MIGRANTS AND THEIR VULNERABILITY

TO HUMAN TRAFFICKING, MODERN SLAVERY AND FORCED LABOUR

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Front cover image:
Venezuelans load cars with goods and food on the irregular migration routes connecting Bolivarian Republic of Venezuela and Pacaraima, Brazil. Migrants who use irregular migration routes are vulnerable to exploitation due to high-risk situations including the profit motives of smuggling networks and the presence of organized crime.
Credit: Victor Moriyama/Getty Images

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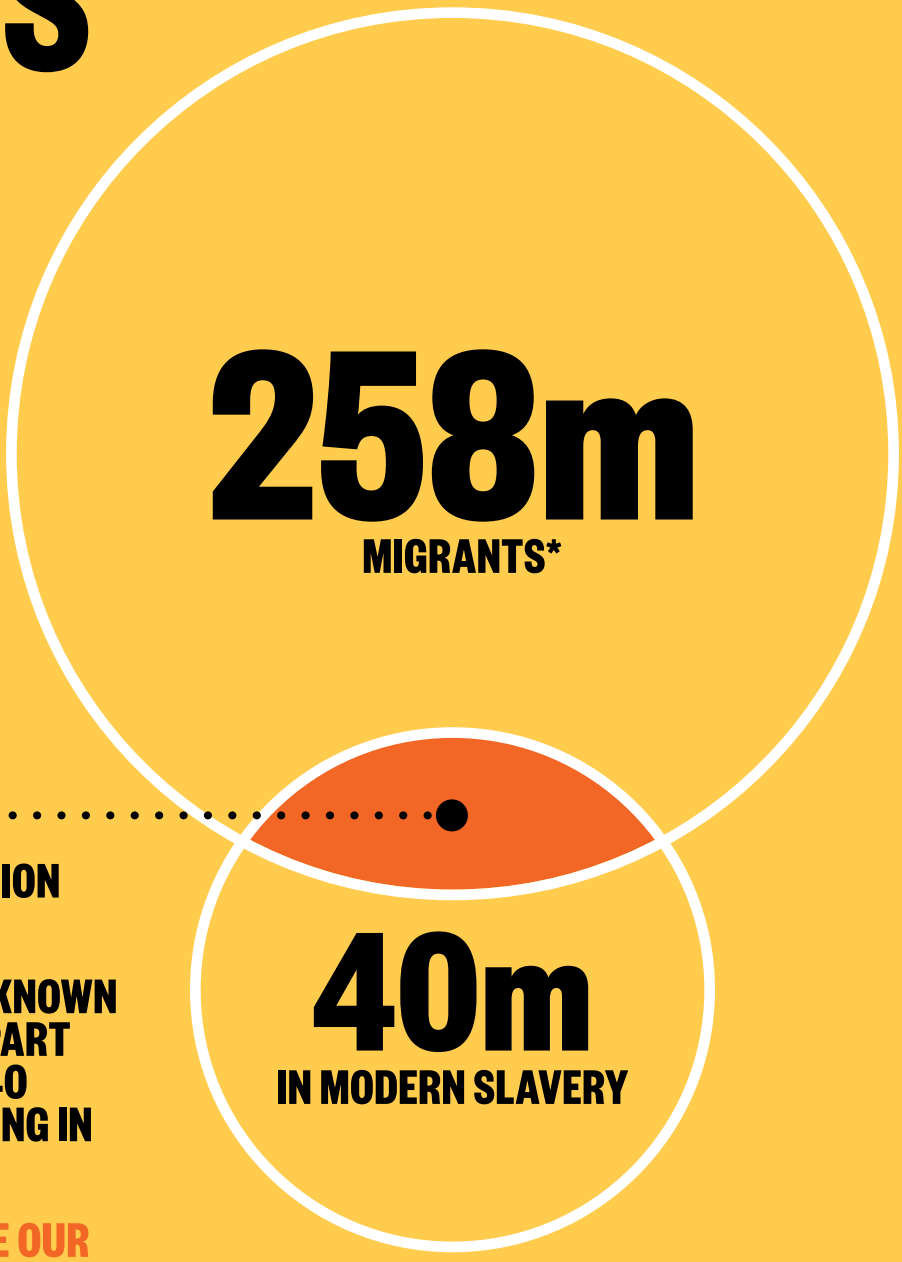
FAST FACTS



THERE ARE 258 MILLION MIGRANTS.*

WITHIN THIS, AN UNKNOWN NUMBER ARE ALSO PART OF THE ESTIMATED 40 MILLION PEOPLE LIVING IN MODERN SLAVERY.

HOW DO WE IMPROVE OUR UNDERSTANDING OF THIS OVERLAP SO THAT WE CAN PREVENT MODERN SLAVERY?

* Migrants refers to international migrants.

THIS REPORT EXAMINES:

WHERE AND WHEN

MIGRANTS ARE PARTICULARLY VULNERABLE TO HUMAN TRAFFICKING, FORCED LABOUR, AND MODERN SLAVERY.

Any situation or place where the authority of the State and society is unable to protect them, either through lack of capacity, absence of applicable laws or simple neglect. This includes when migrants are:

- Fleeing situations of violence and conflict;
- Dislocated from community and family support structures, without access to legitimate forms of employment, legal status and social protection;
- Moving or working through irregular channels;
- Working in sectors that are either literally out of sight, such as work at sea or in private homes as domestic workers, or in informal sectors that are either not covered or may even be excluded from existing systems of labour protections.

WHICH

MIGRANTS ARE MOST VULNERABLE TO HUMAN TRAFFICKING, FORCED LABOUR AND MODERN SLAVERY.

- Children and adolescents.
- Women and men are vulnerable but in different ways – with women experiencing higher rates of modern slavery in domestic work, the sex industry and forced marriage, while men are more likely to be exploited in forced labour in construction and manufacturing sectors;
- Undocumented migrants;
- Tied visas and other mechanisms that give undue control to employers or recruiters;
- Restrictive migration systems that fail to take account of labour market realities or to effectively balance competing policy priorities;
- Corruption of officials involved in the recruitment, migration and criminal justice processes, including recruitment agents, employers and government border control, police and military officials;
- Reliance on third party recruiters and agents;
- Gaps in the protective mechanisms provided by government, reflecting either lack of priority or lack of coverage.

WHAT
DO WE NEED TO DO TO ADDRESS THIS?

Increase protections for vulnerable migrants and victims through measures aimed at:

- Providing protection for those fleeing repressive regimes;
- Ensuring access to decent work and finances;
- Addressing the threat of deportation and detention for migrants seeking redress from employment abuses;
- Filling gaps in national laws and labour protections;
- Expanding child protection systems to include migrant children;
- Creating ethical and safe, fee-free recruitment across borders;
- Reducing discrimination.

Reduce capacity and opportunity for potential offenders through measures aimed at:

- Prohibiting recruitment fees, restrictions on mobility and withholding of identify documents;
- Promoting labour rights, inspections and protections;
- Reducing discrimination.

Increase capacity and focus of guardians through measures aimed at:

- Closing gaps in laws, including criminal and labour laws and protective responses;
- Creating safe migration pathways that better reflect the realities of migration and labour markets, as well as the need to balance rights and security;
- Bolstering capacity of all first responders in crisis situations;
- Ensuring that corruption is investigated, exposed and prosecuted;
- Funding rapid response task-forces as new issues arise. Train first responders to identify crimes relating to modern slavery;
- Supporting transparency through research and reporting;
- Ensuring rehabilitation of victims includes a financial or livelihoods components.

Focus research efforts on filling critical gaps in knowledge, particularly with regard to:

- Offenders.
- Age and gender and their impacts on vulnerability to modern slavery;
- Understudied topics including forced marriage and its connections to migration, and the recruitment of child soldiers from migrant and displaced populations;
- Understudied regions and countries, where high prevalence is indicated but there is limited research on the connection to migration and vulnerability to modern slavery.

A woman carries a child after disembarking from an aircraft carrying refugees evacuated from the Libyan city of Misrata to Rome, Italy. According to UNICEF, the absolute number of child migrants has increased significantly in the last 25 years and migrant children may fall outside the scope or focus of local child protection authorities, thereby creating heightened risk of modern slavery for these children. Credit: Alberto Pizzoli/AFP/ Getty Images

EXECUTIVE SUMMARY

Research suggests connections exist between migration and criminal forms of exploitation such as human trafficking, forced labour and modern slavery. Certainly, constellations of risk are seen in certain migrant communities and migration corridors. However, it is not known how many of the world's estimated 40 million victims of modern slavery are also migrants.

Modern slavery, while not defined in law, serves as an umbrella term that emphasizes the commonalities between human trafficking, forced labour and slavery. Essentially, these are all situations of exploitation in which a person cannot refuse or leave an exploitative situation due to threats, violence, coercion, deception or abuse of power.[1] If we are to understand the relationship between migration and modern slavery, it is important that we know more about *which* migrants are vulnerable to modern slavery, as well as *when* and in *what* enabling circumstances.

About 200 migrants, mostly from Ethiopia and Eritrea, have been detained in the coastal town of Zawiya, west of Tripoli, Libya as they tried to cross to Europe in a truck in June, 2014. Crackdowns on undocumented migrants and asylum-seekers push them into migrating through more unsafe methods, thereby creating the conditions that enable smuggling to thrive. Credit: Hazem Turkia/Anadolu Agency/Getty Images

The global community has pledged, through the Sustainable Development Goals (SDGs), to address global challenges to achieve a better and more sustainable future for all. SDG 8.7 aims to eradicate modern slavery, trafficking, forced labour and the worst forms of child labour by 2030, and to end child labour by 2025. Alliance 8.7 is a multi-stakeholder partnership committed to achieving Target 8.7 through coordination, strengthening research, data, and knowledge management and sharing.

Also covered by the SDGs is migration, most notably under SDG 10.7, which aims to facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies. In addition, the Global Compact for Safe, Orderly and Regular Migration seeks to embody the first intergovernmental agreement on international migration under the auspices of the United Nations.

The Global Compact emphasizes the need to address and reduce the vulnerabilities in migration and, through its Objective 10, calls on the international community to "prevent and combat trafficking in persons in the context of international migration."[2]

Recognizing the importance of addressing modern slavery and specific vulnerabilities of migrants to modern slavery, this report has been prepared for the Alliance 8.7 Action Group on Migration to help to inform the activities of the group aimed at achieving SDG 8.7. The report examines the recent research literature on migration and modern slavery (published between 2014-2018) through a crime prevention lens, to identify a set of salient features that will help us better understand the relevant connections between migration and vulnerability to trafficking, forced labour, child labour, and modern slavery.

WHERE ARE MIGRANTS MOST VULNERABLE?

Migrants are most vulnerable to abuse and exploitation in situations and places where the authority of the State and society is unable to protect them, either through lack of capacity, applicable laws or simple neglect. For example, migrants are highly vulnerable when fleeing situations of violence and conflict, where the State has effectively broken down and society itself is in crisis. Even once migrants have fled the immediate fighting, when people are on the move, this vulnerability persists while migrants are dislocated from community and family support structures, and are thereby typically without access to legitimate forms of employment, legal status and social protection. The risk is further increased when migrants move or work through irregular channels, where their irregular status puts them entirely at the mercy of opportunists who may seek to take advantage of their desperate circumstances.

Migrant workers are also vulnerable in certain labour situations that are either unseen, hard to access or simply not covered by existing legal protections. This includes situations that are "out of sight" such as migrant workers engaged in work at sea or even in private homes as domestic workers, but it can also include migrants who are effectively confined to worksites by private employers or agents who have a high degree of control over their ability to retain a visa, their working and living conditions, and their mobility.

WHICH MIGRANTS ARE MOST VULNERABLE?

Child and adolescent migrants are highly vulnerable to modern slavery. While an estimated 31 million children are migrants globally, legal routes of migration are typically closed to children. Children and adolescents are particularly vulnerable when travelling alone or having been separated from their families. Discrimination and racism can result in some child migrants of certain national or ethnic origins being targeted more than other children and experiencing higher rates of victimization. Crimes against children tend to be underreported and research confirms child migrants face additional barriers to reporting, including fear of detention and deportation.

The issue of gender is relevant to vulnerability, with women experiencing higher rates of modern slavery in domestic work, the sex industry and forced marriage, while men are more likely to be exploited in state-sponsored forced labour and forced labour in the construction and manufacturing sectors.

All relevant studies agree that undocumented migrants are at a higher risk of modern slavery than those who are documented. Additionally, migrants whose visas are tied to a specific employer are also at higher risk of exploitation.

The impact of migrants' knowledge of migration processes is disputed. Some research suggests that poorly informed migrants are at higher risk of exploitation. However, other researchers argue that most migrants are already aware of the dangers of migrant exploitation but are compelled into risky situations by circumstances beyond their control.

Restrictive immigration policies (such as restrictions applied to certain visas or arbitrary changes to asylum procedures for nationals from certain countries) and weak migration governance structures are frequently noted as major causes of vulnerability to modern slavery, especially when combined with low-wage migration. In many contexts, migrant workers are excluded from or fall outside the protection of organized labour, where it exists.

A climate of discrimination against migrants can be a major cause of their vulnerability to modern slavery. While sometimes discrimination may play out through tolerance of abuse, it can also mean migrants have limited access to legal and law enforcement systems that otherwise might protect them.

WHAT ENABLES MIGRANTS TO BE ABUSED AND EXPLOITED?

With limited access to networks, information or resources, migrants frequently need to look to third party sources of help. If verified information is not readily available through obvious, official channels, then local agents, intermediaries and employers will be able to leverage their superior control of resources to exploit migrant workers with relatively low cost and risk.

A former migrant worker, Haryatin, who is blind because employers abused her while working in Saudi Arabia, with her daughter Wulan at their home in Blitar, East Java, September 2013. Many Indonesian domestic workers come home from abroad having experienced a variety of exploitation and abuse throughout the migration process including torture and sexual abuse by their employers. Credit: Arief Priyono/LightRocket via Getty Images

These include having superior access to information about migration processes and employment systems, local networks (particularly for potential employment), financial resources and control of space, including workplaces.

The role of third-party intermediaries in the migration process is significant. Complex or piecemeal information on official migration processes, employment and relocation options, including job vacancies, skills and educational recognition, make it difficult for prospective migrant workers to migrate without third party assistance. As a result, migrants frequently use recruitment agencies, brokers, smugglers and other intermediaries, including extended networks through family and friends, to find overseas employment and facilitate their migration.

Transactions with recruiters or recruitment agencies are one of the most common situations in which migrants are confronted with choices that lead to their exploitation. In many jurisdictions, these agencies are subject to minimal or inefficient regulation. Complex networks of subcontracting and cross-jurisdictional challenges can obscure legal and financial responsibilities.

Research suggests that those involved in abusing migrants can be both opportunistic and predatory, seeking profit but also personal gratification. Perpetrators may not always view their behaviour as exploitative, as they may hold ideological beliefs that allow them to rationalize their exploitation of others. Examples include reference to concepts of free choice ("it's their choice") or a belief that perpetrators are providing a social good ("they are better off here"). Xenophobia and discrimination are also highly relevant to the mistreatment of migrants.

WHAT ABOUT EXISTING GOVERNMENT PROTECTIONS FOR MIGRANTS?

While there are laws, policies and practices that are intended to protect migrants from abuse and exploitation, there are many gaps in these mechanisms that leave large areas where people are entirely without protection. These gaps in protection are actively leveraged by unscrupulous recruiters, agents, employers and others to extract profit or other personal reward from vulnerable migrants. Even where formal systems exist, corruption, lack of oversight and the existence of well-entrenched "shadow systems" undermines protections.

Even when protective systems do exist, research confirms that modern slavery is a low priority for some legal and law enforcement systems, with higher priority (and consequently funding) given to immigration control. There are also considerable challenges with oversight and enforcement when the affected populations are essentially hidden, particularly when there are disincentives for victims to self-identify such as the threat of criminalization for offences committed while exploited.

Any lack of capacity to protect will be worsened in crisis situations, where formal controls break down, systems and infrastructure are stretched to the limit (including at borders and in countries of destination), and those who hold power may themselves be complicit in the abuse.

RECOMMENDATIONS

While there are myriad factors that contribute to vulnerability of certain migrants to human trafficking, forced labour and modern slavery, it is possible to identify salient patterns of risk. These are the areas where our prevention efforts should focus:

1. Increasing protections for victims and vulnerable migrants.
2. Reducing the capacity and opportunity for potential offenders.
3. Increasing capacity and focus of guardians and first responders.
4. Focusing research efforts on filling critical gaps in knowledge.

RECOMMENDATION 1: INCREASE PROTECTIONS FOR VICTIMS AND VULNERABLE MIGRANTS

Prevention efforts should focus on strategies to increase the safety of migrants in the locations and situations where high vulnerability coincides with opportunity for offending:

- **a.** Ensure protection is provided universally for migrants escaping repressive States that subject their own citizens to forced labour.
- **b.** Increase migrants' access to information about the migration and recruitment processes.
- **c.** Increase migrants' access to legitimate sources of work and/or finance along migration pathways and in destination countries.
- **d.** Ensure that access to safe financial services, such as short term loans, and safe work or livelihoods programmes are part of responses to displacement.
- **e.** Address the threat of detention and/or deportation that hangs over many migrant workers by creating systems and structures that enable temporary and even irregular migrants to access basic labour rights and justice, particularly around wage theft in both formal and informal sectors.
- **f.** Eliminate gaps in labour protections for workers in informal sectors.
- **g.** In destination and transit countries where children are on the move, ensure that local child protection systems are strengthened and supported to provide protection to migrant children.
- **h.** Provide access to reasonable livelihoods for migrant parents and inclusive education support for all children regardless of migrant parents' status.
- **i.** Recognize and address the inherent potential for exploitation of children in crisis situations and take steps to ensure that children are safe even while fostered or being cared for through other informal childcare practices.

RECOMMENDATION 2: REDUCE CAPACITY AND OPPORTUNITY FOR POTENTIAL OFFENDERS

Prevention efforts should focus on strategies to reduce capacity and opportunity for offending:

a. Redress the power imbalance between employers and employees by prohibiting recruitment fees, prohibiting restrictions on mobility and withholding of identity documents, and promoting labour rights, inspections and protections. This is particularly urgent in high-risk sectors such as the manufacturing, domestic work, construction and fishery sectors.

b. Reduce perpetrators' control of recruitment processes through more transparent regulation and system design while fostering innovative use of information technology and increased availability of free or low-cost information.

c. Focus on the structures, policies and societal norms that enable discrimination to be perpetuated against migrants and other marginal populations.

A workman sits on the ground, taking a break from filling brick moulds with damp clay in a brick factory, March 2014 in Udaipur, India. The brick-making industry in North-Western India is a particularly risky sector for migrants' exploitation due to the ingrained system of employers advancing workers wages and the normalization of debt bondage. Credit: urbancow

RECOMMENDATION 3: INCREASE CAPACITY AND FOCUS OF GUARDIANS AND FIRST RESPONDERS

Prevention efforts should focus on strategies to increase the capacity and focus of guardians such as law enforcement, labour inspectors and other potential first responders:

a. Close gaps in criminal laws by criminalizing forced marriage, all forms of human trafficking and forced labour, the use of child soldiers, and the buying and selling of children for sex.

b. Close gaps in protective responses and ensure all victims of these crimes, including migrants, men, women and children, are included in services and are able to access them.

c. Ensure that all migrant workers are protected by labour laws, including the right to collective bargaining.

d. Review immigration laws and policies to ensure they reflect the realities of labour market and migration pressures, but also to ensure a humane balance is struck between competing policy priorities, such as security and human rights of migrants.

e. Strengthen migration governance systems.

f. Ensure that corruption is investigated, exposed and prosecuted.

g. In crisis situations, anticipate the risk of human trafficking, forced labour and modern slavery. Bolster the capacity of governments, humanitarian workers and partners in these situations. Actively develop protective systems to identify and assist at-risk populations both during crisis and in protracted or post-crisis settings, including in neighbouring countries and areas of return.

h. Fund rapid response task-forces and provide them with the flexibility to respond to emerging threats.

i. Provide training and support to first responders, including creating specialized law enforcement capabilities, and pursue labour inspections in the informal sector to detect instances of modern slavery.

j. Encourage transparency of efforts through support for research and reporting on the operation and effectiveness of existing responses.

k. Focus on rehabilitation that includes a financial or livelihoods components to prevent re-victimization of people who have exited exploitative situations.

RECOMMENDATION 4: FOCUS RESEARCH EFFORTS ON FILLING CRITICAL GAPS IN KNOWLEDGE

Effective responses to modern slavery depend on the availability of relevant, reliable data to help understand the problem and its solutions. Research is needed to fill gaps in knowledge, particularly on:

a. Offenders, most notably the methods, backgrounds and motivations of modern slavery's perpetrators and the development of a better typology of perpetrators in various types of modern slavery.

b. Age and gender and their impacts on vulnerability to modern slavery.

c. Understudied topics, such as forced marriage and its connections to migration, as well as recruitment of child soldiers from migrant and displaced populations.

d. Understudied regions and countries, where high prevalence is indicated but there is limited research on the connection to migration and vulnerability to modern slavery specifically, such as the Caribbean, Oceania (notably the Pacific Island Nations), Southern Africa, Middle Africa, Eastern Asia, the Russian Federation, Central Asian Republics, the Islamic Republic of Iran, Somalia, Burundi and Mauritania.

e. Protective factors, such as how cultural norms and diasporas can be better leveraged to provide protection for migrants and counter the misinformation and exploitative networks that benefit offenders.

