THE IMPACT OF COVID-19 ON TRAFFICKING IN PERSONS TRENDS AND INTER-INSTITUTIONAL RESPONSE IN ASIA AND THE PACIFIC:

A LITERATURE REVIEW
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ACKNOWLEDGEMENTS

This research project was led by Peppi Kiviniemi-Siddiq, Senior Regional Thematic Specialist, Migrant Protection and Assistance of IOM’s Regional Office for Asia and the Pacific (ROAP). The RDH team would like to thank the lead researcher, Maria Antonia Di Maio, for conducting desk review and drafting the final report, and Aasavri Rai and Christina Moly for reviewing the draft. The report also benefited from the work and expertise of IOM country office focal persons in Sri Lanka, Myanmar, Nepal, Lao PDR and Afghanistan.

This paper has been made possible through the generous financial support of Migration Resource Allocation Committee (MiRAC) to IOM’s Regional Data Hub and Migrant Protection and Assistance Unit.

This publication has been issued without formal editing by IOM.
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A LITERATURE REVIEW
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An IOM medical staff changes the dressing on the wound of a resident of Pontevedra, Capiz inside the Victoria memorial school evacuation center. Philippines | © IOM 2013 / Alan Motus
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<th>FULL NAME</th>
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<tbody>
<tr>
<td>COE</td>
<td>Council of Europe</td>
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<td>DTM</td>
<td>Displacement Tracking Matrix</td>
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<td>ESCAP</td>
<td>Economic and Social Commission for Asia and the Pacific</td>
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<td>GAATW</td>
<td>Global Alliance Against Trafficking in Women</td>
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<td>GI-TOC</td>
<td>Global Initiative Against Transnational Organized Crime</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
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<tr>
<td>NGO</td>
<td>Non-governmental Organization</td>
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<tr>
<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<tr>
<td>ODIHR</td>
<td>Office for Democratic Institutions and Human Rights</td>
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<td>ROAP</td>
<td>Regional Office for Asia and the Pacific</td>
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<tr>
<td>SOPS</td>
<td>Standard Operating Procedures</td>
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<td>TIP</td>
<td>Trafficking in Persons</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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The following definitions are used in this report:

**Adolescence** is defined as the period in human growth and development that occurs after childhood and before adulthood, from ages 10 to 19 (World Health Organization - WHO, no date).

**Asylum-seekers** (with pending cases) are individuals who have sought international protection and whose claims for refugee status have not yet been determined (UNHCR, 2020).

A **best interests determination** describes the formal process with strict procedural safeguards designed to determine the child’s best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision makers with relevant areas of expertise, and balance all relevant factors to assess the best option (UNHCR, 2018). This must be a multi-disciplinary exercise involving relevant actors and undertaken by specialists and experts who work with children (Separated Children in Europe Programme - SCEP, 2009).

A **child** is any person younger than 18 years.²

**Child protection** refers to preventing and responding to violence, exploitation and abuse against children, including sexual exploitation, trafficking, child labor and harmful traditional practices (United Nations Children's Fund - UNICEF, 2006).

**Displacement** is the movement of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters (IOM, 2019).

**Internally displaced persons** (IDPs) are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. (IOM, 2019).

A **migrant worker** is a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national (IOM, 2019).

**Migration** is the movement of individuals or groups of persons from some areas to other ones throughout the world, either across international borders, or within a State.³ Migration encompasses any type of movement of people, whatever its length, composition and causes. It includes migration of refugees, displaced persons, economic migrants and persons moving for other purposes, including family reunification. Migration is also linked to exploitation and crime, such as in the case of trafficking in human beings. People can move orderly, in compliance with the laws and regulations governing exit of the country of origin and travel, transit and entry into the destination or host country; or can move irregularly, outside the regulatory norms of the sending, transit and receiving countries.

