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United Nations Office on Drugs and Crime

UNODC submission to the Report of the UN Special Rapporteur on Contemporary Forms of Slavery, March 2023

The United Nations Office on Drugs and Crime (UNODC) welcomes the upcoming thematic report to be submitted to the 54th Session of the Human Rights Council by the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on **“homelessness as a cause and consequence of contemporary forms of slavery.”**

As the guardian of the United Nations Convention against Transnational Organized Crime (UNTOC) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking in Persons Protocol), UNODC strives to advance the agenda on countering human trafficking, as well as to protect and assist trafficking victims, with full respect for their human rights. UNODC wishes to support the Rapporteur by identifying the following areas related to the linkages between homelessness and human trafficking, which could inform the report.

1. Homelessness and Trafficking in Persons: the intersection of complex phenomena

The root causes of both homelessness and human trafficking are various and often differ from one country to another¹ and from one person to another as both are complex phenomena driven by personal, situational, and contextual factors.² However, many factors tend to be common to both human trafficking and homelessness across a wide range of regions. These include structural factors such as poverty and lack of economic opportunity, personal factors such as experiences of abuse and mental health crises, and contextual factors such as humanitarian crises and conflicts.³ When these factors interact, they often increase the risk of trafficking and/or homelessness for certain individuals, groups, or communities. Though trafficking in persons and homelessness share similar drivers, homelessness itself can also be a driver and a consequence of trafficking in persons.

Homelessness as a cause of human trafficking

UNODC has collected, analyzed and summarized more than 1500 court cases of trafficking in persons, from jurisdictions globally. In its derived Case Digest, UNODC has noted that homelessness is a common vulnerability seen in human trafficking cases.⁴ One case documented within the Digest, *Connors and others vs. R*, discusses a family in the United Kingdom who recruited homeless men through the promise of paid work, food and a home. Instead, the victims were forced to work for little to no pay without proper equipment or clothing and were provided poor living accommodation that lacked heating and running water.⁵ This, however, is not an isolated case. UNODC has noted countless others throughout numerous reports,⁶ the Collection of Case Summaries for the 2022 Global Report on Trafficking in Persons (GLOTIP),⁷

¹ UNODC, [Toolkit to Combat Trafficking in Persons](#), 2006.

² The Interagency Coordination Group against Trafficking in Persons (ICAT) *Addressing Vulnerability to Trafficking in Persons*, 2022.

³ United Nations, *Report of the Secretary-General on affordable housing and social protection systems for all to address homelessness*, E/CN.5/2020/3, 2019.

⁴ UNODC, [Evidential Issues in Trafficking in Persons Cases: Case Digest](#), 2017, pg. 80.

⁵ UNODC, *Ibid*, pg. 96.

⁶ See for example UNODC, [Issue Paper: Interlinkages Between Trafficking in Persons and Marriage](#), 2020; UNODC, [GLOTIP 2018](#); UNODC, [GLOTIP 2020](#); and UNODC, [GLOTIP 2022](#).

⁷ UNODC, [Global Report on Trafficking in Persons 2022: Collection of court case summaries](#), 2023.

and the SHERLOC Database,⁸ that detail cases in countries across Africa, Asia, Europe, North America and South America,⁹ including one in Kazakhstan¹⁰ where traffickers found people experiencing homelessness, recruited them by means of deception and threats, and then forced them to work without pay.