INCREASE PROTECTION FOR VULNERABLE MIGRANTS

A Yemeni refugee shows a picture of young boys conscripted by rebels in Yemen at their accommodation in Jeju island, South Korea in July, 2018. Boys aged 10 or older in Yemen are subject to conscription as government forces battle Houthi rebels amid the widespread humanitarian crisis. Credit: Chris Jung/NurPhoto via Getty Images

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INTRODUCTION

There are an estimated 258 million international migrants globally.[3] While it is true that all international migrants have something in common, as they are all people currently living outside of their country of birth, in reality the migrant experience is highly diverse. The term migrant refers to any person who has moved – voluntarily or involuntarily – across an international border (international migrants) or domestically within a country away from their usual place of residence (internal migrants).[4] This can include highly paid bankers from London working for global financial institutions in New York, university students from China studying in Singapore, parents who relocate from Italy to be closer to their family members who have moved to the United States and families fleeing extreme violence in the Syrian Arab Republic seeking the relative protection of neighbouring countries like Lebanon. While the experience of internal migrants is important, this report focuses primarily on the experience of international migrants, that is, migrants who have moved across international borders.

Syrian refugees working in the agricultural camps in Adana, Turkey, July 2017. Syrian refugees lacking work permits and Turkish language skills often take low-wage job in Turkey's agricultural sector and face extreme poverty, exploitation and sub-standard living conditions in rural farm camps. Credit: Diego Cupolo/NurPhoto via Getty Images

Research suggests there are connections between migration and modern slavery. Certainly, constellations of risk are seen in migrant communities and migration corridors. However, it is not known how many of the world's estimated 40 million victims of modern slavery, as identified by the 2017 Global Estimates, can also be classified as migrants. Modern slavery, while not defined in international law, serves as an umbrella term that emphasizes the commonalities between human trafficking, forced labour and slavery. Essentially, these are all situations of exploitation in which a person cannot refuse or leave due to threats, violence, coercion, deception or abuse of power.[5] If we are to understand the relationship between migration and modern slavery, it is important to examine more precisely *which* migrants are vulnerable to modern slavery, *when* and in *what* enabling circumstances.

The global community has pledged to address global challenges to achieve a better and more sustainable future for all through the Sustainable Development Goals (SDGs). SDG Target 8.7 aims to:

> Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

Alliance 8.7 is an inclusive global partnership committed to achieving Target 8.7. It is a multi-stakeholder partnership that brings together actors at all levels to collaborate, strategize, share knowledge and ultimately accelerate progress so we can deliver on this commitment.

Migration is covered under the SDGs, most notably, SDG 10.7, which aims to facilitate orderly, safe and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies. Pursuant to this, the Global Compact for Safe, Orderly and Regular Migration is the first intergovernmental agreement on international migration under the auspices of the United Nations. The Global Compact emphasizes the need to address and reduce the vulnerabilities in migration and, through its Objective 10, calls on the international community to "prevent and combat trafficking in persons in the context of international migration."[6]

Prepared for the Alliance 8.7 Action Group on Migration, this report examines the recent research literature on migration and modern slavery (published between 2014-2018) through a crime prevention lens in order to identify a set of salient features that can help us understand the relevant connections between migration and vulnerability to forced labour, human trafficking and modern slavery.

This crime prevention lens, applying situational crime prevention theory, is based on the understanding that for modern slavery-related crimes to occur, there needs to be a vulnerable victim, a motivated offender and the absence of a capable guardian. Guardians include duty bearers with formal roles in enforcing laws and standards (such as law enforcement) along with Good Samaritans, people who may see something and offer assistance (such as local residents and community members).

A crime prevention lens also recognizes that crime does not happen in a vacuum and that broad contextual factors like State instability, discrimination and disregard of human rights are critical to any understanding of modern slavery offences.

It looks at migration and modern slavery from the perspective of what is known about:

1. Where this crime occurs in the migration process (sites of vulnerability).
2. Victim characteristics (or what makes some migrants more vulnerable to modern slavery than others?)
3. Offender characteristics (or what makes some people both willing and able to offend?)
4. Guardian or first responder perspective (or what hinders first responders and other guardians from providing protection?)

The concept of vulnerability is not purely technical. However, it is defined by the International Organization for Migration (IOM) as *the susceptibility to harm of certain people relative to others as the result of exposure to a certain type of risk*. IOM notes there are at least four dimensions in which migrant vulnerability might manifest: individual factors (such as age, gender, ethnicity), family and household factors (such as internal family dynamics), community factors (such as cultural attitudes and the natural environment) and structural factors (such as legal structures and broader social stability).[7]

Members of the Venezuelan indigenous group Warao fleeing the humanitarian crisis take refuge at a shelter over the border in Pacaraima, Brazil, April 2019. Refugee camps and other displacement sites are environments where displaced populations are highly vulnerable to exploitation. Credit: Victor Moriyama/Getty Images

The term vulnerability is also used in certain legal texts, most notably in Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the "Trafficking in Persons Protocol"), which provides that one of the "means" through which exploitation takes place is "abuse of a position of vulnerability."[8] If we are to effectively combat human trafficking, forced labour and other forms of modern slavery, we must understand what is known about these "positions of vulnerability," in this sense but also more broadly.

This report is divided into six sections. The first describes the methodology and examines the overall scope and coverage of the literature. The second summarizes what the literature tells us about sites of vulnerability or where migrants are being exploited. Section three examines the literature from the perspective of what it tells us about how individual, household, community and structural factors impact on vulnerability. Section four summarizes the literature related to offender motivations and what enables offending. The fifth section examines what is known about the characteristics that limit the ability or willingness of potential guardians, such as law enforcement, to provide effective oversight. The sixth section considers what all of this tells us in terms of where to focus next steps and concludes with recommendations.

METHODOLOGY

In order to understand the current state of knowledge regarding these issues, a systematic literature review was conducted (for a full research protocol, see Appendix A). Data was located through searches of four academic library databases (University of Chicago, Northwestern University, University of Illinois at Chicago and the School of Oriental and African Studies, University of London). In these cases, due to the low number of relevant results found through database searches, relevant literature was located by systematically reviewing all relevant books within shelf marks related to human trafficking, forced labour, and modern slavery.

A migrant worker awaits registration at a centre operated by the Ministry of Labour, March 2018 in Bangkok, Thailand, aimed at addressing the large numbers of irregular migrants from Myanmar, Laos and Cambodia. Undocumented migrants are at a higher risk of modern slavery due to their engagement with smugglers and facilitators in the migration process, and the need to accept unstable and/or precarious work. Credit: Thomas De Cian/NurPhoto via Getty Images

Systematic searches of an academic journal database (EBSCOHost) were also conducted. These produced a raw total of 518 results published between 2013 and 2018. A title and abstract scan narrowed this total to 138, and removing duplicate results gave a final total of 28 relevant peer-reviewed articles. Finally, the publications of nine international organizations, 10 international humanitarian NGOs and 20 regional organizations and NGOs were reviewed systematically. The following documents were summarized in the annotated bibliography:

- 11 peer-reviewed monographs
- 52 chapters in edited collections of peer-reviewed articles
- 28 peer-reviewed journal articles
- 44 reports of international organizations
- 27 reports of international NGOs
- three reports of regional organizations
- three reports of national anti-trafficking organizations
- five reports of regional or national anti-trafficking NGOs

Further, a draft version of the literature review was shared at a consultative workshop. This resulted in the identification of 18 additional sources that had not been uncovered by the searches but that all fell within the criteria for inclusion. These were reviewed for completeness.

After duplicates and irrelevant sources were removed according to the research protocol, a resulting 191 sources remained and they are summarized in a separate annotated bibliography.

The literature review concentrated on English-language literature. While the researchers are conversant in a number of foreign languages (French, German, Russian and Japanese) and a handful of non-English sources were reviewed, the searches were all performed in English and on English-language databases.

Content of the literature was identified and reviewed through a theoretical framework to group relevant information around key themes and indicate gaps in existing knowledge. First, the literature was examined to identify key features of the knowledge base, including the scale of the research undertaken, methodology used, and geographic and thematic coverage (summarized in Appendix B). Second, the research was examined to identify what is known about features that are relevant to crime prevention. Theories of crime prevention suggest crime, including organized crime, is most likely to occur at the "convergence of criminal opportunity." This occurs when there is both a suitable target (the vulnerable victim) along with a person or group of people who are both willing and able to offend (the offender), and there is either an inability or unwillingness among those who are supposed to provide protection (for example, law enforcement) to do so. Situational crime prevention theory contends that it is relevant to examine the sites where crimes happen along with the victims, offenders and the role of crime preventers or guardians in the process.

The results indicate critical gaps in current knowledge and provide broad guidance for focusing efforts to respond to modern slavery in the migration process.

KEY FEATURES OF THE KNOWLEDGE BASE

The review identified 191 sources, which were then categorized into an EndNote database. Key features of the literature were catalogued to provide some insight into the overall nature and characteristics of the literature, including the scale of the research undertaken, the methodology used, thematic and geographic coverage, and economic sectors covered along with specific sites. The findings on these features are summarized in this section. An additional source of data used in this report to complete and support the findings presented is the Counter Trafficking Data Collaborative (CTDC). CTDC is the first global data hub on human trafficking, with data contributed by organizations from around the world.[9]

METHODS OF STUDIES

The scale and methodologies of reviewed literature varied considerably. A large number of studies did not clearly state their methodology, data sources or the sample size and sampling strategy that was utilized. While the majority of studies did record their research process, relatively few provided a sample interview questionnaire or dataset. Details about the further processing of data (e.g. the process of drawing conclusions from raw interview data) were also relatively rarely given.

Of those studies that recorded their sources, the vast majority relied on semi-structured, qualitative interviews of victims of modern slavery (87 studies) or stakeholders involved in anti-modern slavery work (e.g. NGO personnel, police personnel) (49 studies). Other data sources used included qualitative or quantitative surveys of populations affected by modern slavery (15 and 9 studies respectively), reviews of legal cases involving modern slavery (18 studies), statistical analyses of databases of victims of modern slavery held by criminal justice organizations and NGOs (11 studies), and unstructured interviews or focus groups of victims or stakeholders (17 and 6 studies respectively).

It is significant that only a few studies (9) used qualitative interviews to speak directly to perpetrators of modern slavery-related crimes. This indicates a more general lack of knowledge of the backgrounds, methods and motivations of perpetrators of modern slavery.

THEMATIC COVERAGE

The majority of the studies that were reviewed addressed human trafficking and/or forced labour (132 and 128 studies respectively). Fewer studies were found on the topics of child commercial sexual exploitation (35 studies), slavery-like practices (24 studies) and slavery (i.e. the ownership and sale of people) (18 studies). Relatively few studies focused on forced marriage (14 studies). While noting possible overlap with the categories above, literature on the worst forms of child labour (9 studies) and the recruitment of child soldiers (5 studies) was very limited (Figure 1.1).

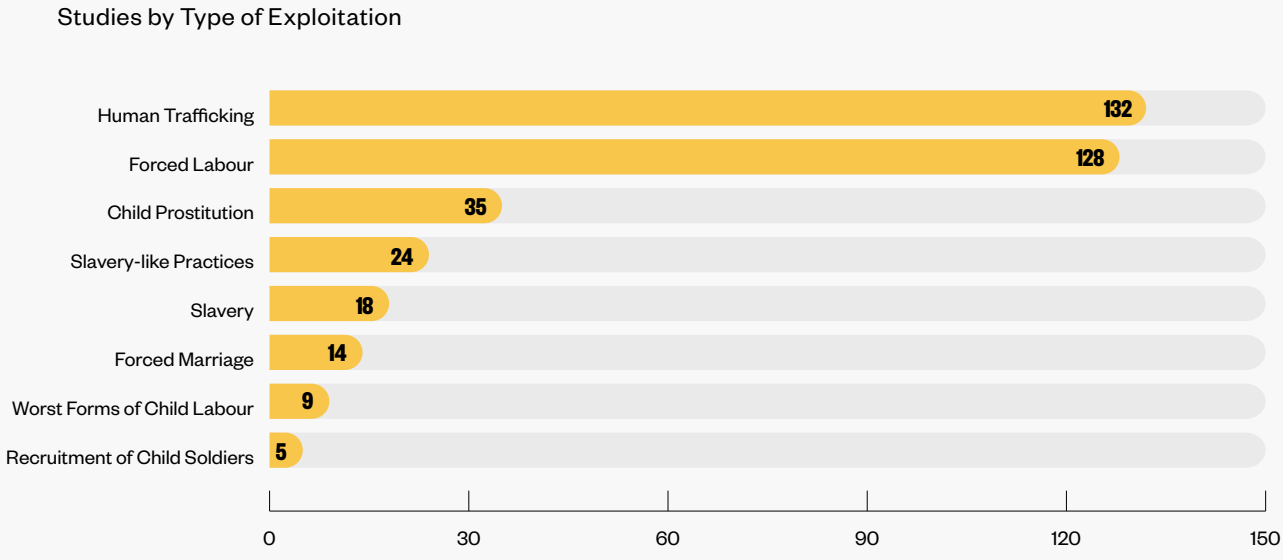


Figure 1.1: Thematic coverage of literature.

GEOGRAPHIC FOCUS

The most-studied countries and places were Thailand (28 studies), the United Kingdom (25 studies), India (24 studies), the United States (20 studies), Cambodia (19 studies), Indonesia (18 studies), Myanmar (17 studies), Bangladesh, Viet Nam, China and the Philippines (16 studies each). Thirty-one studies drew on global data sources or included migrants from all origins. When these global studies are discounted, 28 countries were each referred to only in a single study. For a list of the number of studies found for each country and all countries and territories for which no studies were found, see Attachments B and C of this report.

The geographic coverage of countries is set out in Figure 1.2. The most-studied regions were South-Eastern Asia (132 studies), Western Asia (including the Arab States) (77 studies), Southern Asia (70 studies), Southern Europe (43 studies) and Eastern Europe (41 studies). The large number of studies of Eastern Europe is likely due to a number of factors. First, several countries are normally mentioned in each study of this region, either as origin, transit or destination points for migrants. This may give a misleading impression of the overall number of studies of modern slavery in this region. Secondly, interest in labour migration from new EU states and increased migration through the Balkans have led to a large number of studies of these phenomena.

The least-studied regions were the Caribbean (1 study), Oceania [including Micronesia (1 study), Polynesia (1 study), Melanesia (2 studies) and Australia/New Zealand (6 studies)], Middle and Southern Africa (7 studies each) and South America (16 studies). The relatively small number of studies of both Middle and Southern Africa appears to be a major gap in the research. It is unclear if the lack of studies of South America identified is a major gap in the research or simply reflects the limits of the research process, which did not include reviewing publications written only in Spanish or Portuguese.

Other countries and regions that are relatively understudied include:

- Eastern Asia, particularly China. While a large number of studies (12) refer to Chinese migrants abroad, only four studies examine the experience of international migrants to China. While this review focused on international migrants, it is notable that no studies focused on the experience of internal migrants within China, a practice that affects millions of people in that country.[10] This may be due to the lack of review of Mandarin or Cantonese sources, although given the scale of internal migration in China, this seems to be a major gap in the literature. Furthermore, there is relatively little literature related to modern slavery in Japan (only one source reviewed).
- The Russian Federation, Central Asia and the Caucasus. Similar to the Chinese case, the majority of studies related to exploitation of international migrants who originate from these countries, as opposed to the exploitation of migrants residing within them. There also appears to be little Russian-language information on this issue, although further research is necessary.
- The Islamic Republic of Iran, Burundi, Mauritania and Somalia. Despite having high-risk factors for modern slavery,[11] only a single study each of forced labour in Burundi, Mauritania and Somalia were found, and there were no studies for Iran.

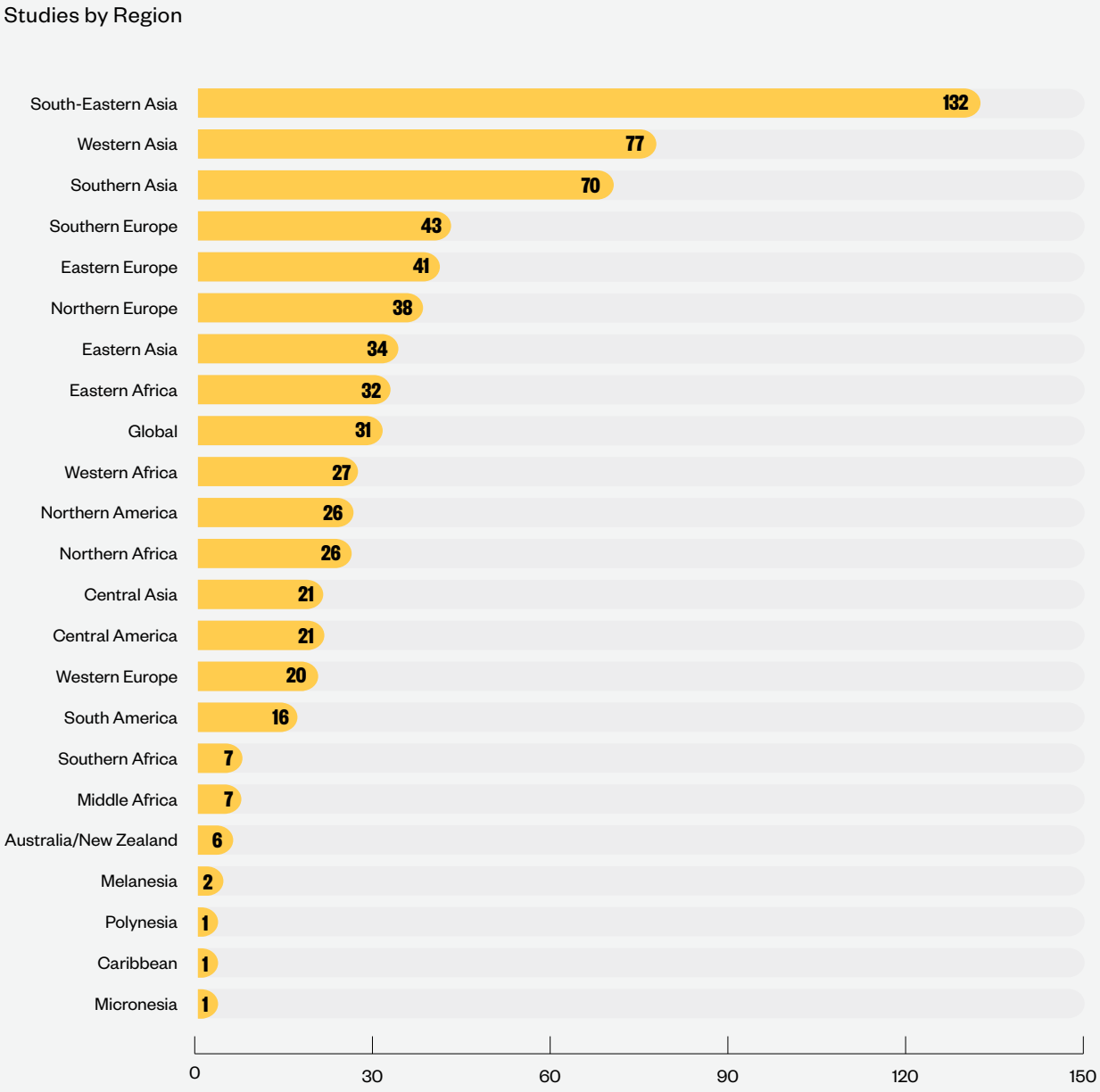


Figure 1.2: Literature identified by region of focus according to UN Department of Economic and Social Affairs classifications.[12]

ECONOMIC SECTOR OR PURPOSE OF EXPLOITATION

The most frequently studied economic sectors were domestic work (69 studies), sex work (59 studies), agriculture (38 studies), manufacturing (36 studies) and construction (32 studies). See further information in Figure 1.3 below.