A **refugee** is someone who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.⁴

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1. This definition is reflected in the General Comment No. 14 (2013) of the Committee on the Rights of the Child “On (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1), according to which “the ‘best-interests determination’ describes the formal process with strict procedural safeguards designed to determine the child’s best interests on the basis of the best-interests assessment.”
Reintegration refers to the process of recovery and economic and social inclusion following a trafficking experience. It includes settlement in a stable and safe environment, access to a reasonable standard of living, mental and physical well-being, opportunities for personal, social and economic development and access to social and emotional support. A central aspect of a successful reintegration process is empowerment, supporting victims to develop skills toward independence and self-sufficiency and to be actively involved in their recovery and reintegration (Surtees, 2008). Reintegration is also aimed at fostering an individual’s sense of belonging and purpose in all spheres of life (Delap and Wedge, 2016).

Separated children are younger than 18 years, outside their country of origin and separated from both parents or their previous legal, or customary primary caregiver (SCEP, 2009).

A stateless person is an individual who is not considered as a national by any State under the operation of its law (IOM, 2019); a stateless person is therefore a person who does not have the nationality of any country.

A trafficked child is any person younger than 18 years who is recruited, transported, transferred, harboured or received for the purpose of exploitation, either within or outside a country, even if no element of coercion, deception, abuse of authority or any other form of abuse is used (Haldorsson et al., 2007).

Trafficking in persons is 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 shall include, 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 (IOM, 2019).5

Trafficking victims. For many people, the term ‘victim’ implies powerlessness and constructs identity around the individual’s victimization. At the same time, from a human rights perspective, the term ‘victim’ designates the violation experienced and the responsibility for redress. For this reason, the term ‘victim’ is used in this Paper. Trafficking victims refers to persons who meet the definition of trafficking outlined in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime.6 For the purpose of this Paper, reference is sometimes made to “presumed trafficking victim/trafficked persons”, as opposed to “actual victims”, when someone may be a victim of trafficking but has not (yet) been formally identified by relevant authorities.

Unaccompanied children are “children, as defined in Article 1 of the Convention on the Right of the Child, who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so” (IOM, 2019).7

Youth are those persons between the ages of 15 and 24 years (The United Nations Educational, Scientific and Cultural Organization - UNESCO, no date).

An undocumented migrant is a non-national who enters or stays in a country without the appropriate documentation (IOM, 2019).

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7. As specified in the reference quoted, this definition is “adapted from Committee on the Rights of the Child, General Comment No. 6: Treatment of Unaccompanied and Separated Children Outside their Country of Origin 1 September 2005 CRC/GC/2005/6, para. Note: In the context of migration, children separated from both parents or other caregivers are generally referred to as unaccompanied migrant children (UMC).”
The president of the office of the cooperative of the village of Koundana in the region of Hodh ech Chargui. Due to a major drought in 2017 in Mauritania, people in the Hodh El Chargui region are receiving humanitarian assistance. Mauritania, Bassikounou | © IOM 2018 / Sibylle Desgardins
The COVID-19 outbreak is affecting all countries and societies, including in the Asia and the Pacific region. By the end of January 2021, a total of 16 million cases of COVID-19 infections were recorded in the region. Governments have taken various containment measures to prevent the spreading of the virus that are having an inevitable impact on the economy and entail travel and mobility restrictions. While the COVID-19 pandemic is impacting everyone, some individuals and communities are affected more severely than others. In particular, the COVID-19 pandemic is affecting human trafficking trends and counter-trafficking responses in various ways. The identification of victims has become more challenging, and so has the provision of assistance and protection services to trafficking survivors. Organized criminal groups are likely to take advantage of the reduced capacities of state agencies to prevent and combat trafficking, and of the increased vulnerability of a larger number of individuals who are coping with income losses and the disruption of support networks and service provision.

IOM’s Regional Office in the Asia Pacific (ROAP) seeks to facilitate more collaborative research to gain in-depth understanding on how the COVID-19 crisis is affecting trafficking in persons trends and responses at national and local levels. This literature review was conducted with the aim to obtain a preliminary description of the impact of the COVID-19 pandemic on trafficking trends as well as anti-trafficking responses according to the 3Ps (Prevention, Protection and Prosecution) scheme at the global, regional and country levels.