Victims in the identified court cases were all experiencing homelessness or were at risk of imminent homelessness and were individuals of all ages, with the oldest noted case being of a 63-year-old man who was trafficked for forced begging in Austria.¹¹ In these cases, the victims were often migrants, and most were recruited by men, but cases also noted recruitment by women and family operations. Traffickers typically lured victims through promises of work, shelter, and/or basic survival needs and maintained control through the use of violence, threats, deception, and confiscation of identification papers. Victims who identified as female were primarily trafficked for sexual exploitation or domestic servitude, while victims who identified male were primarily trafficked for forced labour, begging, and stealing. Specific industries that have been noted include prostitution, asphaltting and stone-laying¹², stealing groceries, electronics, and cosmetics¹³, agriculture¹⁴, begging and selling newspapers and magazines on the street¹⁵, and forced criminal activity.¹⁶

When it comes to trafficking in persons for organ removal, traffickers often abuse acute levels of vulnerability and target people experiencing homelessness. Perpetrators may persuade victims that trading one of their organs is the only way to cope with poverty and may coerce them into trading an organ for money which will ultimately not be paid. Along similar lines, traffickers will recruit people from refugee camps to trade their organs in exchange for payment or transport to safer locations.¹⁷

Further, UNODC has documented cases where traffickers would target women experiencing homelessness and convince them to enter sham marriages for money, promising that the marriage will be dissolved, leading to the women being trafficking into various forms of exploitation including smuggling of drugs.¹⁸ In Austria, Amnesty International reported that women at risk of homelessness, especially when with children, will seek other options, such as entering new partnerships that might also expose them to the risk of exploitation and abuse, to avoid staying on the streets. Because these women are not considered homeless, they are not provided with homeless assistance services and further exposed to exploitation.¹⁹

Children living on the streets are also at a heightened risk of exploitation,²⁰ particularly for forced begging. UNODC noted recently that exploitative begging accounts for about 1% of the globally detected victims in 2020 and that victims forced into begging often consist of homeless children with no parental care.²¹ For example, UNODC has undertaken support projects of *talibés* children in Senegal, where thousands of children studying in religious boarding schools have been subjected to exploitation²² and forced by their teachers to beg for money and food in the streets while living in conditions of extreme squalor. UNODC

⁸ UNODC, [SHERLOC Case Law Database](#).

⁹ Countries specifically found in the SHERLOC Database include Bulgaria, Canada, Germany, India, Italy, Kazakhstan, Mauritius, Nicaragua, Norway, the Philippines, Poland, Romania, Ukraine, the United Kingdom, and the United States.

¹⁰ UNODC, SHERLOC Case Law Database, Kazakhstan, [KAZ002](#), 2007.

¹¹ UNODC, *GLOTIP 2022: Collection of court case summaries*, 2023, pg. 558.

¹² UNODC, SHERLOC Database, Norway, [NOR001](#), 2008.

¹³ UNODC, SHERLOC Database, Germany [DEUx023](#), 2019.

¹⁴ UNODC, SHERLOC Database, Ukraine [UKR019](#), 2012.

¹⁵ See for ex. UNODC, SHERLOC Database, Romania [ROU034](#), 2008; and UNODC, *GLOTIP 2022: Collection of court case summaries*, [Case 261](#), pg. 385.

¹⁶ UNODC, *GLOTIP 2020*, pg. 90.

¹⁷ UNODC, *GLOTIP 2018*, pg. 31; see also European Parliament, *Trafficking in Human Organs*, 2015, for more details pg. 36-37.

¹⁸ UNODC, [Issue Paper: Interlinkages Between Trafficking in Persons and Marriage](#), 2020, pg. 41.

¹⁹ Amnesty International, [If housing was a human right, I wouldn't live like this: Barriers to accessing homeless assistance services in Austria](#), 2022, pg.30.

²⁰ UNICEF, ["In-depth: A renewed effort on street children."](#) 2011.

²¹ UNODC, *GLOTIP 2022*, pg. 39

²² UNODC, [Impact of the COVID-19 Pandemic on Trafficking in Persons: Preliminary findings and messaging based on rapid stocktaking](#), 2021, pg. 2.

has also documented cases of traffickers in Romania who abducted homeless children and exploited them through begging or selling magazines and newspapers.²³ Further, to increase their profits, exploiters in China have been known to deliberately disfigure children living on the streets and force them to beg.²⁴ While there have been efforts to aid street children in countries such as China²⁵ and Senegal²⁶, the problem persists, and the risk of exploitation is still high.