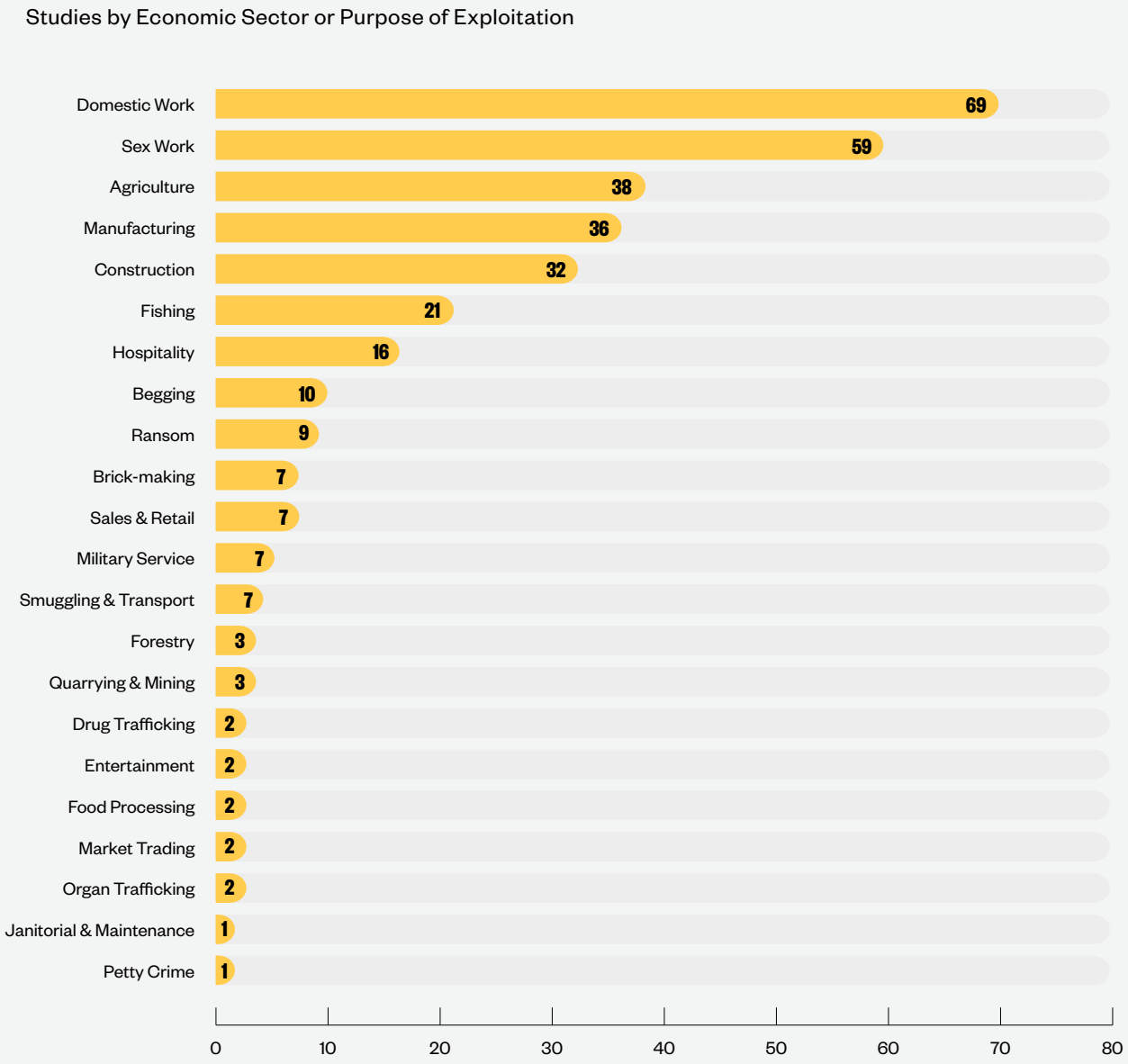


Figure 1.3: Literature identified by economic sector or activity.

SITES OF VULNERABILITY

The sites of vulnerability (places where migrants are particularly vulnerable to exploitation) that were studied most intensively were recruitment agencies (55), private businesses (47 studies), private dwellings (44 studies), irregular migration routes (43 studies) and border crossings (39 studies). Relatively little-studied sites of vulnerability were safe houses (2 studies), prisons and detention centres (3 studies), repressive States (6 studies), short-term work placements (9 studies), tied accommodation (10 studies) and areas of state breakdown (11 studies). See further detail in Figure 1.4 below.

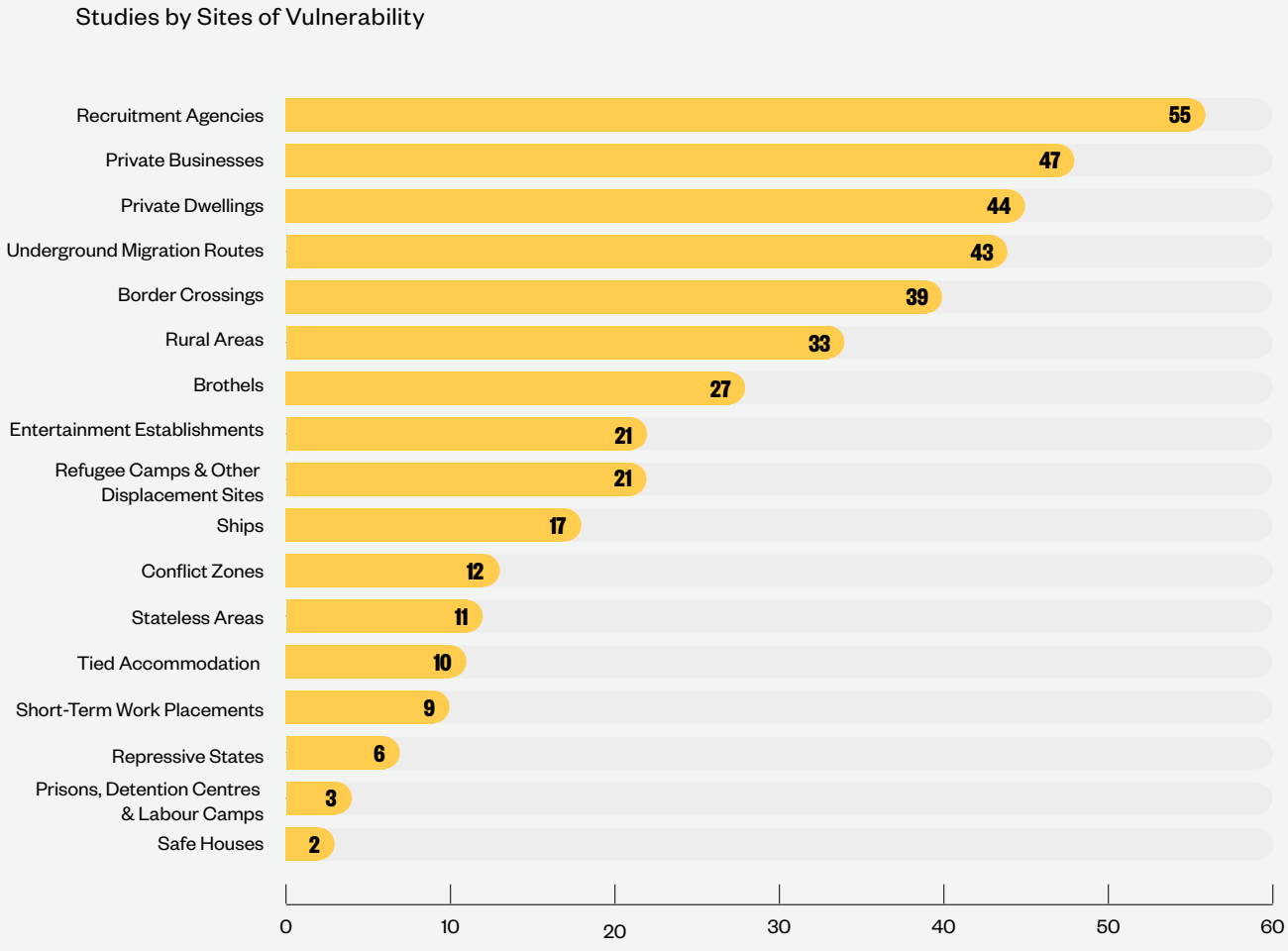


Figure 1.4: Literature on different sites of vulnerability.

SITES OF VULNERABILITY IN THE MIGRATION PROCESS

Migration is a process that occurs across time and space. What begins, as an example, as an interaction between a prospective migrant and a recruiter in a village in Africa may involve transit on land through multiple countries, and through a combination of regular and irregular channels, before ultimately reaching the destination where opportunities for work may or may not exist.

Migrants tried to march to the Northern Greek border after a false rumour of open borders spread via social media, near Thessaloniki, Greece in April 2019. Greek police blocked them using riot police forces and tear gas as angry migrants threw stones, bottles and sticks towards them in their effort to reach the borders. Guardians' prioritization of immigration control measures over anti-modern slavery initiatives may reduce their ability to disrupt exploitation and increase migrants' vulnerability to trafficking. Credit: Nicolas Economou/NurPhoto via Getty Images

As such, the migration process potentially involves a variety of places, actors and situations that provide opportunities for protection but also an abuse of vulnerability.

As the opportunities for individual actors to intervene will vary along the migration process, it is important to be precise about where, when and how vulnerability arises at different points in the migration process. In this section, we examine the situations in which migrants appear to be most vulnerable, both from a spatial perspective (so-called sites of vulnerability or places) and an environmental perspective (what constitutes a favourable environment for crime to occur).[13]

AREAS BEYOND THE REACH OF STATE PROTECTION

The literature suggests that migrants are most vulnerable in places where the authority of the State and society does not protect them, either through lack of capacity or through intentional neglect.[14] There are exceptions to this rule, most notably in cases of state-imposed forced labour. However, most frequently, it is the isolation of migrants in places where they are not noticed, monitored or cared about by the State or wider society that provides a space in which they can be exploited. Examples include ships (where migrants are physically isolated from the rest of society), private houses and embassies (which are considered "private" and "domestic," leading to their physical isolation and exclusion from labour protections), and conflict zones (where the state has effectively broken down and society is itself in crisis).

The following are specific types of locations in which migrants find themselves at particular risk of exploitation. These places may be the locations in which exploitation actually takes place or where migrants are confronted with difficult choices that may lead to their exploitation.

PRIVATE DWELLINGS

The physical isolation of migrant domestic workers and spouses in private dwellings can place them in dangerous situations.[15] The structural background to this vulnerability is the ongoing feminization and historic low status of domestic work in many societies.[16] Research shows that while both men and women participate in domestic work, domestic workers are more likely to be female. Of the estimated 11.5 million international migrant domestic workers, 73.4 per cent (or 8.5 million) were female and 26.6 per cent (or approximately 3 million) were male.[17] When combined with the idea that private dwellings are part of the "private" sphere, this leads to governments exempting domestic workers from labour protections,[18] which in turn can provide fertile ground for exploitation. For example, an analysis of coverage of labour laws of G20 countries noted that labour laws do not cover domestic workers in parts of Australia, Germany, India, Italy, Japan, the Russian Federation, the Republic of Korea, Turkey, Saudi Arabia and the United States.[19] These factors also contribute to the vulnerability of migrant spouses to domestic servitude and forced marriage.[20]

PRIVATE BUSINESSES

This is a catch-all category for factories, shops and other premises under the control of an employer where owners and managers can abuse the workers they employ. In most cases where this occurs, exploitative owners' and managers' control of financial resources and ownership of workspaces is the most potent weapon they possess.

Examples of particularly risky forms of private businesses include:

- Small manufacturing firms in suburban areas which can escape the notice of labour inspectors.[21]
- Work locations where workers' accommodations are tied to their employment, placing more power in the hands of employers.[22]
- Factories that primarily employ migrants in coordination with recruiters in order to hold workers in de facto debt bondage, such as in the garment sector.[23]
- Factories and mines in areas with relatively limited government control.[24]
- Work locations in which legal immigration status is tied to a particular job.[25]
- Types of business where exploitation is normalized (for example, brick kilns in North-Western India, where debt bondage is deeply entwined with systems of employers lending money to workers).[26]

11.5M INTERNATIONAL MIGRANT DOMESTIC WORKERS

Women sit by a shelter in the Nakivale refugee settlement, September 2015 in south west Uganda, a site which was first established in 1958. Long-term residence in displacement sites or refugee camps can lead to disruptive changes in social norms such as the processes and traditions of marriage or traditional gender roles. Credit: Sally Hayden/SOPA Images/LightRocket via Getty Images

BORDER CROSSINGS

Border crossings are frequently noted as places where migrants are especially vulnerable to falling into exploitative situations. There are three major reasons for this:

- When migrants cross borders irregularly using people smugglers, they may find themselves in situations of relative disempowerment due to their lack of resources (such as vehicles, mobile phones or access to food, water and shelter), lack of knowledge (such as about which officials are amenable to bribery or gaps in the surveillance system), and their desire to remain hidden from the authorities. This increases their vulnerability to exploitation by smugglers and by unrelated criminal groups who prey on migrants when they are unprotected by State authorities.[27] Data from cases whom IOM assisted over the last 10 years shows that more than 20 per cent of international human trafficking journeys cross through non-official border points.[28]
- Migrants are often vulnerable when they have just arrived in a new country. At this point, migrants are less likely to have a support network that can mitigate the risk of exploitation. They can also be stranded in border areas, either due to plans falling through, lack of funds or lack of access to funds or possibility of deportation, which places them in a vulnerable position.[29]
- Finally, other illegal trade (e.g. drug or arms trafficking) can be more common in certain border areas (e.g. North-Eastern India). The fact that illegal activity can be embedded in the local economy and is beneficial to a relatively large number of people can lead to de-sensitization towards criminal activity or a lack of respect for the law. In this situation, there may be a greater risk of criminal groups engaging in human trafficking and other forms of modern slavery.[30]

IRREGULAR MIGRATION ROUTES

Migration can entail a lengthy process of movement, often spanning several countries rather than being limited to a single frontier zone. Over time, irregular migration routes become well-trodden, as informal infrastructure springs up to support migrants along the journey. For example, in recent years, large flows of people have sought to migrate via Libya to Europe through irregular channels, whether to improve their economic prospects or seek asylum. Caught between detention centres, which can prove to be little more than staging pens for human trafficking, and increasingly restrictive migration controls at the borders of Europe, these would-be migrants have fallen victim to unthinkable extremes of abuse, including having been sold in slave markets and subjected to extortion, violence and sexual abuse in detention centres.[31]

From the literature reviewed, migrants who use irregular migration routes are at higher risk of exploitation in the following situations:

- When migrants use smuggling networks that seek to profit not only from the facilitation of movement but also the abuse and extortion of the migrants themselves.[32] Recent high-profile examples include movements through Libya into Europe and the movements of Rohingya populations fleeing Myanmar.[33]
- When migrants use networks under the control of organized crime groups. Generally, these networks are older and more established than the *ad hoc* networks used by recent migrant influxes.[34] An example would be the network of Eastern European gangs involved in sex trafficking, which dates to before the fall of the Iron Curtain.[35]
- When migration routes pass through conflict zones or areas with minimal State control, such as Eastern Sudan and ISIS-controlled areas of Libya.[36]
- When migrants run out of money, including because they were robbed or have fallen victim to extortion,[37] and have limited options to earn money, such that they may be willing to accept exploitative situations in order to pay debts.[38]

Repressive States can act as major drivers of irregular migration, particularly when migrants are forced to leave the country illegally. These migrants consequently have to use dangerous irregular migration routes, which may result in their exploitation or enslavement in neighbouring or destination countries.[39]

While noting that high risk irregular migration corridors do exist, several studies assert that irregular migration networks and people smuggling are not always or inherently exploitative. These studies suggest that migrant smuggling networks are organized as networks of trust in which migrants frequently are grateful to smugglers.[40] Notably, Zhang et al. found in an extensive study of migration to San Diego that while abuses did occur on irregular migration routes, they were far less common than abuses at the hands of employers within the United States.[41]

DISPLACEMENT SITES AND REFUGEE CAMPS

Displaced international or internal populations in displacement sites can be highly vulnerable to exploitation. There are a number of reasons for this:

- Since displaced populations tend to have lost their usual financial and social networks, their resilience is reduced.[42] With fewer people to look out for them, migrants can be forced into exploitative situations as a matter of survival and can be harder to extract from these situations.
- Unaccompanied child migrants can be in particular danger due to being housed near or with unrelated adults without the usual protection provided by parents or guardians.[43]
- Displacements sites or camps can concentrate vulnerable individuals in a single location. In areas with poor security such as Eastern Sudan and certain urban districts in South Africa, this can make them targets for raids by traffickers.[44]
- Displacement sites are often in a legally irregular position, for example, those established on private land. As a result, landowners gain greater power to exploit the occupants of the camps, as happens in Northern Lebanon.[45]

- Long-term residence in displacement sites or refugee camps can lead to disruptive changes in social norms. For example, female Rohingya refugees in Bangladesh have been compelled to seek employment, despite a traditional culture which confines them to the home.[46] As a result, they can be effectively compelled to accept risky forms of employment or even child marriage or forced marriage, with little access to redress for abuse.

CONFLICT ZONES

Migrants are particularly vulnerable to exploitation in areas where there is an ongoing conflict. Notably, these areas have the highest score on the Vulnerability Model in the Global Slavery Index.[47]

This risk of exploitation takes several forms:

- Existing vulnerabilities may be exacerbated by the breakdown of existing societal and economic structures. For example, as of 2015, the abuse of migrant domestic workers in the Syrian Arab Republic appeared to be much more severe than in the surrounding countries.[48] Similarly, the risk of trafficking for sexual exploitation appears to be much higher among conflict-displaced persons in Central America.[49]
- Reduced ability of existing law enforcement and other "guardians" of the social and legal order to intervene in highly abusive situations. Conflict may also reduce the ability of parents and guardians to prevent modern slavery abuses of their own children. For example, in the case of child labour exploitation of West African migrants, parents and family members may lack the resources to intervene due to their own desperate situations.[50]
- Armed forces may set up networks of sexual exploitation. These armed forces include not only insurgent groups, but also regular foreign military forces and peacekeeping forces.[51]
- Child soldiers and forced labourers may be recruited by armed groups. This may be for fighters, cooks, porters or runners within armed groups, or for forced labour in begging or construction.[52]

Apart from regions in which conflict is ongoing, regions in which the state has little or no effective control can be particularly dangerous for migrants as criminals and opportunists can operate there with near-impunity. This may result from poor infrastructure and lack of state resources, as in Eastern Sudan,[53] or a complete collapse of the state, as in the Central African Republic.[54]

NATURAL DISASTERS

Several studies suggest that natural disasters can magnify pre-existing vulnerabilities to modern slavery. This includes both rapid onset natural disasters, such as earthquakes, that have immediate impacts on individuals, as well as slow onset natural disasters, such as drought, which can lead to incremental large-scale displacement. While there does not seem to be significant evidence for natural disasters causing vulnerabilities, the economic and social disruption they cause can increase the risks that affected individuals already face. Examples for rapid onset natural disasters include an increase in dangerous, irregular migration after the 2015 Nepal earthquake,[55] and floods in Bangladesh leading to a greater vulnerability to trafficking.[56]

SHIPS

The physical isolation of workers aboard ships puts them in a particularly precarious situation. Without intervention from police or other authorities, and away from the rest of society, abuse of ships' crews can be particularly severe and easily achieved.

In general, the less the ship docks in port, the more dangerous it is for its crew, with long-haul fishing vessels identified as being particularly risky.[57] Fishing vessels operating in markets with low margins, such as low-value or "trash" fish and small coastal fisheries, are also more likely to be places where migrant workers are abused.[58]

RURAL AREAS

In some settings, the relative isolation and distinctive social structures of certain rural areas seems to be associated with vulnerability of migrants from these areas. This includes situations, such as in parts of India, where internal migrant workers are frequently recruited from poorer, rural areas where the state's reach is diminished.[59] This also occurs in the recruitment of migrant workers from impoverished, rural areas to work in the sugar cane industry in Guatemala[60] and the palm oil industry in Ecuador.[61]

Other vulnerability factors include:

- Social relations may be governed by a paternalistic social order that legitimizes more traditional forms of modern slavery such as bonded labour. This type of social relation is noted in several countries in Southern Asia.[62]
- Migrant workers in agricultural industries can be in remote locations that are largely hidden from authorities and from wider social view. This leads to an isolated space in which they can be exploited;[63] for example, migrant workers in the United States' agricultural sector who have been the victims of human trafficking operations.[64]

COMMERCIAL SEX ESTABLISHMENTS

Commercial sex establishments can be dangerous locations for sex workers in certain circumstances. Notable examples include:

- Areas where sex work is illegal or stigmatized and the trade is driven underground.[65]
- Commercial sex establishments under the direct control of organized crime.[66]
- Establishments where the sexual nature of work performed is hidden to avoid oversight. Examples include hostess bars, massage parlours, cantinas and strip clubs. These can act as a front for more covert sexual transactions.[67] These establishments may be located outside of traditional red-light districts.[68]

The reviewed literature emphasizes that commercial sex establishments are not always dangerous to the women working within them. Indeed, at least three reviewed sources suggest that the equation of sex work and human trafficking can actually increase the vulnerability of sex workers to exploitation.[69]

Syrians who flee the attacks of Syrian and Russian air forces, shelter at vehicles and try to live their lives with humanitarian aid, close to the Bab al-Salameh border crossing on Turkish-Syrian border near Aleppo, Syria in February, 2016. Migrants are highly vulnerable to modern slavery when fleeing situations of violence and conflict, where the state has effectively broken down and society itself is in crisis. Credit: Fatih Aktas/Anadolu Agency/ Getty Images

VICTIM CHARACTERISTICS

The following section discusses factors related to the personal and socio-economic characteristics, motivations and actions of migrants that are thought to increase vulnerability to modern slavery. Many of these are factors that individuals have little or no control over, such as individual characteristics or structural factors.[70]

While a focus on specific risk factors is important in understanding the vulnerability of migrants, often an individual's vulnerability is significantly increased when multiple factors interact. There are only a small number of quantitative studies that examine how a combination of these different factors might interact in ways that amplify risk. For example, a 2017 IOM study that surveyed migrants along the Central and Eastern Mediterranean routes identified a set of statistically significant predictors of vulnerability to human trafficking and other exploitation.[71] Such studies are useful for identifying which migrants are most likely to need help and support.

