their journey or when they reach a transit or destination country.”¹⁴ As a consequence of the pandemic, migrant workers, whether in a regular or irregular status, have been stranded in foreign countries and unable to return home. Given the stringent travel restrictions, migrant workers who want to return to their home country may not be able to do it in a safe way. This has placed migrants at higher risk of exploitation.

Suggested measures:

- In implementing lockdown measures and limitations of movement, States should ensure that informal workers have access to safe shelter;
- States should provide essential services and goods to those left without jobs and define income support measures for those who do not qualify for those measures.

Restrictive migration policies

Most countries in the world have implemented partial or total border closures. While this can be justified by the necessity to protect public health, refugees, asylum seekers and trafficked persons might be disproportionately affected by the border closures and find themselves trapped in conflict zones and exploitative situations. Moreover, governments are taking advantage of the crisis to adopt harsher migration policies that could stay in place long after the COVID-19 outbreak. The restrictive migration measures adopted by several countries to push people out of their borders or segregate them in camps follow the trend seen in recent years in which countries have restricted access to asylum procedures and international mobility. The restrictions to or ban of asylum procedures can have a long-term impact on victims of trafficking and exploitation, since a prolonged situation of irregularity exacerbates vulnerabilities. Travel restrictions might also prompt many migrants or asylum seekers to look for alternative, more dangerous escape paths, thus becoming vulnerable to trafficking in transit and at destination. During the pandemic enforced returns put people at high risk of infection, especially when migrants are returned to countries with a high number of COVID-19 positive cases.

Suggested measures:

- States should guarantee continued access to asylum procedures, in line with international human rights standards;
- Asylum procedures should avoid placing migrants in a more vulnerable situations; migrants should not be detained in crowded facilities and unhealthy conditions.

Lack of services provided to victims of trafficking and re-victimization

Front-line civil society organizations providing essential services to victims of trafficking, such as accommodation and social inclusion measures, have already experienced loss of grants and donations from individual donors or corporate donors as a consequence of the COVID-19 outbreak. Reduced financial support is hampering the ability to serve vulnerable communities and victims. Due to the lack

¹⁴ A/HRC/38/45 page 4.

of funding, some non-governmental organizations (NGOs) might close and not re-open. The lack of funding is affecting in particular the provision of shelters, without which many victims are at risk of homelessness and further exploitation and re-victimization. There is also information on shelters that were obliged to close due to COVID-19 infections, which has put victims of trafficking at higher risks of being homeless. Without access to shelters, health care and psychological assistance, victims of trafficking, even when identified, might be re-victimized. The lack of funding is also affecting search and rescue operations, including the capacity of local NGOs to early identify and support victims and potential victims of trafficking in areas of large migratory influx; moreover, in certain countries, NGOs closed their field offices and outreach services for refugees.¹⁵

The suspension of activities has prompted many NGOs to reduce the provision of legal assistance. Regarding asylum seekers or presumed trafficking victims already engaged in asylum procedures, where court procedures have been put on hold, the lack of recognition of their status has sometime led to prolonged detention.¹⁶ It is indisputable that the COVID-19 outbreak has had an impact on the provision of services for victims of trafficking; however it is not clear whether this will lead to a fundamental shift away from financial support to victims of trafficking. The lack of consistent, reliable funding may cause an irreparable negative effect in regions where these organizations are the only providers of these services.

Suggested measures:

- States should guarantee the extension of projects in support to victims of trafficking to avoid protection gaps and risks of re-victimization;
- States should ensure adequate alternate accommodation for residents in shelters that were shut down due to COVID-19 infections;¹⁷
- Relief economic packages adopted by States should include that adequate funding is allocated for essential services in support of victims of trafficking such shelters, psychological services and access to legal support;
- Asylum procedures and other procedures involving the recognition of the status of trafficking victims should be treated as urgent procedures, and not put on hold during the pandemic;
- Non-governmental organizations should raise awareness with donors on the increased needs to fund trafficking prevention and response in light of the COVID-19 pandemic.

Disruption of supply chain

The COVID-19 outbreak is not only affecting people's mobility across and within countries, but also the supply chains. Shortages of labour is disrupting the production, processing and distribution of

¹⁵ GRETA, "In time of emergency the rights and safety of trafficking victims must be respected and protected", 2 April 2020 <https://rm.coe.int/greta-statement-covid19-en/16809e126a>

¹⁶ La Strada International, "The impact of COVID-19 on the protection of the rights of trafficked and exploited persons", <http://lastradainternational.org/dynamic/images/3351-LSI%20statement%20-%20Impact%20of%20COVID-19%20on%20the%20protection%20of%20rights%20of%20trafficked%20and%20exploited%20persons.pdf>