Individuals who identify as LGBTQI+ are at a higher risk of experiencing homelessness as they are often marginalized in society and ostracized by friends and relatives who may force them out of their homes. Moreover, LGBTQI+ individuals are more likely to experience stigma and discrimination by law enforcement, social service providers, staff in emergency housing and shelter facilities, and are more likely to engage in illegal activities or resort to transactional rape in exchange for basic necessities. The combination of all the above experiences makes LGBTQI+ individuals more vulnerable to being trafficked.²⁷

Homelessness as a consequence of human trafficking

While exploiting victims, traffickers may use homelessness as a threat to maintain control over their victims.²⁸ Unfortunately, homelessness can also often become a reality for many victim/survivors upon exiting their trafficking situation.

According to Article 6 of the Trafficking in Persons Protocol, each State Party shall consider implementing measures to provide for the recovery of victims of trafficking in persons in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of appropriate housing. However, trafficking victim/survivors are often impeded from accessing such housing.

In the United States, for example, housing needs have made up 37% of all referral and crisis assistance requests made to the National Human Trafficking Hotline since 2007, as reported by Polaris.²⁹ While many US States have emergency housing and shelters for victim/survivors, these short-term options have limited space and funding, and do not offer sustainable solutions. Even more limited are transitional programmes that aid victim/survivors in obtaining full recovery from the trauma they endured and help to connect them with permanent housing opportunities.³⁰

While there has been increasing momentum towards global acceptance of the non-punishment principle, which states that trafficked persons should not be subject to arrest, charge, detention, prosecution, or be penalized or otherwise punished for illegal conduct that they committed as a direct consequence of being trafficked,³¹ it is often inadequately implemented. This is particularly true when it comes to ensuring that victims of trafficking have unimpeded access to housing.

As a result of their exploitation, many victims/survivors experience credit and identity fraud, previous evictions, broken leases, and financial instability which can hinder approval for housing.³² Victim/survivors may be forced to engage in illegal conduct or have mental health conditions or substance use disorders

²³ UNODC, SHERLOC Database, Romania [ROU034](#), 2008.

²⁴ UNICEF, "[In-depth: A renewed effort on street children](#)," 2011.

²⁵ Ibid.

²⁶ UNODC, *Impact of the COVID-19 Pandemic on Trafficking in Persons: Preliminary findings and messaging based on rapid stocktaking*, 2021, pg. 2.

²⁷ UNODC, *GLOTIP 2020*, pg. 38.

²⁸ UNODC, *GLOTIP 2022: Collection of court case summaries*, [Case 524](#), pg. 699.

²⁹ Polaris, *On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking*, 2018, pg. 24.

³⁰ About the challenges victim/survivors experience in obtaining housing, see also United Way, *The Intersection between Housing Instability and Human Trafficking*, 2022.

³¹ ICAT, *Issue Brief: Non-Punishment of Victims of Trafficking*, 2020.

³² See again United Way, *The Intersection between Housing Instability and Human Trafficking*, 2022.

as a result of their victimization which can further impact their ability to access and receive housing services.³³ When housing programmes require participants to have no criminal record, no substance use disorders, no outstanding credit liens, no previous evictions, or provide proof of employment, they create barriers that prevent victim/survivors from accessing housing, thus punishing them for activities they were coerced into while being exploited.³⁴ Furthermore, due to short-term protections or inadequate implementation of protection measures, victim/survivors with insecure immigration status are often deemed ineligible for many forms of support, including housing, or experience administrative delays with their immigration status blocking their ability to receive accommodation. Even if they are provided accommodation, it may be in the form of asylum accommodation, which is often unsuitable for trafficking victim/survivors and can lead to further trauma.³⁵ Such treatment goes against the non-punishment principle by creating obstacles for victim/survivors due to the irregular status they were forced into as a result of their trafficking situation and prevents them from accessing the services necessary for their recovery.