Migrants on a journey to Western Europe, mostly from war-torn Afghanistan and Pakistan, take shelter in an abandoned vehicle in February, 2017 in Belgrade, Serbia. Many were returned to Serbia after being arrested in Hungary, complaining about alleged violence from Hungarian police officers. Research suggests that migrants who have been travelling for longer distances are at greater risk of suffering abuse and exploitation during their journey. Credit: Pierre Crom/Getty Images

CHILDREN AND YOUTH

It is already known that children (that is, those under 18 years of age) have particular vulnerabilities to human trafficking, forced labour and modern slavery. The Global Estimates of Modern Slavery found that one in four victims of modern slavery were children under 18 years of age.[72] Of the sub-category of people in forced labour, this included about 4.3 million children aged below 18 years in forced labour, representing 18 per cent of the 24.8 million total forced labour victims worldwide. This estimate includes 1.0 million children in commercial sexual exploitation, 3.0 million children in forced labour for other forms of labour exploitation, and 300,000 children in forced labour imposed by state authorities.[73]

The vulnerabilities of children to these crime types are reflected in official statistics and victim support data. One third of detected victims of trafficking, recorded in national data provided to UNODC, are children.[74] According to data reported on the Counter Trafficking Data Collaborative website, 21 per cent of the victims of trafficking assisted by IOM, Polaris and Liberty Shared were under 18 years of age.[75]

In order to understand the risk factors for child *migrants* to human trafficking, forced labour and modern slavery, it is necessary to understand the populations in question. While data on migrant children is poor, a 2016 report from UNICEF brought the best of the key available data together in one place.[76] Key data points are summarised on the following page.

On migrant children, it was noted that of the 244 million migrants in the world in 2015, around 31 million were children. Since 1990, the proportion of international child migrants within the global population of children has remained stable at just over 1 per cent. However, given increasing population sizes, the absolute number of child migrants has increased significantly in the last 25 years. Most children who migrate do so within their own geographical region, with boys and girls in almost equal numbers. Half of the world's child migrants live in 15 countries, led by the United States, which is home to 3.7 million child migrants.[77]

With regard to refugee children, of the 31 million migrants who are children, some 11 million are refugees or asylum seekers. Refugee children are heavily concentrated in certain countries. Around 50 per cent of the overall refugee children population under UNCHR's mandate is in just two countries, the Syrian Arab Republic and Afghanistan, and around three quarters of them are distributed across just 10 countries.[78]

If internally displaced children are included as migrants, then of the 41 million people who were displaced by violence and conflict within their own countries by the end of 2015, an estimated 17 million were children.[79]

Existing research confirms that child migrants, particularly those who travel alone or have been separated from their families, are at risk of human trafficking, forced labour and modern slavery. Given this specific risk profile, it is worth noting that in 2015, nearly 100,000 unaccompanied or separated children filed claims for asylum in 78 countries.

While precise statistics on the scale of the problem for migrant children do not yet exist, the indications are that the problem is "pervasive".[80] Crimes perpetrated against children are underreported in any event but research also points to the additional barriers that affect reporting of these crimes for child migrants, including fear of detention, deportation and other state actions against children with uncertain legal status.[81]

UNICEF research notes that for many children who are on the move, legal routes to migrate are simply not available. Family reunification, humanitarian visas, refugee resettlement places and work or study visas are out of reach for most children on the move.

But barriers to legal migration rarely stop people from moving, they only push them underground – thereby creating the conditions that enable smuggling to thrive. Reliance on smugglers can cause dependency and vulnerability, and can result in appalling abuse and exploitation if children fall into the hands of traffickers, armed groups or other predators.[82] Abuses can also be perpetrated in the detention system.[83]

In addition to the direct dangers that child migrants may face along the migration journey or even at their destination, they are also at increased risk of dangerous coping mechanisms such as child marriage (particularly for female children) and child labour.[84] UNICEF has noted that families in crisis may turn to these measures because they feel it is the only option for safeguarding a child's future or supporting a family's immediate needs. These practices put children at risk of emotional and physical abuse and have cascaded longer term consequences as these children are less likely to finish school and accordingly more likely to have children themselves at an early age.[85]

While gender and age can combine to play children at risk, research from the analysis of some 11,000 migrant and refugee children (adolescents aged 14–17) and youth (18–24), conducted by by IOM and UNICEF along the Central and Eastern Mediterranean routes to Europe in 2016 and 2017 suggests that racial discrimination may also play a role in some children being more at risk of victimization than others. On both routes, factors such as additional years of education and travelling in a group, whether with family or not, afford young migrants and refugees a measure of protection. However, where they come from outweighs either of these factors. An adolescent boy from sub-Saharan Africa, who has secondary education and travels in a group along the Central Mediterranean route, faces a 73 per cent risk of being exploited. If he came from another region, the risk would drop to 38 per cent. The research noted that anecdotal reports and qualitative research from the Mediterranean region and elsewhere suggest that racism underlies this difference, with testimonies from young migrants and refugees from sub-Saharan Africa showing that they are treated more harshly and targeted for exploitation because of the colour of their skin.[86]

A migrant worker sorts cantaloupe with machinery in the field of a farm. Workers in agricultural industries can be in remote locations that are largely hidden from authorities and from wider social view, leading to an isolated space in which they can be exploited. Credit: Edwin Remsburg/ VW Pics via Getty Images

GENDER

Studies with a global focus note the relevance of gender on patterns of victimization.[87] The Global Estimates of Modern Slavery confirm women and girls are disproportionately affected by modern slavery, accounting for 28.7 million, or 71 per cent of the overall total. More precisely, women and girls represent 99 per cent of victims of forced labour in the commercial sex industry and 58 per cent in other sectors, 40 per cent of victims of forced labour imposed by state authorities, and 84 per cent of victims of forced marriages.

The Global Estimates indicate profound differences between women and men in terms of how they are affected by modern slavery. Whereas women are disproportionately victims of forced labour in the private economy (including in domestic work and in commercial sexual exploitation) and forced marriage, men are disproportionately subject to state-imposed forms of forced labour, reflecting the impact of abusive conscription and imprisonment on men, as well as to forced labour in the construction, manufacturing and agriculture sectors. While the specific variable of immigration status was not covered by the Global Estimates of Modern Slavery, it seems likely that these highly gendered patterns are relevant to the vulnerability of male and female migrants to modern slavery.

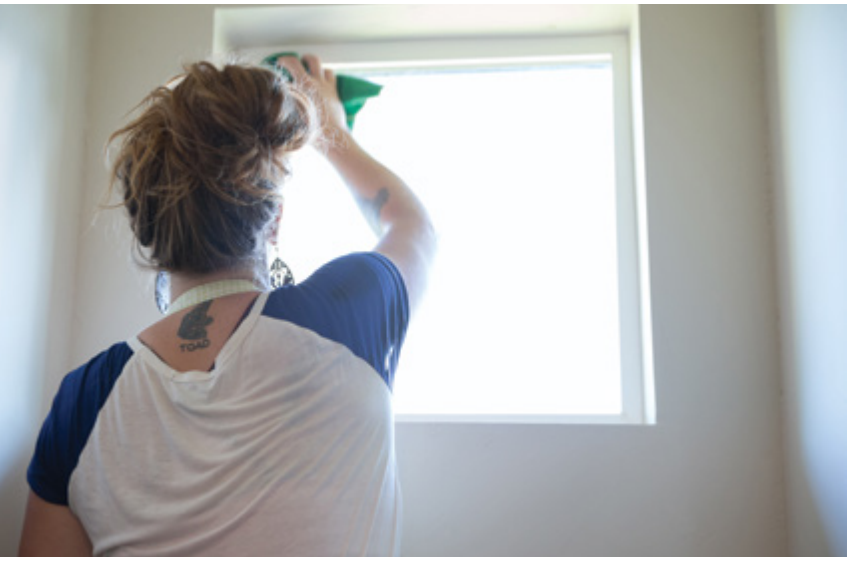
Research also points to differences in access to services and outcomes for victims based on their gender. High numbers of complaint resolution rates for female migrants in Thailand compared to its regional neighbours is credited to partnerships between NGOs and migrant worker resource centres to provide gender-responsive services,[88] indicating the importance of tailoring responses to victim characteristics.

While modern slavery operates in highly gendered ways, this should not obscure the vulnerability of men and boys to modern slavery. In some situations, research has shown male migrants travelling alone may be at higher risk of exploitation than female migrants, although for this study it is notable that sexual exploitation was not considered. Notable examples include mixed migration flows using the Western Balkans route and the Central Mediterranean route to Europe, although this study did not collect information on trafficking for sexual exploitation or other forms of gender-based violence.[89] CTDC data reflects this phenomenon: while about 70 per cent of the victims in the dataset are women, over the years a growing number of men and boys have been assisted. Concretely, in 2002, all victims assisted by IOM were women, but in recent years women account for slightly less than half of the caseload of the CTDC partners.[90]

VISA STATUS

All relevant studies agree that undocumented migrants are at a higher risk of modern slavery due to their engagement with smugglers and facilitators in the migration process, and the need to accept unstable and/or precarious work that may require bribes to corrupt officials to avoid detention, deportation or arrest. Examples include the "constant extortion" of irregular migrant workers from Myanmar in Thailand to avoid arrest,[91] former migrant domestic workers who have fled their abusive employers and are forced into the sex trade in the Gulf Cooperation Council countries,[92] agricultural workers in Sicily,[93] sex workers in Tijuana who are unable to cross the border due to a lack of official documentation,[94] irregular migrants working on Thai fishing vessels,[95] and undocumented immigrants in the United States construction and food service industries.[96]

Migrants whose visas are tied to a single employer are also at risk of exploitation. Systems such as the Middle Eastern *kafala* systems, the United Kingdom's Overseas Domestic Worker (ODW) visa and the H2-B visa in the United States create dependency beyond the usual employer-employee relationship, which in turn creates an opportunity for exploitation.[97]



The physical isolation of migrant domestic workers in private homes leads to them being "out of sight" of state and societal authorities, contributing to a high-risk environment for abusive and exploitative working conditions. Credit: Heshphoto

KNOWLEDGE AND ATTITUDE TOWARD MIGRATION

The impact that migrants' knowledge of migration processes has on risk of exploitation is disputed. For example, some authors focusing on the Greater Mekong sub-region argue that migrants who are poorly informed of the potential dangers associated with migration are at higher risk of exploitation.[98] However, other researchers argue most migrants are already aware of the dangers of migrant exploitation but are compelled into risky situations by circumstances beyond their control.[99] This has been noted among bonded labourers in Southern Asia, Ethiopian and Indonesian migrant domestic workers in the Gulf Cooperation Council countries and Hong Kong SAR, China, and Chinese garment workers in Italy, among others. In this latter set of circumstances, World Vision argues that a focus on "protective behaviours," as opposed to simple warnings, may be more effective.[100]

Another study shows that finding trustworthy sources of information is a real challenge for migrants and that information about border crossings and the risks involved on the journey is obtained primarily through word of mouth. Phones are used primarily for communication with friends or family, as the use of mobile phones may increase the migrant's exposure to crime and abuse. For example, there have been reported cases on the United States and Mexico border where criminals have robbed migrants of their belongings in order to access phone numbers of friends and family, whom they then blackmail or coerce into paying large sums of money.[101]

Similarly, a 2015 study by Zimmerman et al. has found that it is unclear which advice and information to offer prospective migrants will help prevent exploitation.[102] Advice for migrants to obtain written contracts or to keep hold of identity documents may be impractical where written contracts are rare or where passports need to be handed over to agents for registration purposes. Zimmerman states that "the absence of job information is problematic, particularly in highly informal sectors. Further research, including migrant-led and employer-informed insights, is needed to identify messages that might reduce the risk of exploitation."[103]

Further, some studies highlight that the underpinning logic that more information and more awareness will lead to safer migration and lower the risk of exploitation is untested,[104] with few evaluations conducted.[105] Central to many awareness-raising campaigns is the concept that migration is inherently risky, which is not necessarily the case – most people who migrate do not become trafficked or exploited.[106] Awareness-raising campaigns that target sometimes thousands of people will often affect only a handful of people and their behaviours. More effective campaigns are those that go beyond raising awareness to target specific behaviours, drawing on local migration perceptions and those that are conducted in conjunction with other interventions.[107]

SECONDARY DISPLACEMENT

Studies of Palestinians fleeing the Syrian Arab Republic and stateless people in the Greater Mekong sub-region, among others, suggest that people who experience secondary displacement are at higher risk of exploitation. This is because these populations may already lack connections, financial resources or documentation, having lost these in their initial process of seeking asylum.[108]

REPEAT EXPLOITATION

Studies of former victims of forced marriage and domestic servitude who migrate to Europe suggest that individuals who have previously been victims of one form of modern slavery will frequently become victims again.[109] This vulnerability may be due to the loss of financial and interpersonal resources during their previous experience of exploitation or a lack of support reintegrating back into their countries of origin. For example, a study of Nigerian irregular migrants returned from Europe, including victims of human trafficking, revealed that the majority would consider leaving Nigeria for work overseas again in the future.[110]

LENGTH OF TRAVEL

Studies of post-crisis migration in Nepal and the Western Balkans suggest that migrants who have been travelling for longer distances are at greater risk.[111] However, it is unclear whether long-distance travel is inherently dangerous or whether this is due to greater exposure to a constant level of risk or an erosion of capacity and resources the longer a journey continues. A survey of migrants along the Central Eastern Mediterranean Routes finds that a longer journey increases the probability that a migrant will experience exploitation or human trafficking.[112]

SEXUAL ORIENTATION AND IDENTITY

Studies of Syrian refugees in Turkey and Latin American sex workers in New York suggest that LGBTQ* individuals are generally at higher risk of modern slavery, particularly trafficking for sexual exploitation.[113] However, this remains an under-researched topic. In particular, there is scant data on the trafficking of transgender people.[114] CTDC partners do assist transgender and non-conforming victims. While the current dataset reflects very few instances, available figures support the hypothesis that this demographic, broadly speaking, is trafficked mainly for the purpose of sexual exploitation (85 per cent of cases).[115]

* Known customarily as lesbian, gay, bisexual, transgender, questioning/queer.

LANGUAGE ABILITY

Studies of South Asian and Ukrainian migrants in Slovakia, Cambodian migrants in Thailand and migrant domestic workers in the United Kingdom argue that migrants unable to speak the language of their destination country are at higher risk.[116] These authors argue since they cannot understand contracts and documents written in a foreign language, these migrants may be at a higher risk of exploitation. However, this finding is not universal. Zhang et al.'s extensive study of Mexican migrants in San Diego found that language ability was not significantly correlated with exploitation in that context.[117]

DRUG OR ALCOHOL ADDICTION

Studies of trafficked Russian sex workers in Western Europe and the Russian Federation and Mexican sex workers in the United States suggest that migrants addicted to drugs or alcohol are at higher risk of exploitation.[118] This also applies to migrants who are recovering or former addicts.

HEALTH

Potential health risks and health protective factors that affect short- and long-term well-being occur throughout each phase of a migrant's journey. While in transit, for example, health can be affected by transport used and pathogenic or environmental exposures.[119] Abubakar et al. (2018) also highlights the highly gendered experience of migrants, with women, men, and sexual minorities experiencing different health risk and protection opportunities at each phase of a migration journey.

For example, women and children are at risk of sexual violence, coercion and sexual exploitation as well as forced or child marriage throughout their migration journey. The same study suggests that any policy response to protect migrants and migrants' health must factor in the multiple phases of the migration process.

Certain health conditions may increase victims' risk of exploitation. Two studies link HIV-positive individuals with a higher risk of exploitation, however, further research is required to investigate the nature of an association between HIV status and vulnerability.[120]

Previous trauma and experience of violence and abuse prior to trafficking, and particularly during childhood, can increase vulnerability to being trafficked and or re-trafficked.[121]

There is evidence that victims of trafficking have encountered multiple traumatic events prior to, during and after their trafficking experience. There can be an element of betrayal in trafficking experiences, with periods of captivity and loss of autonomy meaning that victims of trafficking can have difficulties trusting others, as well as problems with agency, assertiveness and decision-making. A trauma-informed approach is essential for any service providers engaging with trafficking victims.[122]

Studies on the links between health, migration and exploitation have tended to focus on migrants being exploited for sexual exploitation or migrants who experience sexual violence or child or forced marriage.[123]

A 2015 study looked at the health risks of migrants and trafficked workers in Argentina, Peru and Kazakhstan.

UNDOCUMENTED MIGRANTS ARE AT RISK

Workers in each country experienced common risk exposures, such as working long hours without breaks as a significant risk factor for workplace accidents. Migrants in each of the three countries experienced equipment-related injuries, dust-related lung diseases, musculoskeletal problems and tuberculosis. Psychological and verbal abuse was more common among interviewees than physical abuse, including threats of reporting workers to immigration authorities and police. Stress was a common complaint, caused by long hours, financial worries, poor living conditions and pressure from colleagues. Those who were trafficked had more restricted movement, were more likely to be physically abused and lived in worse conditions, worked more hours per day and were paid less. What was striking is that the research found that many of the abuses reported by victims of trafficking were also reported by numerous migrant workers who were not identified as victims of trafficking.[124]

The health sector can also act as a protective factor by identifying and providing to support to trafficked persons. The Buller et al. 2015 study found that access to and use of medical services was limited across each country because of cost, legal status and lost wages from missing work. There is therefore a larger role for labour inspections in protecting the health of migrant workers, while mobile health units and wider-reaching occupational health promotion are needed in locations with high numbers of migrant workers.[125] A further study conducted in 2015 found that in a sample of 782 health professionals working for the National Health Service in the United Kingdom, 13 per cent had been in contact with a patient who had been trafficked or they suspected had been trafficked. Sixty per cent of these professionals also stated that they did not know their role in responding to trafficking cases or how to interact with those that had been trafficked. Training health professionals would therefore be a concrete step to increasing protection of trafficked persons, including migrants.[126]

POVERTY

A number of studies note that poverty is highly relevant to vulnerability to modern slavery.[127] For example, Siddarth Kara's study, based on interviews in Nigeria, Southern and South-Eastern Asia, Europe and North America, argues that poverty is the most important factor in creating vulnerability to modern slavery.

Other studies reach similar conclusions, notably the Women and Law in Southern Africa Research and Education Trust's study of labour trafficking in Lesotho, Abebaw's study of Ethiopian migrant domestic workers, and Maternick and Ditmore's study of trafficked workers in the United States. The latter of these studies specifies that poverty during childhood is a particular vulnerability factor.[128] However, there are caveats to this conclusion.

First, while a link between poverty and vulnerability to modern slavery is apparent, it is less clear whether this link is correlative or causative. Of those authors who do state an opinion on this issue, the majority argue poverty is directly or indirectly causative of vulnerability to modern slavery. Kara's global study, Anti-Slavery International's study of trafficked Roma children and UNICEF's study of West African labour migration argue that poorer migrants are strongly encouraged into dangerous situations due to lack of economic opportunity in their home situations. They have "nothing to lose," as the UNICEF report puts it.[129]

Secondly, poverty is not necessarily a direct indication of increased vulnerability to modern slavery. Studies of Nigerian migrant workers in Austria, Indonesian migrant fishermen on South Korean vessels, trafficked Cambodian workers in Thailand and Chinese restaurant workers in the United Kingdom note that the group most at risk are not those in absolute poverty, as they lack the resources to migrate, but rather those who are able to leverage some financial resources to fund the migration process but still incur major debt or a position of social dependency in doing so.[130]

Further, studies of sex and labour trafficking in Ghana, South-Eastern Asia and the Russian Federation note that not all of those who fall victim to modern slavery come from poor backgrounds and that the majority of relatively poor people in a given society are not trafficked.[131] As noted in the Global Estimates of Modern Slavery, while poverty can drive a decision to migrate for labour, it can also act as a barrier to migration, as members of the poorest groups are often unable to raise the money required to reach their destination, whether through accessing loans in their local communities or from others in the migration industry. With limited empirical data providing insight into the connection between income levels and forced labour movements, the estimates of victims of forced labour were examined according to the income levels of the victims' country of residence and of the country where the exploitation took place.