The specific objectives of the study are:

• To frame the context of trafficking trends in the geographical area covered, particularly concerning the most pressing issues and gaps in anti-trafficking responses, prior to the COVID-19 outbreak;

• To identify priority areas in which – based on the available literature at the global, regional and national level – the COVID-19 pandemic is likely to have affected both trafficking trends and anti-trafficking responses;

• To identify gaps in existing data on trends and responses, to pave the ground for the development of a common National Research Methodology and to guide country-level desk and field research on the impact of COVID-19 on trafficking trends, patterns and responses.

The report synthesizes findings and recommendations at the regional level to formulate evidence-based programmes and policy recommendations. More broadly, the report could be used to inform broader programming and advocacy initiatives at country and regional level in the counter-trafficking area. The findings from this literature review will also identify key-areas in which further research should be carried out and sources of data that should be regularly monitored to keep track of future trend and response developments in the anti-trafficking areas, especially in relation to the changing situation during and eventually post-pandemic.

The geographic scope of the literature review encompasses the Asia-Pacific region in general, but with a particular focus on several countries (Afghanistan, Bangladesh, the Federated States of Micronesia, Indonesia, Lao People’s Democratic Republic, Myanmar, Nepal, the Philippines, Sri Lanka and Thailand) as case studies to keep the scope of research focused on some of the most trafficking-affected countries in the region, as well as where IOM missions had the capacity and interest to conduct further research based on the methodology provided. Recommendations from this report can however be used beyond these 10 countries as well.

This review was carried out between November 2020 and January 2021. The review is primarily a desk survey of selected grey literature, including non-governmental organizations (NGOs), international organizations (IO) and government reports and position statements, published studies and surveys focusing on the impact of the COVID-19 pandemic on trafficking in persons.

1.3. LIMITATIONS

This literature review records some limitations. First, the review was carried out over a relatively short period of time. Consequently, several potential studies have been overlooked. To address and mitigate this limitation, the author decided to select research reports and other available documents that could provide a balanced coverage of topics and issues.

Because the COVID-19 pandemic is a relatively novel challenge, the literature retrieved and analysed as part of this review did not include a wealth of solid or systematic data on the researched topics. The most common sources of information on the impact of COVID-19 on trafficking appear to be position papers and statements, released by several prominent IOs, NGOs, civil society organizations (CSOs) and other stakeholders working on anti-trafficking and closely related areas. This circumstance further reinforces the need to plan for more in-depth research in the field.

As the author of this report could not read documents written in local languages spoken in the Asia and the Pacific region, nor was there a plan to translate available studies into English, local-language literature was not included in this review. Acknowledging that most likely, important information on the impact of COVID-19 on trafficking issues and responses is also being written and published in local languages, the author suggests in the research methodology that these data and information be captured by the subsequent desk research carried out at country level.

1.4 STRUCTURE

Following this introduction, Section 2 of the literature review provides an overview of trafficking in persons issues and trends, as well as anti-trafficking responses, in the Asia-Pacific region (particularly in the 10 countries concerned) prior to the COVID-19 crisis. Whilst acknowledging significant efforts undertaken by the governments and other authorities and stakeholders in each of these countries, the report highlights some major outstanding concerns in the area. These mostly draw upon the analysis provided by the United States Department of State’s Trafficking in Persons Report (TIP Report), regarded as a rather comprehensive secondary source of primary and other secondary data sources.

The following sections of the literature review provide an account, as highlighted in the consulted literature, of:

- The impact of the COVID-19 crisis on trafficking issues and trends (Section 3).
- The ways in which anti-trafficking responses in the areas of prevention, protection and prosecution have been affected and have adapted (Section 4).

Where region- and country-specific references were identified, these were included in the text.

Finally, Section 5 offers several conclusions and recommendations. These have been geared towards the identification of key areas for further research and analysis to be undertaken at country and regional level, in terms of priority themes, groups and issues that should be given attention to understand and mitigate the impact of the COVID-19 crisis on trafficking and anti-trafficking issues.
IOM’s Programme Coordinator Dr. Eng Samnang visits over twenty schools throughout Battambang and Rattanak Mondul districts as part of a Japanese Government funded programme that aims to combat trafficking and offer psychological support to returning victims or those traumatised by war. Using the schools as venues for dissemination of reliable information has raised awareness of local children to the dangers of trafficking and has also made teachers more aware. Using games and play as a tool to identify withdrawn or disturbed children, Dr. Samnang has identified several families within the district who have fallen victim to traffickers. Cambodia | © IOM 2003 / Thomas Moran
TRAFFICKING IN PERSONS IN ASIA AND THE PACIFIC PRIOR TO THE COVID-19 OUTBREAK

