

Good practice in protecting people from modern slavery during the Covid-19 pandemic

Research Summary

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This project provides a rapid global assessment of the major impacts of Covid-19 on modern slavery and identifies good practices in protecting its victims and affected workers. The pandemic has impacted on State responses to modern slavery and the protection of victims, and has exacerbated vulnerabilities to modern slavery. The project identifies and critically analyses emerging good practices aimed at mitigating the negative impacts of the pandemic on modern slavery and unemployment. Finally, the research sets out guiding principles for action against modern slavery during emergency situations such as pandemics.

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Methodology

This research was based on desktop analysis of emerging academic literature reports and data provided by governments, civil society organisations, trade unions, regional and international organisations, and media reports where appropriate. This desktop research was complemented by a series of semi-structured interviews with over 30 non-governmental stakeholders working in the areas of modern slavery and workers' rights.

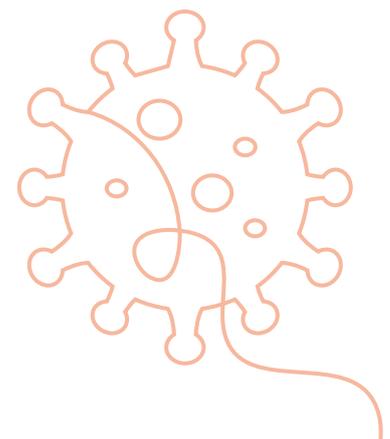
Impacts of Covid-19 on modern slavery

The pandemic has had a major impact on people experiencing forms of exploitation falling under the umbrella term of modern slavery. The research focused on two aspects of the impact, firstly on anti-slavery actions, including protection and support for people affected by modern slavery, and secondly on how the pandemic has made people more vulnerable to exploitative practices due to unemployment.

1. Disruption of anti-slavery actions

The project discovered that investigations, prosecutions and punishments of modern slavery, including labour inspections and court proceedings, have been disrupted or delayed in a number of States and territories. These have been caused by remote working prompted by national lockdowns and/or shifting of resources from anti-slavery efforts to fight the pandemic.

More importantly from a human rights perspective, protection of people who experienced modern slavery has been affected globally. Provision of face-to-face services has been largely halted, despite the fact that demand for their services has remained intact during the pandemic. While many organisations have adapted and provided their services online or by telephone, these have not always been available to the most vulnerable populations, particularly in low-income regions. Other obstacles include inability to communicate with public authorities, lack of funding and an increased risk of Covid-19 infection among frontline workers and victims of modern slavery.



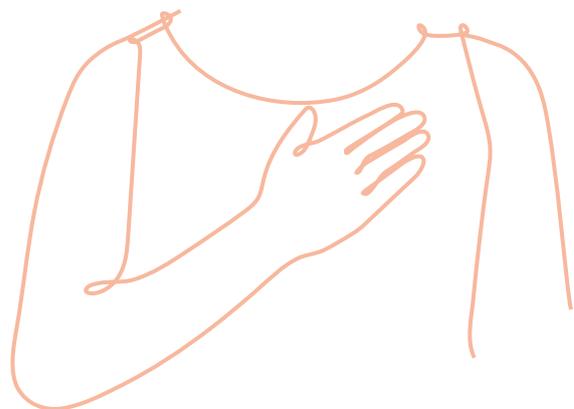
2. Increased vulnerabilities

The pandemic has also increased vulnerabilities in several important respects. Firstly, unemployment has been pushing affected workers into slavery, forced labour, human trafficking and other forms of exploitation. The research has identified some movements of people from the formal economy to the informal, which is characterised by casualisation, precariousness and lack of sufficient protection from governments, in various parts of the world. A large number of informal workers have also lost their jobs globally. Unsurprisingly, the hardest hit are those in low-income regions (i.e. Asia, Africa and Latin America) where informal work constitutes more than 90% of their workforce. This has put them in a more precarious position as they have had no choice but to accept any job in order to survive.

Secondly, an increase in demand for labour in some sectors has enabled exploitation and abuse of workers. For instance, the workload of health and social care and domestic workers has increased during the pandemic. Instances of abuse and exploitation, including worsening living and working conditions, have been reported among factories producing PPE and in the agricultural sector. Instead of increasing protection, many governments have chosen to relax or suspend labour and social protection in order to cope with the economic impacts of the pandemic.

Thirdly, the pandemic has had a negative impact on children. Temporary school closures have resulted in the growth of child labour in sectors such as agriculture, construction, mining and domestic work, and for girl children, forced marriage has been reported in some regions including Asia and Africa. Online child sexual exploitation has also increased during the pandemic.

Finally, movements of workers from the informal to the illegal economy have been emerging. There have been reports of unemployed women resorting to so-called “transactional sex” in order to earn their living. Other forms of criminal exploitation, including drug production, forced begging and organised theft facilitated by sophisticated criminal groups, have continued during the pandemic.