Nur, who doesn't know her age but thinks she is between 14 and 16 years old, sits segregated from men on the day of her wedding to Rayeed, 20, in a camp for Rohingya refugees in November, 2017 in Cox's Bazar, Bangladesh. Nur said that her parents arranged the marriage for her and she had no choice in the matter. Credit: Allison Joyce/Getty Images

The results suggest very little movement across income groupings. Ninety-four per cent of victims of forced labour were exploited in a country that was in the same income-based regional grouping as their country of residence. People who were exploited in the low and lower-middle-income groupings were almost exclusively residents of countries that were in the same income grouping.[132]

EDUCATION

Some studies, such as Kara's global study and Williams' and Pande's studies of sex trafficking in India, concluded that low education levels are correlated with vulnerability to modern slavery.[133] The reasons for this, however, have not been extensively studied. Austin Choi-Fitzpatrick argues that education can be closely correlated with attitudes that provide resilience to modern slavery, for example, a rejection of caste-based paternalism in rural India.[134] However, beyond this it is unclear whether low education levels are correlated with ignorance of the dangers involved with migration, lack of economic opportunity or other factors.

The correlation between low education and vulnerability to modern slavery also has caveats. For example, studies of exploited migrants from post-Soviet countries indicate that victims in these cases do not typically have poor educational levels.[135] Moreover, there appears to be no direct negative correlation between regional or national education levels and rates of modern slavery. For example, Vijeyarasa and the UNODC note that Ukraine and the Indian state of Kerala have relatively well-educated populations but also high levels of human trafficking.[136] In CTDC data, nearly a quarter of the victims assisted have some technical training, and nearly half of them have secondary education (including 21 per cent middle school, 20 per cent high school and 6 per cent secondary school).[137]

NECESSITY TO SUPPORT DEPENDENTS

Studies of Ethiopian migrants in the Gulf Cooperation Council countries, South Asian migrants in Slovakia and Vietnamese domestic workers in the United States, among others, conclude that migrants are often forced to remain in exploitative situations due to the necessity to support dependents. These dependents may be in the country where the migrants are working or (more frequently) in their home country.[138]

Migrants supporting families in their home countries may also be rendered vulnerable by direct threats of violence to victims' families. This has been noted in certain cases of trafficking by organized criminal groups, such as the trafficking of Moldovan sex workers to Western Europe and of Central American sex workers to the United States.[139]

ABUSIVE OR UNSTABLE FAMILY BACKGROUND

Some studies suggest that a past history of sexual or physical abuse within the household is a major vulnerability factor, particularly in cases of trafficking for sexual exploitation. In some cases, this may lead to trafficking by the victim's family themselves.[140] For example, this process has been observed among trafficked Indian sex workers and children trafficked for sex in the Russian Federation. Alternatively, the desire to escape an abusive situation may lead to a greater willingness by the victim to accept exploitation perpetrated by others.[141] This process has been observed among migrant sex workers in India, Viet Nam, Cambodia, Thailand, Argentina, Nigeria, Brazil and Spain, among others.

In the United States, criminal networks or independent traffickers are known to target vulnerable women and girls from Mexico and Central America who have been victims to an abusive past into sex trafficking.[142] A large proportion of child sex exploitation victims in the United Kingdom report an unstable home life.[143]

HOMELESSNESS OR LACK OF FAMILY SUPPORT

Studies of trafficked workers in the United Kingdom and the Russian Federation suggest that those who lack a family support network are at higher risk of exploitation. This particularly affects individuals who are homeless.[144] Foreign children separated from their family support structures or without stable homes are targeted for recruitment by non-state armed groups in the Syrian Arab Republic and Iraq.[145]

CULTURAL NORMS

Studies have noted a number of cultural concepts within local communities that may increase the vulnerability of certain community members to exploitation.

First, a cultural norm whereby certain forms of sexual exploitation are considered shameful to their victims and are not discussed may increase the isolation of victims and their vulnerability to modern slavery. Notable examples of this phenomenon include male child trafficking in Afghanistan,[146] rape and sexual violence among Eritrean refugees,[147] and sexual violence against domestic workers in Sudan.[148]

A second, related concept that may increase vulnerability is honour, in which an individual's sexual purity is a major element in social status. This may increase the risk of exploitation since underlying causes are not discussed or tackled. Examples include the culture of *ijaat* (honour) in Nepal,[149] patriarchal social norms in the United States and Latin America that stigmatize women who violate them (notably, through being raped),[150] and comparable patriarchal norms in Indonesia and Timor-Leste.[151] This kind of culture can lead to a particularly high risk of forced marriage, as women are forced to marry rapists or sexual abusers to "expunge" the shame of their assault.[152]

Thirdly, a deferential culture that sees inequality as natural, proper or divinely ordered can be a major resource for exploiters.[153] For example, this culture has been linked to the persistence of bonded labour among rural communities in the Indian states of Uttar Pradesh, Bihar and Karnataka, and the perpetuation of debt bondage by recruitment agencies in the Philippines. Furthermore, this kind of culture can stop exploited migrants from showing the "proper" reaction authorities expect from trafficking victims.[154]

Finally, cultural norms where migration is seen as the best route to achieving fortune and prestige may encourage risk-taking or disregarding warnings. This process has been documented, for example, in Ethiopia, the Plurinational State of Bolivia, Nigeria and Nepal.[155] In particular, media depictions of life abroad or in major cities – for example in Brazilian soap operas shown on Ukrainian TV and in Indian TV dramas – can present the outside world as unrealistically full of rewarding opportunities.[156]

Interestingly, this norm can be perpetuated by returned migrants, even those who have not been successful. For example, in her study conducted in Viet Nam, Daniele Belanger noted that returned migrants may take out loans to buy consumer goods to keep up an appearance of successful migration.[157]

LACK OF A LOCAL SUPPORT NETWORK

Studies of Ethiopian domestic workers in Khartoum and Romanian agricultural workers in Sicily suggest that for migrants who have recently arrived in a foreign country, the lack of a supportive community is a major vulnerability factor.[158] One of the most common means of migrants escaping exploitative situations is through friends or other supportive members of an expatriate community; as such, the lack of this kind of network can increase the risk of their exploitation. Conversely, where this kind of network is present, resilience to exploitation is much higher. For example, among Mexican migrant workers in Southern California, rates of exploitation among agricultural workers tend to be lower due to more established and long-term migrant community networks.[159]

CASTE STATUS

In Southern Asia, members of historically oppressed castes and tribes are at particular risk of modern slavery. This applies particularly to members of Scheduled Tribes, Scheduled Castes and Other Backward Classes.[160] While efforts to combat discrimination against these groups have been put in place, social stigmatization and economic marginalization are nonetheless reported to still be a characteristic of modern and globalizing Indian society.

This is reported to be reinforced by other factors such as inadequate access to healthcare and social benefits, poor working and living conditions and low literacy, all of which increased vulnerability of these already marginalized groups.[161] For example, certain studies suggest Dalits are more commonly bonded labourers,[162] and 90 per cent of all modern slaves interviewed by Siddarth Kara were members of a minority caste group.[163] Furthermore, domination of official institutions by higher-caste individuals may mean lower-caste individuals avoid them due to the perceived shame resulting from this power imbalance.[164] When these institutions control legal migration processes, as in Nepal, this may lead to a rise in unsafe, irregular migration.

Further related vulnerability factors occur at the intersection between caste and gender. Khan notes that prohibitions on intercaste marriage can create a shortage of eligible brides and create an incentive for trafficking for forced marriage, for example between Hisar district and other regions in India's Haryana state.[165]

Moreover, certain caste traditions of *devadasi* (marriage to a god or goddess for service in a temple) can easily lead to female sex trafficking.[166] This process has been noted in the trafficking of girls from rural India to Mumbai, Kolkata and Delhi.

GLOBALIZATION AND INEQUALITY

Several studies suggest a link between globalization and vulnerability to modern slavery. On the one hand, Austin Choi-Fitzpatrick's study of bonded labour in rural India suggests that caste-based paternalism in Southern Asia has been radically undermined by the extension of the market economy, which increases the resilience of workers to exploitation.[167] However, other studies, for example Siddarth Kara's study of victims of modern slavery, Rekha Pande's study of sex trafficking victims in India, Chenda Keo's study of sex traffickers in Cambodia and Chigozie Nnebedum's study of Nigerian sex trafficking victims, suggest that economic disparities, reflected in the different income levels of high and low income countries, increase the vulnerability of those who are not yet lifted out of poverty.[168] At the same time, global interconnectivity has also led to growing opportunities for migration.[169]

In some cases, market pressures create incentives for employers to subject their workers to conditions of modern slavery. Examples include the Thai fishing industry, where low-profit margins and opaque subcontracting structures allow widespread forced labour,[170] and the internationalization of garment manufacturing, where intermittency of demand creates low-profit margins and encourages the exploitation of workers in Argentina, Cambodia and Italy.[171]

A handful of authors argue that forms of modern slavery are not an unintended product of global economic structures but rather are an integral feature of it. Notably, Genevieve LeBaron argues that the United States government's inaction against de facto debt bondage in the agricultural sector constitutes tacit official endorsement of the practice, and Tom Vickers argues that policies and practices that bar refugees and asylum seekers from work in the United Kingdom effectively punish them for "not following the rules," push them into dangerous work, and put them at higher risk of exploitation.[172]

DISCRIMINATION AGAINST MIGRANTS

Studies of trafficking in Viet Nam, Taiwan Province of the People's Republic of China, the Republic of Korea, and the Philippines, among others, suggest a climate of discrimination against migrants can be a major cause of their vulnerability to modern slavery.[173] This is particularly true when discriminatory attitudes influence law enforcement. For example, Shin suggests that a belief that Filipina women are manipulative pervades the South Korean justice system, impacting on law enforcement and prosecutions.[174]

In certain extreme cases, discrimination can effectively mean that migrants have no access to justice and the country becomes a repressive state from their point of view. As one example, Round and Kuznetsova's study of more than 300 Central Asian migrants' experiences in the Russian Federation found a climate of impunity in which business owners frequently denied access to medical care and physically abused their employees, while migrants actively avoided any contact with the police.[175] Other research studies have pointed to discriminatory practices that are both structurally built into local laws and policies but also reflected in how these laws are implemented.[176]

DISCRIMINATION ENABLES EXPLOITATION OF MIGRANTS

OFFENDER CHARACTERISTICS

Understanding the modus operandi, motivation and ability of offenders to commit criminal acts is fundamental to developing crime prevention strategies. At its most basic level, potential offenders can take advantage of a criminal opportunity only if they are both willing and able to do so. In order to understand the determinants of offending, it is therefore critical to understand the factors that impact motivation but also those that impact ability and resourcing for offending. This section examines what the literature tells us about the motivations and resources of *perpetrators* of modern slavery.

Migrant workers pick strawberries in a field in Virginia, United States. Polaris analysed more than 32,000 cases of human trafficking and found in some cases, traffickers used agricultural worker's lack of visa portability to instill fears about deportation to prevent workers leaving an abusive situation. Credit: Ariel Skelley

TYPOLOGIES

The review identified three studies that drew on data from reported cases to construct typologies of human trafficking, forced labour and modern slavery. This research studies the way that these crimes are perpetrated, to provide insight into factors like offender profile, recruitment practices, methods of control and motivations. This type of research can greatly assist in moving beyond simplistic descriptions of cases as "sex" or "labour" trafficking and create more nuanced categories that better reflect the complexities of these cases.

In the United States, Polaris analysed more than 32,000 cases of human trafficking documented through the National Human Trafficking hotline and associated text line. This produced 25 typologies of human trafficking in the United States. Of these, more than half of the typologies involved active recruitment of migrants, either on route to the United States or who were already in the United States.

Foreign nationals make up the vast majority of victims within some typologies. Industries where migrants make up approximately 80 per cent of victims or more include: outdoor manual labour including agriculture, forestry, construction, animal husbandry and landscaping; domestic work; hospitality, including restaurants, hotels and food service; and health and beauty services. Across multiple typology categories, traffickers commonly use document confiscation, threats of blacklisting or reporting migrants to immigration officials, and the migrants' own lack of English to control victims. In some cases, traffickers used agricultural worker's lack of visa portability to threaten deportation while domestic victims' visas were intentionally allowed to expire to use their newly undocumented status to create fear, distrust and submission.[177]

Research in the United Kingdom looked at the four dimensions of recruitment, profit, organization, and control. Again, this research provided insight into the myriad ways that migration intersects with the human trafficking process. With regard to recruitment, for example, many cases involved recruitment of victims outside of the United Kingdom. Each typology was classified on a spectrum of profit motivation from high profit, described as "run-like-a-business," to limited financial gain, to no financial gain. While many instances of offending were for a profit motive, some were related to personal gratification such as some forms of sexual exploitation or immigration outcomes such as visas from forced sham marriages.[178]

Earlier research on offender characteristics in Australia drew on a reasonably small set of prosecuted cases (15 in total) to identify offender characteristics, level of organization, relationship between the victim and offender, how control was exercised, intersections with other criminality such as immigration fraud, and motivations. The analysis highlights that in this context, offenders and victims were often the same gender and shared similar backgrounds and experiences (including prior victimization). All the offenders were motivated by profit, and at least in this context the trafficking process often involved other criminal activity such as immigration fraud and money laundering. The precarious immigration status of most of the victims meant that the threat (actual or implied) of deportation created an environment in which victims were often afraid to seek help from Australian authorities, including police.[179]

OFFENDER MOTIVATIONS

There has been relatively little research undertaken on the perpetrators of modern slavery.[180] The overall lack of research in this area may result in statements about perpetrators being uncritically repeated or insights being used out of context.[181] As a result, our overall knowledge of modern slavery, and particularly of the isolated sites of vulnerability where many offences occur, is diminished. There is a need for an increase in research on the backgrounds and motivations of perpetrators.

Only six studies used interviews to speak directly to perpetrators of modern slavery-related crimes. This contributes to a more general lack of knowledge of the backgrounds, methods and motivations of perpetrators of modern slavery.

Studies indicate that exploiters have access to ideological beliefs that allow them to rationalize their exploitation of others. Examples include:

- A belief that contracts made in an unequal power situation are nonetheless valid and legitimate.[182]
- A belief that perpetrators are doing the workers a favour in a paternal manner by providing them with food and shelter.[183]
- Belief in a patriarchal form of social authority which gives male perpetrators rights over women.[184]
- Beliefs that sex workers are undeserving of sympathy, which allows perpetrators to view their exploitation of sex workers as legitimate.[185]

Muslim maids from the Philippines wait to break their Ramadan fast at a shelter managed by Labour and Welfare officers in Dubai, August, 2010. The house maids live at the refuge after fleeing their employers' homes due to unpaid salaries, long working hours, physical and sexual abuse and various other forms of mistreatment. Credit: AFP/Getty Images

PERCEPTION

Several studies note that a lack of effective implementation of criminal laws can undermine the deterrent effect of such laws.[186] Similarly, several studies draw attention to gaps in regulation and light penalties for exploiters in certain jurisdictions. For example, although there has been progress in Qatar, it was only in 2018 that the government there set a temporary monthly minimum wage for migrant workers of 750 riyals (USD200) and created a committee to resolve disputes. There is still no licensing system for businesses employing migrant workers in Qatar or the United Arab Emirates (UAE).[187] Similarly, in India, Rekha Pande argues human traffickers face relatively lenient prison sentences, which make the rewards of exploitation far greater than the risks.[188] Siddarth Kara argues penalties for labour exploitation in Southern and South-Eastern Asia are particularly light when ultimate responsibility for this is obscured by a supply chain.[189]

RESOURCES RELEVANT TO OFFENDING

This section lists a number of resources that perpetrators have been able to leverage to take advantage of migrants' vulnerabilities. These resources can be physical, economic and psychological, and can give perpetrators a position of power relative to their victims that can be abused.[190]

Control of recruitment

To maximize the potential for successful migration, migrants seek out advice and enablers spanning the entire journey. Absent, complex or piecemeal official information on migration processes, employment, and settlement – including job vacancies, skills and educational recognition and familial needs – increases reliance on agents and recruiters. These agents or recruiters have existing contracts or relationships in a labour supply chain country to facilitate the complicated recruitment process. For example, migrant workers in the Malaysian electronics industry are recruited via sub-agents located in small towns and difficult-to-reach rural areas of the sending country. The sub-agents refer the workers to larger recruitment agencies in major cities that have contracts to source workers to employment agents or factories in Malaysia.[191]

Tailored advice and the solution-focused approach of recruitment agencies and brokers across the migration cycle can simplify the migration process but also project a false sense of security to the migrants through the exchange of payment for a service. In the Philippines, the expectation of payments in return for labour migration is so pervasive that when fees were removed, workers were suspicious it was a sham.[192]

Somali and Nepalese immigrants travel on a canoe while crossing the jungle of Darién gap in January, 2015 in Panama, on their way to the United States. Credit Jan Sochor/ Latincontent/Getty Images

Accordingly, this "outsourcing" of migrant support can also put tremendous power over recruitment into the hands of potentially unscrupulous recruiters. Indeed, recruitment agencies are one of the most common places in which migrants are confronted with choices that can lead to their exploitation – for example, being presented with an exploitative contract as the only alternative to abandoning their plans to migrate. Potential migrants may not understand employment contracts when they are presented to them due to language or literacy difficulties. For example, Nepalese and Indonesian workers in the Malaysian electronics industry commonly report signing contracts they did not understand.[193] Similarly, three quarters of foreign domestic workers in Hong Kong SAR, China, reported their recruitment agency did not provide them with or explain their standard employment contracts, despite being legally obliged to do so.[194] As such, the control of recruitment processes provides perpetrators with a major power advantage over migrants, which can be abused to allow exploitation. This form of abuse has been particularly widely noted in South-Eastern and Southern Asia.[195]

While international migration is greatly assisted by a network of recruitment agencies and brokers, in many jurisdictions these agencies are subject to little or inefficient regulation.[196] This frequently results from the patchwork nature of sectors for which governments allow temporary labour migration, resulting, in effect, in the outsourcing of government responsibilities to recruitment agencies.[197] Complex networks of sub-contracting, which often obscure legal and financial responsibilities, are also a common problem, as this may result in workers not being paid or not being able to obtain their legal rights.[198] A final issue is structural: recruitment agencies can come under great pressure from their clients to keep wages low and to circumvent more expensive legal recruitment procedures.[199]

Some governmental practices can exacerbate situations of de facto debt bondage imposed on migrant workers through the levying of fees by recruitment agencies. These practices include requiring a bond to be paid by the migrant to the agency as a barrier to "absconding," which can increase the indebtedness of migrant workers.[200] In all these cases, the essential precondition for this exploitative practice is the high level of control of recruitment processes by recruitment agencies, which according to Daniele Belanger's research were used by every one of the Vietnamese migrant workers she interviewed, and in all cases demanded high recruitment fees.

UNODC suggests that a better approach to regulation of recruitment agencies may be that of the government of the Philippines, which instead requires the recruitment agency to pay a deposit to the government in return for its operating license.[201] This deposit is forfeited if the agency is found to be complicit in the abuse of workers. This approach may avoid complicated legal wrangling and puts the burden on the recruitment agency to demonstrate its own good behaviour.

Rather than concentrating only on abuses, some authors suggest providing potential migrants with "whitelists" of reputable employers who adhere to labour standards.[202] This may increase migrants' knowledge of safe migration processes and decrease the power imbalance between themselves and perpetrators. Ideally, this should be done in conjunction with a system where migrant workers are able to freely switch employers, including to others operating in the same sector.