Worldwide, women, men and children are affected by multiple forms of trafficking in persons, perpetrated by criminal networks and individuals for a range of different exploitative purposes. The Asia and the Pacific region is no exception. Studies estimate that 62 per cent of victims of trafficking in the world originate from this region, and 32 per cent of all victims assisted by IOM globally originated from Asia and the Pacific countries (IOM, 2009). According to the data collected by the Counter Trafficking Data Collaborative, between 2002 and 2019, 17,171 victims have been documented from the Asia-Pacific region, of which two thirds (66%) are female and one third (34%) male victims. Concerning forms of exploitation, 32 per cent of the total cases are listed as forced labour, eight per cent as sexual exploitation and 57 per cent as other or unknown forms of exploitation. During the same period, 6,484 victims of trafficking were documented as exploited in the Asia-Pacific region, 52 per cent of which were female and 48 per cent male victims. Forty-two per cent of the cases were reported as forced labour, 18 per cent as sexual exploitation and 37 per cent as other or unknown forms of exploitation (IOM, 2020b). Children are estimated to be 21 per cent of all victims of trafficking to, from and within the Asia and the Pacific Region.11

As confirmed by the World Migration Report, “trafficking of persons continues to be a challenge in South-East Asia, with nearly half of all victims in Asia (46%) trafficked within the subregion. Large numbers of people are trafficked for both sexual exploitation and forced labour” (IOM, 2020a). As recently reiterated by the International Catholic Migration Commission (ICMC), “over 40 million people are trafficked worldwide and nearly two thirds of modern-day slaves originate from the Asia-Pacific region” (2020).

According to the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), trafficking in persons in the Asia-Pacific region is a significant problem. “Despite action at national and sub-regional levels and in multi- and bilateral cooperation, the challenges presented by trafficking in persons require a more comprehensive approach that centres on the human rights of trafficked persons and ensures increased access to safe migration and decent work” (2020a: 9). According to the same source, the widespread desire to migrate, the often-high costs of regular migration and restrictive and complex migration policies prompt a high number of migrants to resort to irregular forms of migration – although no overall data exist – thus exposing themselves to trafficking and exploitation, as well as other forms of human rights violations. While migration to, within and through the Asia-Pacific region (as well as beyond) is driven by several causes, both voluntary and involuntary, the dominant form is temporary labour migration (United Nations ESCAP, 2020a: 7, emphasis added).

Rather than a separate phenomenon from migration, trafficking in persons in the Asia-Pacific region “represents extremes of exploitation that many migrant workers experience” (United Nations ESCAP: 54). Indeed, the number of international migrants in the Asia and the Pacific region is reported to be on the rise, with an estimated 65 million people migrating in 2019, representing a quarter of the global international migrant stock in the same year. The percentage of male and female migrants in the region is roughly balanced at 51 and 49 per cent respectively, with almost 78 per cent of all migrants concentrated in the age group of 15–64 years. The bulk of migration is intra-regional: in 2019, almost 46 million migrants from Asia-Pacific countries moved to other countries in the region. In addition, the number of refugees, asylum seekers, stateless persons and IDPs in and from the region remains high, with over 7.8 million refugees and people in refugee-like situations in Asia-Pacific countries, representing 38 per cent of the global refugee population worldwide (United Nations ESCAP, 2020a: 7-8).

Over half of the victims of trafficking identified since 2002 in the Asia-Pacific region originated from countries within the same region, indicating the prevalence of intraregional trafficking. Countries in the region are also destination of trafficked persons from outside the region, including Moldova, Nigeria and Ukraine. However, “it is likely that numerous trafficked persons in the region are neither identified nor receive support, given disparities between estimates of scale and identified cases. This is a serious protection gap, leaving victims without assistance” (United Nations ESCAP, 2020a: 55).
2.1. MOST PRESSING CONCERNS PRIOR TO THE COVID-19 OUTBREAK

The 20th Edition of the TIP Report places most of the countries covered by this literature review on Tier 2 (6 out of 10 have been placed on Tier 2, namely: Bangladesh, Indonesia, Lao People’s Democratic Republic, the Federated States of Micronesia, Nepal, Thailand and Sri Lanka has been placed for Tier 2 Watch list). Two countries have been placed on Tier 3 (Afghanistan and Myanmar); while one country features in the Tier 1 group (the Philippines) (US Department of State, 2020: 55).