With such extensive barriers and limited options for housing upon leaving their trafficking situation, victim/survivors are often left homeless, and in a situation of vulnerability which could lead to re-exploitation.

2. Recommendations

To remedy this situation, UNODC proposes the Special Rapporteur consider recommending the following related actions be taken by States:

1. Ensure immediate assistance and long-term recovery and rehabilitation for trafficking victim/survivors with special considerations for the needs of women, children, LGBTQI+, and migrant workers, to ensure the long-term reintegration of trafficked persons and prevent revictimization. Such assistance should include at a minimum: temporary sex-segregated shelter, medical care, including sexual and reproductive health services and substance use disorder treatment, child protection services, psychosocial support, and legal assistance. Social and economic assistance should include access to educational and training opportunities and access to decent work.³⁶
2. Implement and reinforce social ties and safety nets for households in economic need. States and stakeholders should engage with local communities and grassroots organizations to implement community-based interventions aimed at creating new sustainable livelihood opportunities for populations at risk and victims of trafficking.³⁷
3. Enable, subsidize and promote the creation of affordable, long-term housing and shelters for victim/survivors of trafficking in persons.³⁸
4. Ensure that victim/survivors of trafficking in persons are given priority for housing and shelter if they become homeless.³⁹

³³ United States Advisory Council on Human Trafficking, [Annual Report 2021](#), pg. 18.

³⁴ ICAT, *Non-Punishment of Victims of Trafficking*, Op Cit.

³⁵ For more on the challenges faced by trafficking victim/survivors with insecure immigration statuses, see British Red Cross, [Hope for the Future: Support for survivors of trafficking after the National Referral Mechanism](#), July 2019.

³⁶ ICAT, [Issue Brief: Trafficking in Persons for the Purpose of Forced Labour](#), 2020.

³⁷ UNODC, *GLOTIP 2020*, pg. 19.

³⁸ Polaris, *op. Cit.*

³⁹ *Ibid.*, pg. 70.

5. Expand safe, orderly, and regular pathways of migration, in line with commitments made under the Global Compact for Safe, Orderly and Regular Migration, as a way to reduce instances of irregular migration and the subsequent increase of vulnerability of irregular migrants and asylum seekers to trafficking.
6. Put into place criminal justice and assistance standards to ensure that victims of trafficking are not punished or prosecuted for acts committed as a direct consequence of their victimization, including in the form of obstacles to housing, and, in the same spirit, enable criminal records to be vacated or expunged for individuals who were convicted of crimes committed as a direct result of trafficking.⁴⁰
7. Provide housing protection rights to trafficking victim/survivors, including but not limited to protecting them from housing discrimination, eviction, or other punishment based on their status or history as a victim of crime, allowing them to break a lease without penalty with adequate documentation of their victim status, affording them the right to have reasonable security enhancements made, and ensuring complete confidentiality of all housing records and documented victim status.⁴¹
8. Ensure that housing programme strategies for trafficked persons are victim/survivor-informed.
9. Require public housing agency staff and housing property managers to receive victim/survivor-informed training on indicators of human trafficking, trauma-informed approaches, and dispelling myths that discourage property owners or managers from participating in housing voucher programs or renting homes to individuals who have experienced human trafficking.⁴²
10. Encourage civil society organizations, and all relevant stakeholders who serve people experiencing homelessness to integrate jobs skills training into their programming and ensure that it provides a human trafficking perspective that builds knowledge about labour exploitation and trafficking and how to identify false job ads that may result in victimization.⁴³

⁴⁰ ICAT, *Non-Punishment of Victims of Trafficking*, Op. Cit.

⁴¹ Polaris, *Op. Cit.*

⁴² Ibid.

⁴³ Family & Youth Services Bureau, [Human Trafficking Prevention: Strategies for Runaway and Homeless Youth Settings](#), 2020.