Financial resources

Studies of agricultural labourers in rural India, trafficked sex workers in Timor-Leste, Nigeria, Argentina, Brazil and the Republic of Korea, and migrant construction workers in the Gulf Cooperation Council countries, indicate that superior access to financial resources can provide perpetrators with leverage enabling them to exploit migrants. In particular, access to the following types of financial resources give perpetrators an advantage over many migrant workers:

- Access to credit. It is particularly common for perpetrators to have access to credit unavailable to victims. This allows perpetrators, whether employers directly or intermediaries such as brokers or recruitment agents, to become sole providers of credit to migrants. This debt can then be leveraged to force migrants to work in exploitative conditions – a situation of de facto debt bondage.[203] This process has been observed, for example, among bonded agricultural labourers in rural India, sex workers in Timor-Leste, and female sex trafficking victims in Argentina, Brazil and Nigeria. Fishing boat workers in Thailand also commonly have their wages withheld by boat owners for long periods, during which time workers are provided cash "advances" to cover their basic needs.[204]
- Effective control of the distribution of financial resources. Apart from controlling the payment of wages, perpetrators frequently have the legal right to set contract conditions. As such, it is possible for them to manipulate the framework through which workers are paid in order to create a situation of exploitation. For example, contracts can be kept secret or altered without the permission of employees, as has been done to Indian construction labourers in Qatar.[205] Fishing boat workers in Thailand are given no way of verifying the money they are owed, while being subjected to financial penalties for misdemeanors and unexplained deductions.[206] Perpetrators can also institute a system of fines that workers are only able to pay by doing the bidding of exploiters. For example, in hostess bars in the Republic of Korea, victims are able to make only enough money to pay fines and meet "sales quotas" through engaging in involuntary sexual encounters with patrons.[207] Perpetrators can also force workers to stay in positions of exploitation through the withholding of wages until after harvesting or jobs are complete. For example, on palm oil plantations in Guatemala, workers on one to three short term contracts had their wages withheld and were not paid if they did not complete the entire term.[208]

Control of space

A number of studies emphasize that perpetrators' legal, physical or psychological control of a space in which migrants are working or residing is a particularly important source of power. Examples include:

- Control of accommodation that is tied to a particular job or is on the same site. This is a particularly important source of perpetrators' power, as victims risk losing shelter as well as financial resources if they leave a job or attempt to seek redress. Examples include domestic workers who live with their employers in Denmark,[209] workers in suburban sweatshops in Buenos Aires,[210] and Romanian migrant agricultural workers in Sicily.[211]
- Control of a workspace or ship. Perpetrators' ability to prevent workers from leaving a workspace can be a major source of power over migrants. This might be achieved by violence, as in the cases of brothels in Indian urban areas,[212] or by control of a ship's movements.[213]

One of the reasons why domestic workers are particularly vulnerable to exploitation is that since they work in the private, domestic sphere, they are consequently denied labour rights. The invisibility of their workplaces leads to their labour often not being recognized as "work," a situation that is compounded by the boundary between the workspace and tied accommodation and leisure time being intentionally blurred by employers.[214] It is therefore suggested domestic workers should be recognized as workers with concomitant labour rights.[215] Mullally and Murphy suggest that these rights can be promoted internationally through wider ratification of the 2011 ILO Convention on Domestic Work and by strengthening it to make its recommendations binding.[216]

Migrant domestic workers can be particularly vulnerable when their visas are tied to a specific employer. Examples of these systems vary in their level of restrictiveness and include the Middle Eastern *kafala* system and the United Kingdom's Overseas Domestic Worker (ODW) system.[217] When migrants' visa status and residence in the country effectively depend on the goodwill of their employer, there is a heightened risk of exploitation. This situation of dependency is further heightened when it is a requirement of the visa system that the worker live with the employer, which gives the employer control of the worker's accommodations.[218] Other regulations may create barriers to domestic workers changing employers, for example the "Two-week Rule" in Hong Kong SAR, China, which stipulates migrant domestic workers must find new employment within two weeks of leaving their jobs or leave the jurisdiction. This is extremely difficult for workers to do as it takes four to six weeks to process an employment application, leaving migrant domestic workers very reluctant to leave their current jobs as they are likely to lose their right to work.[219]

Parrenas and Silvey, Shamir and Amnesty International therefore suggest that a system similar to that for temporary domestic workers in Italy should be more widely adopted.[220] In the Italian system (as of 2017), workers are allowed to "vote with their feet" and move to a different employer within the same sector. This system also includes greater domestic worker protections, notably the legal right to a day off, which may reduce exploitative employers' control of the space in which migrants may operate.

Increased levels of consular assistance for migrant workers in the Gulf Cooperation Council countries have been correlated with a decrease in exploitation. Good practices include regular site and accommodation inspection visits by Indian and Filipino labour attachés, and the operating and staffing of confidential phone lines for reporting abuses.[221]

Familial relationship, friendship or acquaintance

A familial relationship, friendship or acquaintance is frequently an important resource for perpetrators. Studies of Syrian refugees and of Mexican sex trafficking victims in the United States indicate that victims are often trafficked by relatives or friends rather than by strangers, since they are able to use a pre-existing social bond as a resource for exploitation.[222] This may be particularly true for children: among the victims assisted by CTDC partners, 36 per cent of the children were recruited by a family member or a relative, compared with 11 per cent for adults.[223] In cases including employers of bonded labourers in India, sex traffickers in Cambodia and labour and sex traffickers on the India-Bangladesh border, exploiters have similar backgrounds and economic statuses to their victims.[224] This may be a resource perpetrators can use, since similar status or life experiences may aid them in winning victims' trust.

Knowledge of migration processes

Superior knowledge of migration processes may give perpetrators a position of power over their victims. Particularly in cases of trafficking, exploiters may have superior knowledge of the customs and procedures of the destination country, along with the methods migrants can use to get there. Examples of the abuse of this resource include perpetrators who have lived abroad utilizing their knowledge to gain the trust of prospective migrants in Ethiopia,[225] Nigerian sex traffickers using their superior knowledge of exchange rates to manipulate migrant sex workers' pay,[226] and spouses of recently arrived foreign brides in Norway controlling access to Norwegian-language legal resources.[227]

Criminal associations

In certain cases, perpetrators have access to organized criminal groups or are themselves members of one. These associations provide the actuality or potential of violence, which can be used to exploit migrant workers. Examples of this process include the use of violence by gangs or mafia-like groups in cases of sex trafficking in Western Europe and Central America[228] and the ability of wealthier business owners in rural India to hire gangs of *goondas* (thugs) to intimidate or murder labour activists.[229]

Political influence

Studies indicate that in some cases exploiters have access to political influence. This resource may allow them to directly alter the course of investigations into their activities and thereby perpetuate the exploitation of migrant workers. Alternatively, more indirect political influence may be exerted to influence lawmakers to turn a blind eye to exploitation. Examples include wealthier business owners in rural India, notably quarry and kiln owners, who have major influence through political campaign contributions,[230] the political influence of fisheries magnates in Thailand, which compelled the Thai police's head of anti-trafficking in fisheries to flee the country,[231] and the political influence of wealthy foreign nationals in the United Kingdom leading to a blind eye being turned to exploitation of domestic workers.[232]

Access to technology

In some cases, exploiters may have better access to communications technology, which can enable them to coordinate their efforts. For example, Pande reports that access to mobile phones allows sex traffickers in urban India to keep tabs on their victims.[233] Similarly, Newell, Gomez and Guajardo report that criminal gangs preying on migrants crossing the United States-Mexico border seek out migrants with mobile phones in order to access data on family members who can then be blackmailed.[234]

TIED VISAS CREATE VULNERABILITY

GUARDIAN CHARACTERISTICS

Guardians are any group or individual in a position of authority with the ability or mandate to prevent acts of modern slavery. Sometimes this role is formally mandated, as is the case for national, state or local governments including police, judicial or legal authorities. However, this role can also be more informal, with village or tribal elders, faith leaders and service providers from health and civil society organizations also having a potential protective role. The vulnerability of migrants to modern slavery may be increased by gaps in guardian responses, such as the inability or unwillingness of these guardians to prevent exploitation, which is in turn can be exacerbated by a breakdown in law and order due to ongoing conflict or natural disasters, endemic corruption, the inherent complexity in tackling modern slavery, or competing government priorities.

Migrant garment workers in the manufacturing industry are vulnerable to exploitation by their employers. The intermittency of demand for clothing creates low-profit margins which increases the incentives for employers to subject their workers to conditions of modern slavery. Credit: Monty Rakusen

GAPS IN RESPONSES

Globally, there is large variability in the responses of governments to modern slavery. Data from the Government Response Index, in the Global Slavery Index, suggests national responses to modern slavery are improving overall.[235] However, there are some countries where the response is becoming weaker.

These gaps in responses increase vulnerability of migrants in different ways – gaps in legislation fail to deter perpetrators, while gaps in protections either fail to prevent the exploitation of migrants or exacerbate the situations of those already in modern slavery. The following sections identify some of the gaps of guardian responses.

GAPS IN LEGISLATION

While the existence of national criminal laws is not enough on its own to ensure guardians are empowered to take action, laws do provide a critical basis for exercise of coercive powers (such as powers of arrest) and also underscore the priority of specific issues for affected agencies. On this point, there is considerable variation across countries. For example, in 2018, 122 countries had laws that criminalized human trafficking in line with the United Nations Trafficking Protocol, while only 38 had criminalized forced marriage. Only 56 countries have criminalized the buying and selling of children for sex and only 27 have criminalized the use of children in armed conflict.[236]

GAPS IN SOCIAL PROTECTIONS AND LABOUR RIGHTS

Comparative analysis of government responses country by country also confirms critical gaps exist in many forms of protection. For example, the Government Response Index confirms that 50 per cent of countries globally exclude either migrants, men or children from accessing services. Not only are certain groups of victims not being identified, even when they are detected they are unable to access services.[237] The ILO 2018 report *Ending Forced Labour by 2030* found out of 107 countries which provide protection services to victims, within 57 of these access was conditional on cooperation in legal proceedings. More specifically, comparative analysis of responses at the regional level suggests very low levels of protection being made available in the Gulf Cooperation Council countries to some of the highest risk groups, namely migrant workers.[238] This is reflected in research that documents high levels of exploitation of workers travelling from Africa and Asia into the Gulf Cooperation Council countries for work.[239]

Studies of construction workers in the United Kingdom, United Arab Emirates, Thailand, Canada and South Africa, and of au pairs in Norway and Ireland, suggest migrants are overrepresented in these occupations, which have been described as "precarious" because of their lack of job security or other protections.[240] This precarity is exacerbated by the practice of classifying migrants as non-workers or non-residents who cannot access labour protections.

A broader context is provided by studies of the political economies of Cambodia, India, the United Kingdom and Japan. These suggest a connection between risk for migrants and cutting of certain social welfare programmes that provide resilience to exploitation. Examples include the cutting of social protection programmes in Cambodia under an International Monetary Fund-administered structural adjustment, which resulted in an explosion of low-paid work,[241] a similar withdrawal of social and labour protections in India, with a similar result,[242] and the imposition of welfare-to-work programmes in the United Kingdom and other Western democracies, which can force excluded migrant groups such as asylum seekers into exploitative work.[243]

Hila Shamir further suggests the specific exclusion of migrant workers from social protections places them at a higher risk of exploitation and undercuts indigenous workers, creating resentment and further increasing migrants' vulnerability.[244]

Migrant children may fall outside the scope or focus of local child protection authorities, thereby creating heightened risk for these children. Due to the scale and severity of the crisis involving vulnerable children on the move, UNICEF has developed a six-point action plan to help protect this group.[245]

1. Protect uprooted children from exploitation and violence.
2. End the detention of refugee and migrant children by creating practical alternatives.
3. Keep families together and give children legal status.
4. Help uprooted children to stay in school and stay healthy.
5. Press for action on the causes that uproot children from their homes.
6. Combat xenophobia and discrimination.

Rather than create new protection authorities specific for migrant children, UNICEF recommends the expansion and integration of national services to cover migrant children on the move. As one example of a government taking steps to protect uprooted children from exploitation and violence, the Government of Germany responded to the influx of migrant children not by creating a new system to protect migrant children but by strengthening its existing child protection system. They also developed standards for protecting children in refugee centres and focused on strengthening the capacities of service providers to implement and monitor these standards.[246]

UNICEF has also noted that while few countries have eliminated the practice of detaining children because of their immigration status, there are examples of systems being established to improve monitoring of the operation of these systems. In Greece, in the absence of a national system to track and monitor unaccompanied children, the National Centre for Social Solidarity (EKKA), a government agency that manages the national referral and placement system for unaccompanied children in Greece, has emerged as an important monitor of unaccompanied children in detention.

The office has increased the number of child rights monitoring visits to dozens of locations across the country, including detention facilities and reception, identification centres and hotspots. It has also established a network of NGOs, bringing together more than 20 child protection actors that monitor rights violations and advocate for children. Building on these efforts and with thorough data analysis, the Greek Ombudsman's office has been a critical advocate on behalf of uprooted children and has effectively worked to remove children from protective custody.[247]

NON-RECOGNITION OF FOREIGN QUALIFICATIONS

In certain cases, migrants' qualifications from foreign educational institutions may not be recognized by employers and/or government bodies in their destination countries. This lack of recognition may push more highly skilled migrants into underpaid or otherwise exploitative labour.[248]

RESTRICTIVE IMMIGRATION POLICIES AND WEAK MIGRATION GOVERNANCE STRUCTURES

Restrictive immigration policies are noted as a cause of vulnerability to modern slavery, especially when they are combined with strong economic incentives for low-wage migration. This process occurs in irregular migration from Central America to the United States and from sub-Saharan Africa to Europe.[249] This also increases vulnerability of migrants in the Gulf Cooperation Council countries, which host nearly one tenth of the migrant workers globally in a context of very restrictive migration policies and widespread discrimination against migrant workers and women.[250]

The effect of strong "pull factors" for migration and a restrictive immigration policy results in a demand to migrate in situations where there are few if any legal, safe migration routes. Examples include Thailand having strong pull factors for migrants but high border crossing fees,[251] crackdowns on undocumented migrants and asylum-seekers that push them into migrating through more unsafe methods, for example moving into Libya from Egypt and Sudan,[252] and the inadequate official European response to the so-called "migration crisis," which pushed many migrants into more unsafe migration practices.[253] In another similar example, in 2012 Ecuador included additional restrictions in its asylum system and reduced the maximum window of time for filing asylum claims from 180 to 15 days after arrival in the country. Although since reversed and the window extended to 90 days, these decisions resulted in a 25 per cent drop in application approval rates and forced higher numbers of Colombian refugees into undocumented status, exposing them to exploitative conditions at palm oil plantations due to their lack of employment alternatives.[254]

Weak migration governance, in the face of influxes of migrants as shown by the example of inadequate European responses to migrants along the Central Eastern Mediterranean Routes, as well as limited capacity to respond to emigration, can increase vulnerability. In Ethiopia, the 2013 ban on migration to the Middle East saw an increase in the number of migrants using irregular means to cross borders. A similar effect occurred in Nepal, where the ban on young female labour migration from Nepal drove migration underground via more dangerous routes.[255]

One form of immigration restriction is a temporary worker system. However, when temporary worker systems tie workers to a single, specified employer, exploitation more readily results. An example is Thailand's tied visa systems for manufacturing and fishery workers,[256] agricultural workers in the United States[257] and domestic workers in the United Kingdom.[258] In these cases, the dependence of migrants on employers for their legal visa status places tremendous power in the hands of employers. As noted above, rules in Hong Kong SAR, China requiring that domestic workers must find a new employer within two weeks of leaving their existing employer can make workers very reluctant to leave even very abusive situations.[259] Moreover, the fact that these programmes are often fragmented and targeted at specific sectors means their operation is frequently outsourced and hard to effectively monitor.[260] Finally, this temporary status itself is problematic as it stops workers from creating social networks that can protect them from exploitation.[261]

Guardians' prioritization of immigration control measures over anti-modern slavery initiatives may also reduce their ability to disrupt exploitation. This may occur due to governmental or institutional priorities, or to immigration violations being much easier to investigate and prosecute.[262] Examples include the introduction of "pink cards" to identify migrant workers in Thailand, which are frequently kept by employers or ship captains and give them power over their crews,[263] the revocation of labour protections for overseas domestic workers in the United Kingdom due to fears of increased low-skilled migration,[264] Israel's denial of Eritrean refugees, which left them exposed to serious abuses in the Sinai,[265] and the "securitization" of the EU's migration policy, which has denied safe migration routes to Syrians and has increased their vulnerability to trafficking.[266]

In this context of restrictive immigration policies, Anti-Slavery International suggests anti-trafficking measures may be helped by the prioritization of human trafficking screening over criminal prosecution of low-level criminal offences such as small-scale drug dealing and petty theft.[267] This may reduce the power of exploiters to draw exploited migrants into larger-scale criminal enterprises.

BARRIERS TO COLLECTIVE BARGAINING

Barriers to worker-led organizing, collective bargaining and worker ownership are noted as a cause of migrants' vulnerability to modern slavery.[268] Notably, studies of sex worker collectives in Canada and New Zealand, garment workers' co-operatives in Argentina and labour unions in Thailand and Western Europe, among others, suggest that unionization and forms of worker ownership are among the strongest resilience factors against exploitation.[269] As such, barriers to the formation of unions or to worker ownership are a major structural vulnerability factor.

However, in numerous jurisdictions, migrant workers are either blocked from union membership or major barriers are put in their way. These prohibitions include those against undocumented workers joining unions in Spain, Cyprus, Latvia and Lithuania, the Thai government's resistance to the unionization of domestic workers, and the legal ability of employers in the United States to fire undocumented workers for unionizing.[270] Furthermore, unions may themselves choose to exclude migrant workers. Migrants may be entirely prevented from membership, or disqualified from leadership positions, as in certain Thai unions.[271] In some cases, migrant workers are outsourced and the workers' wages, benefits and other entitlements are provided by the labour intermediary. Outsourced electronics workers in Malaysia are subject to different work conditions, may not be covered by existing collective bargaining agreements and cannot join labour unions.[272]

Numerous sources argue one of the most important actions that can be taken to alleviate exploitation of migrant workers is an expansion of their right and ability to collectively bargain.[273] This approach is likely to be more applicable in certain sectors than in others, particularly in situations where an exploitative employer controls a defined workspace and the inflow and distribution of benefits within it, as in manufacturing, fishing and domestic work. The existence of unions may challenge such employers' exclusive control of financial and spatial resources by providing a conduit for collective action.

Migrants are pictured sleeping in an open air camp in June, 2015 in Paris, as European nations grapple with how to handle a wave of people crossing the Mediterranean. The Global Slavery Index 2018 noted in recent years a tightening of migration policy in Europe has been accompanied by a reduction in protection for migrants. Credit: Joel Saget/AFP/Getty Images

As such, Pradella and Cillo, Marks and Olsen, Shamir, Buckley, Mantouvalou and Farsight suggest the removal of restrictions on migrant unionization, and that a positive right to join a union be provided to them. However, this approach is likely to be most effective in democratic or semi-democratic political systems where some existing labour rights or tolerance for their ideals already exists.

In a number of sectors (including garment manufacturing and sex work), some studies suggest worker self-management, particularly through worker-owned co-operatives, can improve working conditions.[274] This is because worker self-management removes two powerful tools exploiters can hold over their workers: control of finance and control of the workspace.

STATE-IMPOSED FORCED LABOUR

The role of the state in forced labour can be linked to high-risk migration practices and to risk for migrants from these countries both at exit and in transit.[275] The Eritrean case is particularly significant for migration. Many young men and women also flee Eritrea to escape the mandatory and indefinite national service which is imposed by the government.277 In addition, Hepner and Tecle have suggested that the government aims to drive out younger, better-educated Eritreans in order to gain a source of finance via remittances from the diaspora.[276] This leads to highly dangerous migration by Eritrean refugees, who are vulnerable to kidnapping, ransom and outright enslavement. A study based on 134 qualitative interviews with Eritreans who had migrated to Israel and Ethiopia found that 31 per cent of interviewees were abducted or had been forcibly moved for extortion during their migration experience.[277] Despite the signing of a peace treaty between Ethiopia and Eritrea in July 2018, it is yet to be seen how this will affect forced migration in the Horn of Africa. So far, the Eritrean government has announced it will relax its national service policy, which may reduce the flow of refugees from the country.[278]

Interviews with defectors from the Democratic People's Republic of Korea also illustrate the very real risks that migrants fleeing the North will face, including deportation and forced repatriation, where they may experience forced labour as punishment, forced marriage and abuses related to reliance on smugglers and border officials.[279]

LACK OF POLITICAL WILL OR CAPACITY TO RESPOND

Driving these gaps in responses can be a lack of political will or limited capacity to respond. Studies indicate that modern slavery is a low priority for some governments. As a consequence of this, or as a result of a general lack of funding, resources are unavailable to disrupt systems of modern slavery. For example, Montero Bressan and Abalo note that there are too few labour inspectors in Argentina to properly suppress labour trafficking to garment workshops where there are a large number of international migrants,[280] and Priyanka Mishra notes that anti-trafficking operations are a low priority for the authorities in Timor-Leste, with no specialized support services available.[281]

CONFLICT AND NATURAL DISASTERS

In crisis situations, capacity to provide a whole range of core community services, from law enforcement to education, may be limited, which contributes to increased risk of exploitation. For example, since the 2012 start of the conflict in Mali, the government has been unable to provide education for children, a situation which has seen increased risks of children being recruited to fight for armed groups.[282] In another example, violence perpetrated by drug traffickers and organized criminal groups plaguing Guatemala since that country's civil war limits the ability of labour inspectors to carry out their duties at palm oil plantations known for exploitative practices because of threats to inspectors' personal safety.[283] In crisis situations, it may also be necessary to set up anti-slavery initiatives where none previously existed. Klaffenboeck, Todorova and Macchiavello concluded that police and NGO anti-trafficking responses to the 2015 Nepal earthquake were more successful than those along the Western Balkan migration route due to the prior existence of anti-trafficking support frameworks in Nepal.[284]

CORRUPTION

Corruption takes many forms that impact vulnerability of migrants, whether this is through the excessive fees that result from payment of bribes or facilitation payments in the recruitment and migration process, or lack of access to justice that results from corruption in the criminal justice process. As one example, in an "exploratory" study looking only at three illustrative migration corridors – Nepal to Qatar, Myanmar to Malaysia, and Myanmar to Thailand, Verité has documented extensive corruption, both of private sector actors and government officials, involved in the movement and recruitment of migrant workers. This included payment of kickbacks to agents and employers along the corridor for a demand letter or job order; bribes or un-receipted fees paid to government officials to facilitate discretionary decisions relating to issues such as foreign worker quotas, demand for workers, visas, medical certificates and work permits; and bribes paid to border control, police and military officials who facilitate irregular migration.[285] Corruption such as this contributes to the fee burden carried by many migrant workers, demonstrated by unscrupulous recruiters in the Philippines,[286] which in turn contributes to their vulnerability to abuse and exploitation. In another example, low wages for labour inspectors in Guatemala has also been identified as a key corruption risk by labour experts.[287]

Many countries fail to respond to corruption even when it appears directly implicated in facilitating modern slavery. The Government Response Index found that 68 countries had experienced either endemic complicity in modern slavery cases or instances of government official corruption or complicity that were routinely not investigated. Examples include widespread bribery of law enforcement officials in Ethiopia, the Republic of Moldova, Sudan, Egypt and the Russian Federation to overlook trafficking rings, and widespread corruption in Belgian embassies that allowed the issuing of fraudulent passports for sex trafficking purposes.[288]

COMPLEXITY OF THE CRIME TYPES

Human trafficking, modern slavery and forced labour are complex crime types, often involving several actors or organized crime groups who seek to actively leverage holes in protection regimes while operating across multiple jurisdictions. Addressing them requires intra – and inter-governmental coordination and resources to tackle the crime effectively. Modern slavery is also a hidden crime, with the added difficulty of locating affected populations. Modern slavery frequently occurs among migrant populations that are either little-known to the state or who actively seek to stay out of sight of the authorities, such as with undocumented migrant workers.[289] As a result, its victims can be difficult to locate and protect. Many governments are proactive in their attempts to identify and uncover cases of modern slavery, either through training of first responders (152 out of 162 governments in the Government Response Index) or establishing specialized police units (121) or labour inspections in the informal sector (54) to detect instances of modern slavery.