The legal framework to combat trafficking in persons across the countries reviewed appears to be generally adequate to prosecute different forms of trafficking in persons and to impose adequate charges to perpetrators, in line with existing international standards. The TIP Report highlights some gaps in this area. In Myanmar, the legal framework to address the recruitment and involvement of children in armed groups and forces is regarded as insufficient (US Department of State, 2020: 127). In Indonesia, the 2007 law addressing trafficking in persons does not comply with international standards, in that it requires the demonstration of deceptive or coercive means for child trafficking to occur; however, judicial officials at the national and provincial level consistently asserted that the law implicitly established that force, fraud or coercion are not required to substantiate child trafficking, and that this therefore was not a barrier to successfully prosecuting and obtaining convictions (US Department of State, 2020: 257). In Nepal, the legal framework does not criminalize all forms of trafficking for labour and sexual exploitation. The legal framework does not criminalize the recruitment, transportation, harboring or receipt of persons by force, fraud or coercion for the purpose of forced labour. Also, it requires a demonstration of force, fraud or coercion to substantiate an offence of child trafficking for sexual exploitation (US Department of State, 2020: 364-369). In Thailand, the amendments to the 2008 anti-trafficking law introduced in April 2019, specifically addressing “forced labour or services”, prescribed significantly lower penalties for labour trafficking offenses than those already available under the existing provisions of the anti-trafficking law (US Department of State, 2020: 483).

Between 2002 and 2020, four out of the 10 countries covered by this review had ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Indonesia, the Philippines, Sri Lanka, and Thailand), whilst six countries had just acceded the above-Protocol (Afghanistan, Bangladesh, Lao People’s Democratic Republic, the Federated States of Micronesia, Myanmar and Nepal). While the TIP Report did acknowledge significant progress in many areas of the anti-trafficking response by the above countries, some issues reportedly remained to be addressed.

2.1.1. CIVILIAN AND MILITARY INVOLVEMENT IN TRAFFICKING CASES

Among the most pressing concerns, the TIP Report consistently points to the significant involvement of civilian, military and/or law enforcement officials in the exploitation of trafficked male and female adults and children. In Afghanistan, local authorities and other observers overwhelmingly acknowledged the widespread involvement of civilian and official perpetrators of trafficking, especially for the recruitment and sexual exploitation of boys as bacha bazi (dancing boys, often for warlords) and the recruitment and exploitation of children in the Afghan security forces in combat and non-combat roles (US Department of State, 2020: 64-68). The Government’s efforts to investigate and prosecute these alleged crimes was deemed as decreasing and inadequate by the authors of the Report. In Myanmar, some government and law enforcement officers reportedly participated in, facilitated, or profited from human trafficking (US Department of State, 2020: 127). In Sri Lanka, allegations were reported of some officials’

involvement in trafficking, including allegations of diplomatic personnel abroad who sent women and men fleeing traffickers back to their exploiters, and of staff at a State-run orphanage that sold children for sexual exploitation (US Department of State, 2020: 460-464). In Bangladesh, some officials allegedly facilitated traffickers to access camps and exploited Rohingya refugees into labour and sexual trafficking, both internally and abroad, also including facilitating the sexual exploitation of refugee children as child sex tourists (US Department of State, 2020: 93-98). Officials’ complicity in trafficking remain prevalent in Indonesia. According to the TIP Report, some officials continued to facilitate the issuance of false documents, to accept bribes from brokers and allow them to transport undocumented migrants across borders, to protect venues where sexual exploitation occurred, to engage in witness intimidation and to intentionally practice weak oversight of recruitment agencies to insulate them from liability (US Department of State, 2020: 257-262). In Lao People’s Democratic Republic, reports were documented about some low-level officials contributing to trafficking by accepting bribes to facilitate the transportation of girls from Lao People’s Democratic Republic to China (US Department of State, 2020: 307-310). Officials’ complicity allegedly facilitated trafficking and continued to impede anti-trafficking efforts in Thailand during the year 2019. Reportedly, some government officials were directly complicit in trafficking crimes in the country, including through accepting bribes or loans from business owners and brothels that exploit victims; by facilitating trafficking in exchange of bribes from brokers and smugglers along the Thai border; and by protecting brothels and other commercial sex venues, factories and fishing vessels from raids and inspections (US Department of State, 2020: 482-488).