¹⁷ Special Rapporteur on the right of adequate housing, COVID-19 Guidance note "Protecting those living in homelessness", https://www.ohchr.org/Documents/Issues/Housing/SR_housing_COVID-19_guidance_homeless.pdf

food. In particular, the global travel restrictions have impacted the ability of migrant workers to work during planting and harvesting of a wide range of crops, especially in Southern European countries. The FAO estimates a shortfall of about 1 million seasonal agricultural workers in Europe, mainly coming from Eastern Europe and Northern Africa.¹⁸ The outbreak is also disrupting manufacturing around the world.¹⁹ In certain countries, garment workers have been losing their jobs due to the lack of raw materials.²⁰ Since supply chain workers are not directly employed by the main brands, they are at risk of being fired when the demand decreases and being left without any protection, making them more vulnerable to trafficking and exploitation. The disruption of manufacturing has a huge impact on migrant workers who are not receiving their wages or who are in debt to recruiters. Moreover, workers who are in debt with their recruiter are reluctant to report on their health conditions, fearing retaliation.

Suggested measures:

- States should request suppliers to conduct risk assessments to assess the impact of COVID-19 on operations;
- States should ensure that suppliers are paid on time for the fulfilment of the contract and that they quickly implement any government guidance on financial assistance to workers and do not penalize workers for isolation protocols or sick leave.

Trafficking and exploitation of children

The COVID-19 is exacerbating the vulnerabilities of children to sexual exploitation. The closure of schools could heighten the risk of online sexual exploitation, with children spending more time online, possibly without the constant oversight of their parents, and exploiters who could easily reach them. Demand for sexual materials from isolated and bored offenders across the world has continued increasing.²¹ Law enforcement partners reported increased online activity by those seeking child abuse material.²² In this situation, there is a risk that families who have lost their jobs might look for alternative, illegal means of having an income; one of these could be selling videos of sexual abuse of their children. The police has also warned on new types of live-streaming, due to the increased demand for the creation of pornographic content.

School closures may also lead to an escalation of child trafficking cases. Many children have lost their subsidized school meals, which is posing a new burden on fragile families' economies. Consequently, many children might be forced into child labour or child marriage. Research shows that child labour is often associated with economic crisis²³ and the COVID-19 pandemic will increase the risks of children to be exploited, as well as the number of children dropping out of schools to sustain families. The

¹⁸ FAO, "Migrant workers and the COVID-19 pandemic", 7 April 2020

<http://www.fao.org/3/ca8559en/CA8559EN.pdf>

¹⁹ Harvard Business Review, "How Coronavirus could impact the global supply chain by mid-March", 28 Feb 2020 <https://hbr.org/2020/02/how-coronavirus-could-impact-the-global-supply-chain-by-mid-march?ab=hero-subleft-1>

²⁰ Clean Clothes Campaign COVID-19 update March 2020: <https://cleanclothes.org/news/2020/march-2020-covid19-blog>

²¹ ECPAT, "Why children are at high risk of sexual exploitation during COVID-19" https://ecpat.exposure.co/covid19?utm_source=Website&utm_campaign=Hero

²² Europol, "Pandemic profiteering: how criminals exploit the COVID-19 crisis", 27 Mar 2020 <https://www.europol.europa.eu/publications-documents/pandemic-profiteering-how-criminals-exploit-covid-19-crisis>

²³ UNICEF, "Child labour and the global crisis: an issues paper", https://www.unicef.org/protection/files/UCW_Summary_Financialcrisis_TCfinal.pdf

disruption of education services might leave children unattended and increase their vulnerability during day time to traffickers who might promise to provide them with education or work. Remote learning is not accessible to everyone, especially migrant children who do not own a laptop or do not have access to the Internet connection, which will increase the digital divide between healthier and poorer countries, and exacerbate social inequalities. The school closure and the lack of interaction with social workers, teachers and school friends will deprive children of their safe space and make them more vulnerable to become victims of criminal gangs.

Suggested measures:

- States should ensure that response plans to COVID-19 include gender sensitive and age appropriate measures to protect children from abuse and neglect;
- Child protection services should be considered an essential service which must be adequately resourced;
- States should make internet affordable to all;
- Civil society groups and social services should keep supporting vulnerable children who are at risk of being drawn into criminal activities and exploitation by criminal bands;
- States should request tech companies to keep children safe online and guarantee free access to child helplines and safe educational platform;
- States should raise awareness with the media, online platforms and parents on online sexual exploitation and abuse and ways to protect the most vulnerable from outreach and grooming by sex offenders.