A further consequence is that the scale and extent of modern slavery are extremely difficult to determine. However, gathering reliable and comparable data can itself be difficult due to varying evidence-collecting practices between or across different jurisdictions,[290] or the lack of any systems for collecting statistics on modern slavery offences, as for example in Nigeria.[291]

STEREOTYPES AND GAPS IN UNDERSTANDING

The complexity of modern slavery can lead to stereotypes and limited understanding, which can in turn drive harmful responses and misallocation of resources to combat modern slavery. These issues may be divided into four categories:

- A conflation of sex trafficking and sex work can mean that anti-trafficking resources are diverted into sting operations and raids on non-trafficked sex workers.[292] This tendency has been observed in Spain, Thailand, India, Cambodia, the United States and Argentina.[293] The United States' "Anti-Prostitution Loyalty Oath," which prevents entities that distinguish between sex work and trafficking from receiving American development aid, prompts particularly heavy criticism.[294]
- A widespread perception that human trafficking affects only women and girls can lead to trafficking of men and boys being underreported. As a consequence, the trafficking of men and boys is not addressed by anti-modern slavery programmes.[295]
- Simplistic responses that fail to address the systematic drivers of vulnerability. For example, the literature gives examples of domestic workers in the UAE whose only choices are being able to choose between staying in the abusive situation or becoming irregular and risking deportation, or seeking help from their Embassy for assistance to return home. While getting workers to safety and providing opportunities for workers to go home voluntarily undoubtedly has a place in the possible suite of responses, this should not be seen as a substitute for responding to systemic drivers of vulnerability such as tied visas, requirements that workers live in the homes of their employers, and a lack of labour protections for some groups of workers. The literature also notes that removing the worker without holding employers to account for abuses, including through criminal justice processes if the worker wishes to participate, means the cycle continues. Equally, the literature notes that responses to abuse should begin by considering the outcomes that are important to the migrants themselves, which may include wanting to find an alternative decent job in the destination country and stay to pay off existing debt or make money.[296] This is important to breaking the cycle of abuse.

- A focus on extreme instances of crime may be used to justify minimal focus on more prevalent labour abuses and gender-based violence. Jaleel, Lewis and Waite, and Marschke and Vandergeest argue that "modern slavery" exceptionalizes certain forms of exploitation, which they argue may be better considered not as modern slavery but as extreme forms of labour exploitation and gender-based violence.[297] They argue that the framing of modern slavery as an exceptional abuse diminishes our ability to draw links with other forms of labour exploitation and thereby may allow exploiters a way of rationalizing behaviour that they themselves might not consider modern slavery.[298] Ramona Vijeyarasa suggests an approach more similar to contract law may be more effective, in which modern slavery is seen as an abuse or breach of trust; this may better capture migrants' agency than seeing them as helpless victims.[299]

It is important that victim support systems respond to the actual needs of their clients rather than to assumed priorities. Baye and Heumann and Urzi suggest that the system in force in Italy (as of 2015) should be more widely implemented.[300] This system emphasizes a robust focus on rehabilitation that includes a financial component. While there are problems in accessing this system, this provision of financial resources can help prevent the re-trafficking of previous victims of modern slavery, who appear to be a more at-risk group (see "individual factors"). Moreover, once this system is accessed, victims are allowed to work and are provided with accommodation while they are enrolled in a work programme.

Similar suggestions are made by Meshkovska and the UNODC, based on research in Argentina, and Andhra Pradesh.[301] In these cases, a rehabilitation system that provides access to microcredit finance is likely to be more effective than one that seeks to "reform" victims. IOM argues that a similar financial component to rehabilitation, in the form of job creation and training programmes, has proved effective in crisis situations, notably following Typhoon Haiyan.[302]

DISCRIMINATION AND PREJUDICE

Existing prejudices in society will very likely play out through the delivery of functions like law enforcement and other services. While these may take the form of active and overt discrimination, they can also be reflected in gaps in protection. As noted in the Global Slavery Index 2018, the higher than expected rates of prevalence of modern slavery in highly developed, high income countries underscore that even in countries with seemingly strong responses to modern slavery, certain vulnerable groups, including migrants, can be excluded from existing protections. It was noted that in Europe in recent years a tightening of migration policy has been accompanied by a reduction in protection for migrants. Similar approaches have been adopted in the United States and Australia.[303]

Studies note that when members of law enforcement or law-making bodies are prejudiced against migrants or against workers in general, they are less likely to protect them. Examples include racialized ideas of "victimhood" which may prevent law enforcement officials from recognizing or assisting trafficking victims who do not conform to stereotypes.[304] Widespread xenophobia against migrants in general may lead to the passage of discriminatory laws and inaction on modern slavery. For example, Marschke and Vandergeest noted that xenophobic attitudes towards Burmese migrants in Thailand reduced low-ranking police officers' willingness to address their exploitation.[305] Research on migrants in the Middle East and Northern Africa suggests other instances of discrimination.[306]

Sanora holds a photograph of her nephew, Asmot, July, 2015 in Shamlapur, Bangladesh. Ula and his father fled to Bangladesh from Myanmar in 2005, and they both left for Malaysia at the end of 2012 to find steady work. "They thought they would find peace there" says Ula's Aunt, Sanora. She has not heard any word from them since. Credit: Shazia Rahman/Getty Images

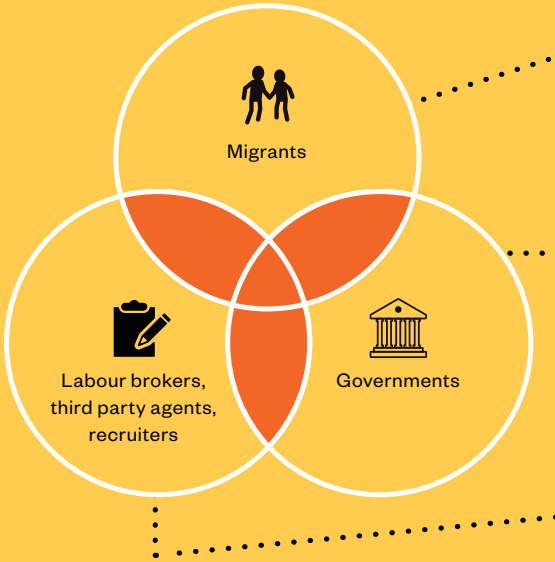
ANALYSIS AND RECOMMENDATIONS

San, a 17-year-old victim of modern slavery in Myanmar shows her scarred arms and twisted fingers whilst recovering in her family's village in the Kawmu township located outside Yangon, in September, 2016. She stares at her burnt, scarred hands and twisted fingers, a reminder of her years of abuse, one of thousands of young domestic workers feared to be at risk of exploitation. Credit: Ye Aung Thu/AFP/Getty Images

WHICH MIGRANTS ARE VULNERABLE, WHEN AND IN WHAT CIRCUMSTANCES?

The literature confirms that the vulnerability of migrants to human trafficking, forced labour and modern slavery is not evenly distributed. Some individuals, demographics or sub-groups are more vulnerable to abuse than others. The literature also helps to shed light on the reality that different risks occur along the course of the migration process, depending on the combination of enabling factors in place in each location. Figures 6.1 to 6.4 capture in very broad terms how, where and for whom risk converges at different points in the migration process.

PRE-MIGRATION



Prospective migrants are vulnerable when:

- They are fleeing conflict, crisis situations.
- They are under economic or other pressure to migrate, with limited ability to access information about jobs overseas or migration process.
- Fall into a category of migrants with few or no legal migration options.

In circumstances where governments:

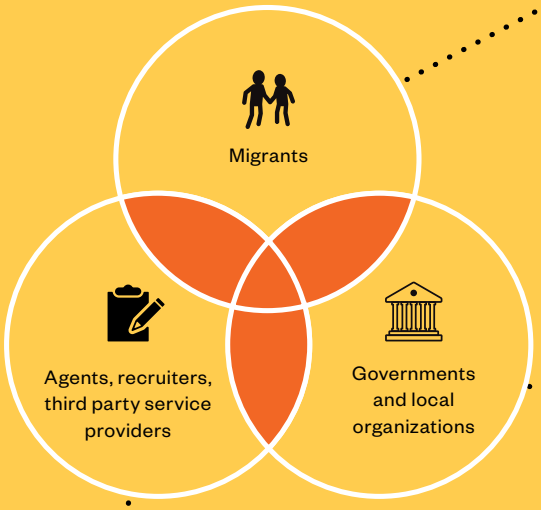
- May be focused on detering migration.
- Have not prioritized labour migration.
- Are unable to act due to limited or unclear legal powers or capacity.
- Are busy delivering existing bureaucratic process that are not fit for scale/nature of labour migration needs.

And labour brokers, third party agents or recruiters:

- Have superior knowledge of navigating legal/irregular migration process, or access to jobs, employers.
- Have unclear legal responsibility for what happens upstream/overseas.
- Know they can act with impunity.
- Control resources, such as financial or logistical.
- Rationalize as "helping".

Figure 6.1: Which migrants are vulnerable in the pre-migration stage?

IN TRANSIT



Migrants are vulnerable when they:

- Are disconnected from support networks.
- May be stuck/stranded without funds.
- Have limited options to earn funds.
- May be excluded from legal labour market.
- Experience longer stays, which permit more risk/ desperation.
- Have limited/no ability to obtain visas legally, pay debts.
- Lack documentation.
- May have incentives to remain isolated or hidden.
- Have limited/restricted mobility, or are dependent on others for mobility.

In circumstances where governments and local organizations are:

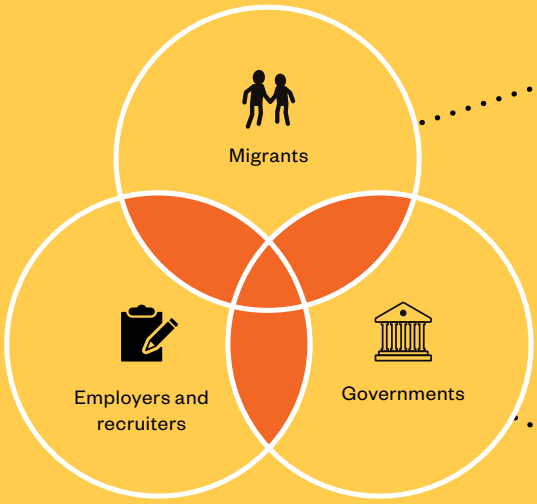
- Overwhelmed and capacity is pushed to breaking point.
- Are mandated to prioritize border control over individual safety.
- Have low incentive or mandate or funds to protect/ prioritize foreigners.

And agents, recruiters, third party service providers have:

- A captive audience for recruiting.
- Low risk of redress in legal limbo.
- Access to opportunities to exploit, coined with an absence of law enforcement.

Figure 6.2: Which migrants are vulnerable while en route, at transit points such as border crossings, or in displacement sites or other settlements?

AT DESTINATION



Migrants are vulnerable when they:

- Perceive bad conditions or poor treatment as inevitable.
- Fear deportation.
- Have limited or no independent finances or ability to provide for basic needs.
- Are not covered by local labour/other protections
- Are excluded from or have limited options to access legal employment.
- Have no recourse for wage theft.
- Have limited networks, as diaspora/other migrants are critical.
- Limited trust of authorities.
- Have limited understanding of local norms/legal system.

In circumstances where governments:

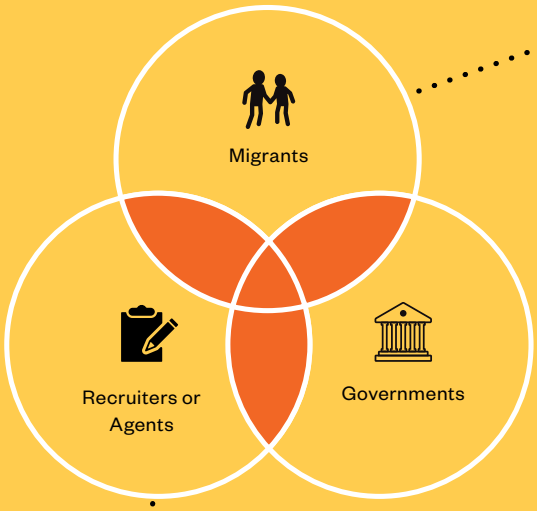
- Have not prioritized or funded oversight in high risk industries.
- Have given migration control higher priority than human rights protections.
- Have provided limited or no funding for migrant support or outreach services.
- Have not made it safe or timely for migrants to access recourse for wage theft.
- Make it illegal for migrant workers to organize or join unions.
- And state services...
- Are simply overwhelmed and cannot support the demand for registration, case management, benefits and/or protective care.

And employers and recruiters:

- Operate outside of the law, such as in the informal economy, beyond sight.
- Know there is low risk of recourse from law enforcement.
- Are able to leverage family relationships, friendships or diaspora connections.
- Have financial power through owning jobs, networks, accommodation.
- Are given control through visa conditions.
- Have political connections/corruption.
- Can leverage local resentment or discrimination against minority groups.
- Rationalize behavior as "helping" and that workers are "better off" than at home.

Figure 6.3: Which migrants are vulnerable once at their destination or during prolonged stays in transit countries?

ON RETURN



Migrants remain vulnerable if their experience resulted in:

- Trauma/shame/humiliation/feeling of failure.
- Deepened financial crisis as debt not paid.
- No recourse for wage theft.
- Skills and education developed overseas not being acknowledged.
- A desire to give impression of wealth acquisition during migration journey that is addressed by taking out loans.

In circumstances where the government back home:

- Is covering the cost of repatriation with limited funds.
- Has limited or no services to assist with recovery of wage theft overseas.
- Faces genuine jurisdictional limitations in helping with overseas abuse.
- Is relying on remittances as key to local economy.
- Is ambivalent about returnees or quietly approves of out-migration as a means to relieve population and financial pressures.

And recruiters or agents are:

- Able to benefit from removal of another witness to their crimes or potential claimant for unpaid wages.
- Subject to no or low risk of recourse.

Figure 6.4: Which migrants are vulnerable even after they return to their country of origin?

ADDRESSING THE INTERSECTIONS OF RISK

While there are myriad factors that contribute to vulnerability of certain migrants to human trafficking, forced labour and modern slavery, as Figures 6.1 to 6.4 show, it is possible to identify salient patterns of risk. These are the areas where our prevention efforts should focus:

1. Increasing protections for victims and vulnerable migrants.
2. Reducing the capacity and opportunity for potential offenders.
3. Increasing capacity and focus of guardians and first responders.
4. Focusing research efforts on filling critical gaps in knowledge.

RECOMMENDATION 1: INCREASE PROTECTIONS FOR VICTIMS AND VULNERABLE MIGRANTS

Prevention efforts should focus on strategies to increase the safety of migrants in the locations and situations where high vulnerability coincides with opportunity for offending:

a. Ensure protection is provided universally for migrants escaping repressive states that subject their own citizens to forced labour.

b. Increase migrants' access to information about the migration and recruitment processes.

c. Increase migrants' access to legitimate sources of work and/or finance along migration pathways and in destination countries.

d. Reduce the financial power imbalance between particularly vulnerable migrants and their exploiters by ensuring that financial interventions and access to work are part of responses to displacement.

e. Address the threat of detention and/or deportation that hangs over many migrant workers by creating systems and structures that enable temporary and even irregular migrants to access basic labour rights and justice, particularly around wage theft in both formal and informal sectors.

f. Eliminate gaps in labour protections for workers in informal sectors.

g. In destination and transit countries where children are on the move, ensure that local child protection systems are strengthened and supported to provide protection to migrant children.

h. Provide access to reasonable livelihoods for migrant parents and inclusive education support for all children regardless of migrant parents' status.

i. Recognize and address the inherent potential for exploitation of children in crisis situations and take steps to ensure that children are safe even while fostered or being cared for through other informal societal childcare practices.

RECOMMENDATION 2: REDUCE CAPACITY AND OPPORTUNITY FOR POTENTIAL OFFENDERS

Prevention efforts should focus on strategies to reduce capacity and opportunity for offending:

a. Redress the power imbalance between employers and employees by prohibiting recruitment fees, prohibiting restrictions on mobility and withholding of identify documents, and promoting labour rights, inspections and protections. This is particularly urgent in high-risk sectors such as the manufacturing, domestic work, construction and fishery sectors.

b. Reduce perpetrators' control of recruitment processes through more transparent regulation and system design while fostering innovative use of information technology and increased availability of free or low-cost information.

c. Focus on the structures, policies and societal norms that enable discrimination to be perpetuated against migrants and other marginal populations.

RECOMMENDATION 3: INCREASE CAPACITY AND FOCUS OF GUARDIANS AND FIRST RESPONDERS

Prevention efforts should focus on strategies to increase the capacity and focus of guardians such as law enforcement, labour inspectors and other potential first responders:

a. Close gaps in criminal laws by criminalizing forced marriage, all forms of human trafficking and forced labour, the use of child soldiers, and the buying and selling of children for sex.

b. Close gaps in protective responses and ensure all victims of these crimes, including migrants, men, women and children, are included in services and are able to access them.

c. Ensure that all migrant workers are protected by labour laws, including the right to collective bargaining.

d. Review immigration laws and policies to ensure they reflect the realities of labour market and migration pressures, but also to ensure a humane balance is struck between competing policy priorities, such as security and human rights of migrants.

e. Strengthen migration governance systems.

f. Ensure that corruption is investigated, exposed and prosecuted.

g. In crisis situations, anticipate the risk of human trafficking, forced labour and modern slavery. Bolster the capacity of governments, humanitarian workers and partners in these situations. Actively develop protective systems to identify and assist at-risk populations both during conflict and in protracted or post-conflict settings, including in neighbouring countries and areas of return.

h. Fund rapid response task-forces and providing them with the flexibility to respond to emerging threats.

i. Provide training and support to first responders, including creating specialized law enforcement capabilities, and pursue labour inspections in the informal sector to detect instances of modern slavery.

j. Encourage transparency of efforts through support for research and reporting on the operation and effectiveness of existing responses.

k. Focus on rehabilitation that includes a financial or livelihoods components to prevent re-victimization of people who have exited exploitative situations.

RECOMMENDATION 4: FOCUS RESEARCH EFFORTS ON FILLING CRITICAL GAPS IN KNOWLEDGE

Effective responses to modern slavery depend on the availability of relevant, reliable data to help understand the problem and its solutions. Research is needed to fill gaps in knowledge, particularly on:

a. Offenders, most notably the methods, backgrounds and motivations of modern slavery's perpetrators and the development of a better typology of perpetrators in various types of modern slavery.

b. Age and gender and their impacts on vulnerability to modern slavery.

c. Understudied topics, such as forced marriage and its connections to migration, as well as recruitment of child soldiers from migrant and displaced populations.

d. Understudied regions and countries, where high prevalence is indicated but there is limited research on the connection to migration and vulnerability to modern slavery specifically, such as the Caribbean, Oceania (notably the Pacific Island Nations), Southern Africa, Middle Africa, Eastern Asia, Russian Federation, Central Asian Republics, Islamic Republic of Iran, Somalia, Burundi and Mauritania.

e. Protective factors, such as how cultural norms and diasporas can be better leveraged to provide protection for migrants and counter the misinformation and exploitative networks that benefit offenders.