2.1.2. INSUFFICIENT CONVICTION OF PERPETRATORS

The TIP Report warns about the insufficient conviction of perpetrators of trafficking and closely related crimes in several of the countries covered by this literature review. In Afghanistan and Myanmar, inadequate investigation and prosecution remains low, and a decrease in investigations (despite an increase in convictions) was recorded in 2019 compared to the previous year. Apparently, police officers and judges requested bribes from victims of trafficking and families to pursue their cases. The sexual exploitation of children is allegedly widespread in the country. Many children are reportedly
exploited in legal brothels, with some corrupted police allowing individuals younger than 18 years to work, some of whom as young as 10 years (US Department of State, 2020: 93-98). In 2019, the Indonesian Government decreased law enforcement efforts related to trafficking, and figures for prosecution and convictions decreased since 2017. (US Department of State, 2020: 257-262). According to the TIP Report, the Government of Lao People’s Democratic Republic in 2019 moderately increased law enforcement efforts related to trafficking, including the capacity building activities on the recently adopted Penal Code in order to improve their ability to investigate, prosecute and convict traffickers (US Department of State, 2020: 307-310). Furthermore, the Penal Code considerably increased penalties (fine and imprisonment term) for trafficking (Penal Code, Art. 215). In Nepal, during the same year, the police and NGOs monitored several children’s homes and orphanages suspected of child abuse and arrested several suspects, including for trafficking allegations. Owners of some exploitative establishments attempted to use political connections to circumvent oversight by police and child protection agencies (US Department of State, 2020: 364).

2.1.3. VIOLATIONS OF VICTIMS’ FUNDAMENTAL RIGHTS

In some of the countries covered by the literature review, victims of trafficking reportedly face serious risks of and perpetrated human rights violations in addition to trafficking, including rape, re-trafficking and other forms of violence. In Afghanistan, sometimes the Government placed child trafficking victims in

Due to a major drought in 2017 in Mauritania, people in the Hodh El Chargui region are receiving a humanitarian assistance. Mauritania, Bassikounou | © IOM 2018 / Sibylle Desjardins
orphanages, and some orphanages subjected children to trafficking again. Multiple bacha bazi victims reported that police sexually abused them when they tried to report their exploitation. Due to insufficient victim protection, family members and the Taliban murdered at least eight child victims of trafficking for sexual exploitation in 2019, including some as young as 13 years, for dishonor (US Department of State, 2020: 64-68). In Sri Lanka, allegedly sexually exploited children were at times arrested for prostitution and placed in government- and privately operated childcare institutions, where at times, due to weak oversight, they were raped and exploited, as NGOs reported (US Department of State, 2020: 460-464). In Bangladesh, since victims need a family member’s consent to leave shelters, and NGO and IOs staff need a court order to be able to contact victims staying at the shelter; some victims reported abuses, and some were apparently not allowed to leave the shelter for as long as 10 years (US Department of State, 2020: 93-98).

