

RISK 14

TRAFFICKING IN PERSONS, FORCED LABOUR OR SLAVERY-LIKE PRACTICES



WHAT ACTS OR SITUATIONS CONSTITUTE THE PRESENCE OF THE RISK?

This protection risk refers to forced labour, slavery, slavery-like practices and trafficking in persons. **Forced labour** refers to situations in which persons are coerced to work under the menace of any penalty, for example through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities. **Trafficking in persons** refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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, for the purpose of exploitation. Exploitation includes at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or the removal of organs. Note that in the case of children, trafficking involves only recruitment, transportation, transfer, harbouring or receipt of persons for the purpose of exploitation and does not have to involve the illicit and abusive means listed before.



WHAT FACTORS MUST BE IDENTIFIED FOR MONITORING?

The monitoring of this protection risk requires the identification of the acts by the actors causing harm (recruitment, transportation, transfer, harbouring or receipt of persons), the means used to achieve the consent of a person having control over another person (threat or use of force, coercion, abduction, fraud, deception, abuse of power, abuse of position of vulnerability, giving or receiving payments or benefits) and the purpose of the exploitation (exploitation of prostitution of others, sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, organ removal). In the case of children, the protection risk applies in all situations of work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children and/or interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.



WHAT INFORMATION & DATA CAN ILLUSTRATE THE PRESENCE OF THE RISK?

The identification of this protection risk can rely on screening, detection, victim identification and referral to support, however this is often challenging, especially at the onset of a crisis due to under-reporting, lack of detection and potential security risks. It can also be assessed through an analysis combining primary and secondary data. The starting point should be a context analysis of existing laws and policies on trafficking and related issues (forced labour, child labour, child marriage, sex-related work), trafficking risks and trends (e.g., in terms of forms of exploitation, recruitment methods and profiles of persons trafficked) existing in the community before displacement. The specific demographics of the displaced population could also point to various types of vulnerability. Additional indications of this protection risk may be found in other multisector or sector specific assessments (i.e., GBV, Child Protection, Food Security, etc.) in relation to forced recruitment, child labour, separation from families and child sexual exploitation or negative coping mechanisms.