Good practice in protecting the victims of modern slavery and workers affected by the pandemic

1. Anti-slavery actions

It is important to recognise that many governments have continued their law enforcement responses and protection of victims, including facilitation of cross-border or international criminal justice cooperation. Some States and territories have also adopted virtual court hearings quickly so that those engaged in modern slavery are prosecuted and punished sooner rather than later. In addition, civil society organisations have been playing a crucial role in protecting victims, including the continuation of face-to-face services.

2. Mitigating unemployment

Good practices in mitigating unemployment caused during the pandemic are also emerging. One common measure implemented by more than 100 States and territories is job retention through wage subsidies, whereby governments cover certain percentages of workers' wages. Public works or projects have also been offered in Central Europe, Asia, Africa and Latin America coupled with vocational and skills training. Further, cash transfers and other economic and social support have been provided to vulnerable populations such as the self-employed, informal workers, women, young people, and documented/undocumented migrant workers.

3. Improving working and living conditions

A number of measures to improve working conditions have been gradually facilitated. Health and safety measures at work, including home-based working, staggered working hours, promotion of social distancing and provision of PPE, have been implemented by a large number of governments and businesses. Some have enacted legislation or regulations to require these. Free medical testing and treatment have also been introduced, although these are more common in middle to high-income States and territories. Moreover, additional financial support and special leave schemes have been provided to those who contracted the virus without fear of dismissal or loss of wages.

As for improvement of the living conditions of workers, emergency food relief has been provided to the most vulnerable and poor populations in more than 80 States and territories. The project has discovered that civil society organisations and trade unions around the world have been very active in providing food and other necessities during the pandemic. In addition, temporary prohibition of eviction has been facilitated by many governments in Europe, Asia and the Pacific, and Latin America, and others have given financial support to cover workers' rent or mortgage or utility payments in cooperation with national financial institutions and utilities companies.

Critical analysis of emerging good practice

1. Anti-slavery actions

The project discovered that there still is scope for improvement, particularly in the protection of the victims of modern slavery. The amount of support given to individuals during the pandemic has been said to be insufficient, and it has emerged that contributions by civil society organisations have not been acknowledged or supported by various governments.

2. Support for unemployed workers

In terms of economic and social assistance for unemployed workers, these are temporary by their very nature, and many of them have been discontinued during the pandemic. A related point is the level of support given has been regarded as inadequate in all regions of the world. This is due to the fact that many governments, particularly those from low-income States, have not been able to afford them.

3. Vulnerable groups particularly affected

It has become clear that the most affected and vulnerable populations have been excluded from support and assistance one way or another. For instance, job retention schemes mainly apply to the formal sector and therefore a large number of informal workers have not benefited in reality. There are other reasons, such as lack of effective infrastructure or mechanisms to distribute support, excessive bureaucracy, and inability to register beneficiaries properly which have made it extremely difficult for women, young people, documented/undocumented migrant workers, indigenous peoples, minorities, and internally/externally displaced persons to benefit from available support.

4. Working and living conditions

Various issues have also been identified in relation to living and working conditions. For instance, accommodations for workers organised or managed by employers are still said to be unsanitary and overcrowded and therefore workers are not able to maintain social distancing, increasing the risk of Covid-19 infection. This comes from a lack of effective legislative and other measures, including more robust labour inspections on the part of governments across the world, but businesses and employers are also not complying with official guidance in many cases.

Slow deliveries of, and a lack of access to, PPE at workplaces, particularly in the informal sector, have been reported globally. Many businesses are still not providing a sufficient level of PPE, and the project discovered that civil society or trade union organisations have been stepping in to provide them instead. It has also been reported that Covid-19 testing and treatments are not easily accessible or available to poor and marginalised populations.

5. Activities of civil society organisations and trade Unions

Activities of civil society organisations and trade unions have been affected globally. In addition to various difficulties in providing face-to-face services, these organisations have experienced harassment and intimidation globally. It has also emerged that many of them have not been consulted by their governments in developing and implementing Covid-19 responses.

Guiding principles on actions against modern slavery in emergency situations

International human rights law, international labour law and other relevant branches of international law impose clear legal obligations on States to continue anti-slavery actions in emergency situations, using the following principles:

- **Principle 1:** Human rights must be at the centre of actions against modern slavery in emergency situations.
- **Principle 2:** States must continue to investigate, prosecute and punish modern slavery in emergency situations.
- **Principle 3:** Law enforcement against modern slavery during emergency situations must be conducted in accordance with the existing human rights norms and principles.
- **Principle 4:** Financial investigations and confiscation of criminal proceeds generated from modern slavery must be an integral part of anti-slavery responses.
- **Principle 5:** States must continue to identify and protect the victims of modern slavery during emergency situations.
- **Principle 6:** States must ensure that businesses and employers respect and protect human rights during emergency situations.
- **Principle 7:** States must ensure access to justice and remedies through legislative, administrative, judicial and other means.
- **Principle 8:** In facilitating effective protection, States should cooperate actively with civil society organisations and trade unions.
- **Principle 9:** States should improve the working and living conditions of workers.
- **Principle 10:** States must continue to prevent modern slavery during emergency situations.
- **Principle 11:** International cooperation and solidarity are crucial in continuing anti-slavery actions during emergency situations.

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