2.1.4. CRIMINALIZATION OF VICTIMS

Victims also face the risk of criminalization for unlawful acts committed because of trafficking. In Afghanistan, the penal code explicitly prohibits the penalization of victims of trafficking for the unlawful acts their traffickers compelled them to commit. Nevertheless, the Government’s formal justice system, informal justice system in rural areas, and justice system administered by the Taliban, all routinely arrested, imprisoned and penalized adult and child victims (US Department of State, 2020: 66). In Myanmar, in 2019 at least one instance of victim penalization was reported: authorities filed charges against several factory workers for going on strike after having been subjected to forced overtime at a Chinese-owned factory (US Department of State, 2020: 126-130). In Sri Lanka, reportedly both adult and child victims continued to be criminalized for prostitution, vagrancy or immigration offences with inconsistent efforts by authorities to screen them for trafficking (US Department of State, 2020: 462). In Bangladesh, standard operating procedures (SOPs) are apparently not applied uniformly, with the consequence that many victims may go undetected and may face legal charges for unlawful acts committed as a consequence of trafficking. NGOs reported that police raided brothels and arrested foreign victims involved in commercial sex for violation of their visa, without screening them for trafficking, or fined and deported foreign victims in transit for failure to carry a passport (US Department of State, 2020: 93-98). Similarly, in Indonesia, due to lack of adequate identification capacity, weak efforts to screen vulnerable groups for trafficking indicators might have resulted in the punishment or deportation of unidentified trafficking victims (US Department of State, 2020: 257-262). In Nepal, allegedly police arrested, detained and fined adult and child victims of sexual exploitation for unlawful acts traffickers compelled them to commit, while the Department of Immigration continued to deport foreign nationals who had overstayed their visas – it is unclear whether those deported were screened for trafficking (US Department of State, 2020: 364-369). In Thailand, the law protected victims from prosecution for unlawful acts their traffickers forced them to commit; however, flaws in the implementation of the existing identification procedures increased the risk of authorities penalizing victims, including for prostitution and immigration violations (US Department of State, 2020: 482-488).

2.1.5. IDENTIFICATION ISSUES

Despite some or substantial progress observed in some countries in the Asia and the Pacific region, identification of victims of trafficking remains problematic. Generally, the capacity to identify victims remains allegedly limited among officials in Myanmar, Sri Lanka and Afghanistan (US Department of State, 2020: 126-130; 460-464; 64-68), where SOPs for identification and referral are not in place or are not consistently applied in practice. In Bangladesh, the TIP Report pointed to a decrease in the identification efforts in 2019; allegedly, the Government does not have sufficient capacity to identify and assist national victims exploited abroad. In the Federated
States of Micronesia, due to the lack of SOPs on proactive identification, authorities might have deported foreign victims (US Department of State, 2020: 93-98; 350-351). In Indonesia, the Government did not have robust, comprehensive or systematized SOPs for proactive victim identification and referral to assistance and protection services, which reportedly continued to hinder identification, especially of male victims (US Department of State, 2020: 257-262). In Nepal, in 2019 the Ministry of Women, Children and Senior Citizens continued to draft SOPs on victim identification and referral. However, such SOPs were still missing and this gap, coupled with officials’ poor understanding of trafficking, hindered proactive identification, especially among returning male migrant workers exploited abroad, and among girls trafficked for sexual exploitation — who sometimes were just removed by police from commercial sex and sent home, without being referred to services or without any filing of criminal charges against the exploiters (US Department of State, 2020: 364-369). In Lao People’s Democratic Republic, the National Victim Protection and Referral Guideline was approved and utilized by the Government since early 2020; however, the lack of consistent identification and referral practices throughout the country remained an obstacle for victim identification and protection (US Department of State, 2021: 346-349).

In Thailand, multi-disciplinary teams from government agencies and NGOs use standard screening guidelines to formally identify victims and refer them to services. However, clear guidance was still missing during most of the year 2019, leading to confusion among frontline officers, with the result that in practice, victims of trafficking for forced labour did not enjoy the same rights as other victims of trafficking (namely, the possibility to remain in the country and to obtain compensation from the anti-trafficking fund). Furthermore, NGOs reported that the Thai Government lacked clear policies related to the protection of children forced to beg and sell items on the street, and noted that there was no agency responsible for protecting this population (US Department of State, 2020: 482-488).