The risks faced by victims and potential victims of sexual exploitation

The profound economic hardship caused by the COVID-19 outbreak is exposing the most vulnerable to risks of sexual exploitation, while current victims of human trafficking are at higher risks of being further abused and exploited.²⁴ The impact of the current crisis is particularly strong on women and girls who are generally earning less, saving less and are more involved in the informal economy²⁵, which makes them more vulnerable to exploitation. There is substantive evidence on how previous pandemics, such as the 2014 Ebola outbreak, has provided wider opportunities for exploiters to exploit people in need, especially women and girls, and pushed women to offer sex in exchange of food or vaccine.²⁶ Since outreach activities and pathways to receive assistance and help are disrupted, the identification of victims of sexual exploitation might be harder, which makes them more invisible and vulnerable to further exploitation. Restriction of movement, which is already inherent to trafficking for sexual exploitation, is further amplified by the lockdown measures and travel restrictions. Thus, victims of sexual exploitation might find themselves in a more desperate situation and unable to find an exit route. Moreover, along with the increase in reports of domestic violence²⁷,

²⁴ United Nations, "COVID-19 crisis putting human trafficking victims at risks of further exploitation, experts warn", 6 May 2020, <https://news.un.org/en/story/2020/05/1063342>.

²⁵ United Nations Policy Brief "The impact of COVID-19 on women", 9 Apr 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/policy-brief-the-impact-of-covid-19-on-women-en.pdf?la=en&vs=1406>

²⁶ UNICEF, "COVID-19- GBV risks to adolescent girls and interventions to protect and empower them" <https://www.unicef.org/media/68706/file/COVID-19-GBV-risks-to-adolescent-girls-and-interventions-to-protect-them-2020.pdf>

²⁷ United Nations, "UN chief calls for domestic violence 'ceasefire' amid 'horrifying global surge'", 6 Apr 2020, <https://news.un.org/en/story/2020/04/1061052>

victims of sexual exploitation might face abuses and physical and psychological violence perpetrated by their exploiters, especially when they share the same premises.

People exploited in prostitution are particularly exposed to the socio-economic consequences of COVID-19. Not only they have lost their income, due to social distancing measures implemented by the majority of the countries worldwide, but they are often unable to access the safeguards provided for many other workers, such as sick pay and social benefits and therefore, they might become more vulnerable and more dependent on their exploiters. Moreover, sex workers are more susceptible to punitive measures linked to the enforcement of COVID-19 regulations. The increased intervention of police officers, who are not trained to identify victims of trafficking, can expose them to more harassment and violence, including compulsory COVID-19 testing, arrests and threats of deportation when they are irregular migrants.²⁸ Restrictions on movement may shift forms of exploitation; as a consequence, women and children may be commercially sexually exploited by their traffickers online or within private homes.

Suggested measures:

- States should address the gendered impact of the pandemic and strengthen efforts to effectively identify victims of sexual exploitation;
- States should guarantee that sex workers receive equal protection under the law and access to social benefits and health care;
- States should properly identify victims of trafficking for sexual exploitation and should not detain, charge or prosecute them for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons (non-punishment principle).

III. Conclusions

The COVID-19 outbreak is impacting people all around the world, disrupting economic activities, State' functions, livelihood options and it is reshaping global dynamics. People who were already vulnerable, might become even more vulnerable to traffickers who are exploiting global uncertainties to gain profits. Other individuals who are experiencing material, social and economic losses might find themselves at higher risks of trafficking and other human rights violations. In countries that are implementing total or partial lockdown, trafficked persons might remain trapped in their place of exploitation and be unable to find an exit route. They might experience increased violence at the hands of their traffickers due to the loss of economic opportunities or they might be forced to keep working in unsafe conditions, without adequate health protections. Trafficked and exploited persons might be obliged to work extra-hours to make more profits in a time of economic disruption. Traffickers might detain their documents, therefore hampering the ability to access social protection benefits and health care. Without the appropriate documentation, they might also risk to be detained or sent back to countries where they face violence and therefore, be exposed to further risks of re-victimization. Law enforcement's efforts are focused on the prevention of COVID-19's spread and

²⁸ UNAIDS, "COVID-19 responses must uphold and protect the human rights of sex workers", 24 Apr 2020

https://www.unaids.org/en/resources/presscentre/featurestories/2020/april/20200424_sex-work

might reduce the capacity to respond to cases of trafficking. The justice system might be delayed, leaving victims of trafficking who are awaiting for a judgment in an undetermined limbo.

The current crisis caused by COVID-19 is bringing to the surface existing inequalities and vulnerabilities, and it is also shaping the way human trafficking is perpetrated. States should take stock on what it has been done in the past to combat trafficking and adopt long-term sustained policies to mitigate and eliminate vulnerabilities to trafficking. Such policies must be human rights-centred. The crisis might also represent a unique opportunity to implement universal social protection systems to erode sharper social inequalities. As affirmed by the Human Rights High Commissioner, COVID-19 is a test for societies, communities and individuals.²⁹ The way States will react to this global crisis will set the foot for future generations and provide an opportunity to make societies fairer, more inclusive, and free from trafficking and exploitation.

²⁹ <https://www.ohchr.org/EN/NewsEvents/Pages/COVID-19.aspx>