A migrant Indian labourer stacks bricks by balancing them onto his head at a brick factory in Lalitpur, Nepal January, 2018. Credit: Narayan Maharjan/NurPhoto via Getty Images

ATTACHMENT A: RESEARCH PROTOCOL

LITERATURE REVIEW - RESEARCH PROTOCOL

Rationale and objective:

This protocol details the process that the research team will take to systematically identify and collate quality secondary sources on the vulnerability of migrants to modern-day slavery.

The purpose of this literature review is to inform future actions by the Alliance 8.7 Migration Action Group and thereby mitigate the vulnerability of migrant populations and enhance their resilience to exploitation.

Guiding principles:

- All "searches" for relevant literature will be undertaken systematically, using an agreed data collection protocol;
- The literature review will prioritize research-based publications;
- Sources that do not meet these criteria will be included only where necessary;
- All sources reviewed will be stored in a single database; and
- These sources will be categorized as those relating to victims of modern slavery; to those perpetrating and benefitting from modern slavery; and to guardians' (in)capability and (un) willingness to interfere with modern slavery.

This review will exclude child labour, as this topic is being studied by a separate research group.

Framework:

Modern slavery is an umbrella term, which encompasses the following:

Form of modern slavery	Definition	International Convention
Human Trafficking	Defined in the United Nations Trafficking in Persons Protocol (Palermo Protocol 2000) as involving three steps: 1. Recruitment, transportation, transfer, harbouring or receipt of persons; 2. By means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; 3. With the intent of exploiting that person through: prostitution of others, sexual exploitation, forced labour, slavery (or similar practices), servitude and removal of organs. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve threat, use of force or coercion.	Palermo Protocol 2000, European Trafficking Convention
Slavery and Slavery-like Practices	Defined in The Slavery Convention (1926) as the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. In a later treaty, States agreed that there are also certain "slavery-like practices": debt bondage, forced or servile marriage, sale or exploitation of children (including in armed conflict), and descent-based slavery.	The Slavery Convention (1926) and Supplementary Slavery Convention (1956)
Forced Labour	Defined in the International Labour Organization (ILO) Forced Labour Convention as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." This excludes compulsory military service, normal civil obligations, penalties imposed by a court, action taken in an emergency, and minor communal services.	ILO Forced Labour Convention, 1930 (No. 29) and Convention Concerning the Abolition of Forced Labour, 1957 (No. 105)
Forced Marriage	Defined as practices "similar to slavery" in the 1956 Slavery Convention. Any institution or practice whereby: • A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or • The husband of a woman, his family or his clan, has the right to transfer her to another person for value received or otherwise; or • A woman on the death of her husband is liable to be inherited by another person. This term may also cover more recent definitions: notably, the 2006 statement of the United-Nations Secretary-General that "a forced marriage is one lacking the free and valid consent of at least one of the parties." Walk Free defines forced marriage as "any situations in which persons, regardless of their age, have been forced to marry without their consent."	United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956

Form of modern slavery	Definition	International Convention
Recruitment of Children during Armed Conflict	Drawing on the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), the term "worst forms of child labour" includes forced or compulsory recruitment of children for use in armed conflict.	International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182) Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
Child Prostitution	Drawing on the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), the term "worst forms of child labour" includes the use, procuring or offering of a child for prostitution, for the production of pornography, or for pornographic performances.	International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182) Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

Migration is defined as:

The International Organization for Migration (IOM) defines a migrant as: "any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is"(derived from http://www.iom.int/who-is-a-migrant [accessed 06/08/2018]).

Vulnerability is defined as:

IOM defines vulnerability as the susceptibility to harm of certain people, relative to others, as the result of exposure to a certain type of risk.

Workflow

To review the literature on migrant vulnerability to modern slavery, it is necessary to first compile a database of relevant secondary sources. To achieve this, the following workflow will be established:

1. Researchers will conduct searches of successive information sources in the order set out below (see "Identifying and Collecting Sources").
2. Researchers will save the reference information of the source and a copy of the publication (e.g. ILO report) to the EndNote reference library.
3. In the database, the following information will be recorded:
   - Year of publication
   - Type of publication
   - Author/organization
   - Type(s) of modern slavery (as defined by the definitions above)
   - URL (in the case of online sources)
   - Country(ies) or area addressed
   - Economic sector addressed
   - Site of vulnerability addressed (i.e. location/ space in which abuse is initiated or perpetrated)
   - Criminological focus area addressed (i.e. victims/ perpetrators/ guardians)
   - Stage of migration addressed (recruitment/ pre-departure issues/ grievance mechanisms/ redress, etc.)

Homeless and hungry men, many of them deportees from the United States, gather outside of a church that serves meals to those in need, January, 2019 in Tijuana, Mexico. Restrictive immigration policies are noted as a cause of vulnerability to modern slavery, especially when they are combined with strong economic incentives for low-wage migration. Credit: Spencer Platt/ Getty Images

Notes will be added to annotate issues with the methodology and any obvious biases. When allocating literature to country or area of focus, researchers judged a country was addressed where data was collected, or from which migrants originated, relying on researcher discretion in cases where insufficient data was presented or collection methods were unclear. For literature which drew from multiple countries or a designated region, such as the EU, or global works, these were recorded.

4. In the "Research Notes" section, researchers will summarize the research process, data sources and key findings of the relevant work regarding factors leading to migrant vulnerability. The researchers will make a judgment as to the work's reliability and record conclusions in EndNote.
5. Conclusions recorded in EndNote will be collated and analysed in the draft of the literature review.

This workflow is intended to be fluid and be adjusted as and when necessary.

Identifying and collecting sources

Sources will be identified and analysed in the following order:

1. Peer-reviewed publications, i.e. monographs, articles within published collections and articles from journals identified through database searches;
2. Reports of international organizations, e.g. the ILO, IOM, ICMPD;
3. Reports of international NGOs, e.g. Human Rights Watch;
4. Reports of regional/local/national NGOs.

In all cases, works published between 2013 and 2018 (i.e. since the start of the major increase in migration due to conflicts in the Syrian Arab Republic and sub-Saharan Africa) will be prioritized. However, exceptions may be made for general or theoretical works, with priority given to more recent works in these cases.

The following sources will be searched to identify all sources that are relevant to a study of migrants' vulnerability to modern slavery. These sources will be examined sequentially due to the relatively short examination period. In the case of unforeseen circumstances, this will prioritize the review of the most reliable information.

1) PEER-REVIEWED LITERATURE

A review of peer-reviewed literature will be conducted using the following sources and databases:

1. University of Chicago (UoC), University of Illinois at Chicago (UIC), Northwestern University and School of Oriental and African Studies (SOAS) library catalogues. While not copyright libraries, these four libraries have extensive collections, comparable in scale and scope to a copyright library.
2. EBSCO Discovery database cross-search (includes ISI Web of Science, JSTOR, HeinOnline, ScienceDirect, DOAJ, etc.)

The search terms to be used are as follows:

Migration	Vulnerability	Form of modern slavery
Migration AND	Vulnerability AND	
Refugee AND		Slavery
Internally displaced person AND		"modern slavery"
Conflict displacement AND		"forced lab*r"
Natural disaster displacement AND		"domestic servitude"
People smuggling AND		"debt bondage"
Human smuggling AND		"forced marriage"
		"servile marriage"
		"human trafficking"
		"trafficking in persons"
		"worst forms of child lab*r"
		Abuse
		Exploitation
		"child soldiers"
		"public perception"
		"decision making"
		"behavi*ral change"

In all cases, these search terms are to include their semantic variations (e.g. migration/ migrant). Results not in English will be selectively evaluated according to the skills of the researchers. Conclusions of results in Russian, French and German will be examined. If particularly important works in Italian or Japanese are cited, these may also be reviewed.

2) INTERNATIONAL ORGANIZATIONS

ILO, Walk Free, IOM Global Estimates of Modern Slavery (https://www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm).

United Nations Special Rapporteur on Contemporary Forms of Modern Slavery, including its causes and consequences (https://www.ohchr.org/en/issues/slavery/srslavery/pages/srslaveryindex.aspx). Areas of particular utility include country reports and the 2017 report to the 72nd United Nations General Assembly.

The International Organization for Migration (IOM) publications (http://publications.iom.int):

- Migrant Smuggling Data and Research (2018)
- World Migration Report (2018)
- Migration in the 2030 Agenda (2017)
- Migration Research Leaders' Syndicate (2017)
- Fatal Journeys Vol. 3 (2017)
- Migrant Vulnerability to Human Trafficking and Exploitation (2017)
- Harrowing Journeys (2017)
- Migrant Smuggling to Canada (2018)
- Impact of Livelihood Recovery Initiatives on Reducing Vulnerability to Human Trafficking and Illegal Recruitment (2015)
- The Other Migrant Crisis: Protecting Migrant Workers against Exploitation in the Middle East and North Africa (2015)
- Egyptian Unaccompanied Migrant Children (2016)
- Migrants from Myanmar and Risks Faced Abroad (2016)

UNODC publications (https://www.unodc.org/unodc/en/human-trafficking/publications.html):

- Preventing Trafficking in Persons by Addressing Demand (2014)
- Global Report on Trafficking in Persons (2016)

International Centre for Migration Policy Development (http://www.icmpd.org/publications/publications/):

- Trafficking along Migration Routes to Europe (2018)
- Resilience in the Face of Adversity (2018)
- Demand-Side Interventions against Trafficking in Human Beings (2017)
- Targeting Vulnerabilities (2015)
- Lost in Categorisation (2018)

Lists of publications cited here are non-exclusive; other publications may be found through use of the search terms listed above.

3) INTERNATIONAL NGOs

Human Rights Watch https://www.hrw.org

Reports on migrants and labour exploitation: https://www.hrw.org/topic/trudovye-migranty/exploitation-forced-labor-trafficking

Especially:

- 'Claiming Rights. Domestic Workers' Movements and Global Advances for Labour Reform' (2013)
- 'I Already Bought You' (2014)

International Justice Mission https://www.ijm.org/studies

Anti-Slavery International https://www.antislavery.org/

Global Alliance against Traffic in Women http://www.gaatw.org/resources/publications

Protection Project http://www.protectionproject.org

RAND Corporation https://www.rand.org/topics/migration.html

Walk Free https://www.minderoo.com.au/walk-free

Including:

- Global Slavery Index (2018)
- What Works: Promising Practices (2017)
- Global Estimates of Modern Slavery (2017)
- The Other Migrant Crisis: Protecting Migrant Workers Against Abuse in the Middle East and North Africa
- Modern Slavery in Nepal (2014)

4) REGIONAL INTERGOVERNMENTAL ORGANIZATIONS, NGOs AND MAJOR INITIATIVES

EUROPE

Council of Europe (COE) and GRETA http://www.coe.int/en/web/anti-human-trafficking/home

OSCE http://www.osce.org/combating-human-trafficking

European Commission http://ec.europa.eu/anti-trafficking/

La Strada International http://lastradainternational.org/

Organization for Security and Cooperation in Europe (OSCE) http://www.osce.org/

Council of the Baltic Sea States (CBSS) http://www.cbss.org/safe-secure-region/tfthb/

ASIA-PACIFIC

HAGAR https://www.hagarinternational.org/australia/

Asian Research Centre for Migration http://www.arcmthailand.com/index.php

UN-ACT www.un-act.org

RUSSIAN FEDERATION AND EURASIA

CBSS http://www.cbss.org/safe-secure-region/tfthb/

Al'ternativa https://protivrabstva.ru/

MENA

Gulf Cooperation Council

SUB-SAHARAN AFRICA

African Union https://www.au.int/en/search/node/trafficking

Economic Community of West African States (ECOWAS) https://www.ecowas.int/?s=trafficking

East African Community (EAC) http://www.eac.int/

Economic Community of Central African States (ECCAS)

South African Development Community (SADC)

AMERICAS

Polaris Project https://polarisproject.org/

Puebla process http://www.iom.int/puebla-process

Organization of American States (OAS)

Regional Conference on Migration (RCM)

This is a non-exclusive list of sources; in particular, non-English language sources that may emerge from the reading are not listed here.

Inclusion Criteria for Literature Review

1. Does the report, monograph or article address the vulnerability of migrants to forms of modern slavery, including public perceptions of migration and decision-making processes among migrants or exploiters?

For definitions of vulnerability, migrant and modern slavery, see above.

In all these cases, the definitions of these terms will be non-exclusive: related terms include refugees, exploitation, etc.

YES – Go to Q2

NO – Exclude from EndNote

2. Does the report solely reference child labour, with no mention of other forms of modern slavery, e.g. human trafficking?

YES – Exclude from EndNote

NO – Go to Q3

3. Is the report supported by primary source data?

A report may be considered to be supported by primary source data when it contains an explicit or implicit research question, a method, a dataset and a conclusion based on analysis of the above.

YES – Include in EndNote

NO – Go to Q4

4. Is a research-based report available for this area, corridor, sector or issue?

YES – Exclude from EndNote.

NO – Consider inclusion in EndNote.

Literature Review category rationale

The following is the rationale for the categories used in the "research notes" section of the annotated bibliography entries.

The annotated bibliography entries are divided into six sections. The purpose of this division is to capture the spatial dimension of migration and the fact that exploitation is not a certainty or a black-and-white situation. Rather, exploitation is a risk that migrants take, which may become more or less likely depending on their location, background and their own and others' actions.

Firstly, the methodology of the source in question is set out.

Secondly, the sites of vulnerability mentioned in the source are analysed. "Sites of vulnerability" are places where migrants are in particular danger of falling into a situation of exploitation. These are defined as places where migrants' ability to escape exploitative situations is constrained. They may be physical locations in which the migrants are living or working – for example, refugee camps – or places where they are confronted with choices which, once made, place them in an exploitative situation – for example, signing a fraudulent contract in a recruitment agency. The purpose of recording these sites of vulnerability is to identify physical locations at which anti-modern slavery interventions can be targeted.

Thirdly, the notes list structural vulnerabilities related to the migrants themselves. These are factors related to the lives and actions of migrants themselves that make them more vulnerable to exploitation. These vulnerabilities are further subdivided, as per IOM's draft methodology, into individual factors (e.g. ethnicity, gender, attitudes and visa status), household and family factors (e.g. family situation, socio-economic status and education), community factors (e.g. local community attitudes and customs and the natural environment), and structural factors (e.g. long-standing historical contexts and national and regional policy and legal frameworks).

Fourthly, the notes list structural vulnerabilities related to the actions of exploiters. This section summarizes the ways that exploiters gain leverage over migrants and make them more likely to fall victim to modern slavery.

Fifthly, the notes detail structural vulnerabilities related to the actions of guardians. This section details how guardians – those who should rightfully prevent modern slavery, such as police, legal officials and researchers – fail to do so. It is differentiated from structural vulnerabilities of migrants themselves in that it describes specific (in)actions of guardians. For example, the act of a policeman taking a bribe would be categorized in this section, whereas a law or legal climate which made it easier for him or her to do so would be categorized as a structural vulnerability of migrants.

Finally, the notes section details the researchers' comments on the reliability of the source.

ATTACHMENT B: LIST OF COUNTRIES OR PLACES AND NUMBER OF STUDIES FOUND

List of the number of studies found for each country or place using the above research protocol, or suggested as supplementary references by workshop participants. Researcher discretion was used to allocate countries of focus from presented data, which in some cases were unclear, therefore numbers are indicative of the general level of research focus applied to any given nation.

List of countries or places and number of studies found

Country or Place	Number of studies
Afghanistan	9
Albania	3
Algeria	1
Argentina	5
Armenia	1
Australia	3
Austria	3
Bahrain	3
Bangladesh	16
Belgium	4
Belize	1
Bhutan	1
Bolivia (the Plurinational State of)	3
Brazil	4
Bulgaria	6
Burkina Faso	2
Burundi	1
Cambodia	19
Cameroon	2
Canada	6
Central African Republic	1
Chad	2
China	16
China, Hong Kong SAR	5
China, Taiwan Province of the People's Republic of China	3
Colombia	1
Congo (Democratic Republic of)	2
Croatia	2
Cyprus	2
Czechia	3
Denmark	2
Ecuador	1
Egypt	7
El Salvador	2

Country or Place	Number of studies
Eritrea	8
Ethiopia	8
European Union (all)	11
Fiji	2
Finland	2
France	3
The Gambia	1
Georgia	1
Germany	5
Ghana	2
Global	31
Greece	9
Guatemala	4
Guinea	1
Haiti	1
Honduras	3
Hungary	3
India	24
Indonesia	18
Iraq (the Republic of)	5
Ireland	2
Israel	6
Italy	8
Japan	1
Jordan	4
Kazakhstan	3
Kenya	5
Korea (Democratic People's Republic of)	2
Korea (Republic of)	7
Kuwait	4
Kyrgyzstan	5
Lao People's Democratic Republic	7
Latvia	1

Country or Place	Number of studies
Lebanon	4
Lesotho	1
Liberia	4
Libya	4
Lithuania	1
Malaysia	9
Mali	2
Mauritania	1
Mexico	10
Moldova (Republic of)	3
Morocco	2
Myanmar	17
Nepal	13
Netherlands	3
New Zealand	3
Nicaragua	1
Niger	2
Nigeria	8
North Macedonia	3
Norway	3
Oman	3
Pakistan	5
Palau	1
Palestinian Territories	2
Peru	2
Philippines	16
Portugal	2
Qatar	9
Romania	5
Russian Federation	13
Saudi Arabia	4
Serbia	6
Sierra Leone	1

Country or Place	Number of studies
Singapore	1
Slovakia	3
Slovenia	3
Somalia	1
South Africa	6
South Sudan	1
Spain	6
Sri Lanka	2
Sudan	9
Sweden	2
Switzerland	2
Syrian Arab Republic	7
Tajikistan	6
Tanzania (United Republic of)	3
Thailand	28
Timor-Leste	1
Tonga	1
Tunisia	3
Turkey	10
Turkmenistan	2
Uganda	3
Ukraine	5
United Arab Emirates	10
United Kingdom of Great Britain and Northern Ireland	25
United States	20
Uzbekistan	5
Viet Nam	16
West Africa (ECOWAS)	3
Yemen	2
Zambia	1
Zimbabwe	1
Kosovo[1]	1

[1] References to Kosovo are to be understood to be in the context of United Nations Security Council resolution 1244 (1999).

Many workers in Thailand's fishing industry are undocumented migrants from Myanmar, Laos and Cambodia. The industry is at a high-risk of exploitation due to the physical isolation of workers aboard ships and in general, the less the ship docks in port, the more dangerous it is for its crew. Credit: Thomas De Cian/ NurPhoto via Getty Images

ATTACHMENT C: LIST OF COUNTRIES OR PLACES WITH NO STUDIES LOCATED

List of countries or places for which no studies were returned from the search using the above research protocol or suggested as supplementary references by workshop participants. Researcher discretion was used to allocate countries of focus from presented data, which in some cases were unclear, therefore this list is indicative of countries or places that are relatively understudied or published in languages other than English.

List of countries or places with no studies located

American Samoa	French Guiana	New Caledonia
Andorra	French Polynesia	Niue
Angola	Gabon	Northern Mariana Islands
Anguilla	Gibraltar	Panama
Antigua and Barbuda	Greenland	Papua New Guinea
Aruba	Grenada	Paraguay
Azerbaijan	Guadeloupe	Poland
Bahamas	Guam	Puerto Rico
Barbados	Guinea-Bissau	Réunion
Belarus	Guyana	Rwanda
Benin	Iceland	Saint Helena
Bermuda	Iraq	Saint Kitts and Nevis
Bosnia and Herzegovina	Isle of Man	Saint Lucia
Botswana	Jamaica	Saint Martin (French)
British Virgin Islands	Kiribati	Saint Pierre and Miquelon
Brunei Darussalam	Liechtenstein	Saint Vincent and the Grenadines
Cabo Verde	Luxembourg	Samoa
Cayman Islands	Macau, China	San Marino
Channel Islands	Madagascar	Sao Tome and Principe
Chile	Malawi	Senegal
Comoros	Maldives	Seychelles
Congo	Malta	Sint Maarten (Dutch)
Cook Islands	Marshall Islands	Solomon Islands
Costa Rica	Martinique	Suriname
Côte d'Ivoire	Mauritius	Togo
Cuba	Mayotte	Trinidad and Tobago
Curaçao	Micronesia, Federated States of	Turks and Caicos Island
Djibouti	Monaco	Tuvalu
Dominica	Mongolia	United States Virgin Islands
Dominican Republic	Montenegro	Uruguay
Equatorial Guinea	Montserrat	Vanuatu
Estonia	Mozambique	Venezuela, Bolivarian Republic of
Eswatini	Namibia	
Faeroe Islands	Nauru	
Falkland Islands (Malvinas)	Netherlands Antilles	

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Garment factories that primarily employ migrants work in coordination with recruiters to hold workers in de facto debt bondage, creating a high-risk site of vulnerability for migrant workers. Credit: NoSystem images

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