2.1.6. LIMITED ASSISTANCE AND PROTECTION SERVICES

Protection services for victims of trafficking vary across the 10 countries covered by this review, ranging from “rudimentary” or “severely inadequate” (in Myanmar and Bangladesh respectively), to “insufficient” (Federated States of Micronesia), to services that vary based on local leadership and funding (Indonesia), through to protection efforts increasingly reaching minimum quality standards (the Philippines); (US Department of State, 2020: 126-130; 93-98; 350-351; 406-409). However, across different quality and variety of services provided in the countries reviewed, two major gaps in protection services were consistently pinpointed: lack of adequate protection services (especially shelters) for male victims (Bangladesh, Indonesia, Lao People’s Democratic Republic, Nepal); and inadequate protection services provided by governments to their citizens exploited abroad (Bangladesh, Indonesia). Conversely, in 2019 the Government of the Philippines increased its robust services for Filipino victims abroad, including through the implementation of inter-agency coordination of services for repatriated Filipino victims, the deployment of state social workers in Philippines’ diplomatic missions in several countries, and assistance of Filipino overseas workers with labour contract violations and allegations of abuse (US Department of State, 2020: 406-409).

2.1.7. WEAK PROTECTION OF VICTIMS AND/OR WITNESSES

Protection of victims and/or witnesses of trafficking during investigation and legal proceedings was in some instances reported as weak and problematic by the TIP Report. In Bangladesh, while such protection is envisaged by the law, according to NGOs existing legal provisions were not sufficiently implemented in practice, and therefore, most victims did not participate in investigations and trials in the country (US Department of State, 2020: 93-98). In Nepal, police and prosecutors were apparently over-reliant on victim testimony for successful cases, whilst victims often did not
want to assist in cases against their perpetrators because these were family friends or relatives. More generally, victim/witness protection mechanisms remained insufficient in practice in the country (US Department of State, 2020: 364-369). In Thailand, some victims continued to report reluctance to participate in prosecutions due to fear of detention and of extended shelter stay, fear of retaliations from traffickers, and language barriers. To increase victims’ willingness to participate as witnesses, Thai courts admitted advance and video testimony as evidence in trials (US Department of State, 2020: 482-488). More encouragingly, in the Philippines, reportedly police and prosecutors continued to use recorded child victim interviews at the inquest stage and in some trials, which reduced the number of times officials interviewed victims and the potential for re-traumatizing children who served as witnesses. Furthermore, the Government reportedly increased its support for victims who served as witnesses during trials, by also expanding the number of victims who received benefits from the witness protection programme (US Department of State, 2020: 406-409).

Victims of trafficking in Asia and the Pacific region faced several obstacles to access protection, because of the above-mentioned gaps in the identification and protection systems. Consequently, some of the victims reportedly declined assistance. In the Federated States of Micronesia and Afghanistan (US Department of State, 2020: 350-351; 64-68), high stigma and fear of repercussions in home communities acted as a substantial barrier. Considerable restrictions to being admitted to shelters (including the need for a court referral or a formal identification procedure) and to being able to leave the shelter, temporarily or permanently (having to stay at the shelter until their work permit application or stay was approved or until the completion of proceedings against their traffickers) were considerable deterrents to accessing services, especially for foreign victims, in Thailand and Bangladesh (US Department of State, 2020: 482-488; 93-98).

2.1.8. GAPS IN PREVENTION

Several among the countries reviewed have engaged in awareness raising activities to prevent trafficking among identified at-risk groups, as well as the general population. While these efforts were commendable, gaps in this area were identified as well. In the Federated States of Micronesia, in 2019 activities were carried out in schools to raise awareness on trafficking risks and to sensitize about stigma attached to victims of sexual exploitation; however, government funds for awareness raising activities decreased compared to the previous year, and efforts reportedly did not tackle the demand for sexual services (US Department of State, 2020: 350-351). In Sri Lanka, according to the TIP Report the Government failed to raise awareness on sex tourism, both regarding the demand side and children and parents from at-risk groups (US Department of State, 2020: 463).

In Bangladesh, the Government did run awareness raising campaigns at national and local level. The Government also requires pre-departure training of migrant workers on safe migration and trafficking; however, it is not clear how many of these workers were reached. Even though efforts to reduce child sex tourism in the country remain insufficient, criminal investigations on the peacekeepers who were allegedly involved in 2017 in child sexual exploitation in Haiti were initiated (US Department of State, 2020: 93-98). The Government of Indonesia continued to produce documentaries, leaflets, posters, banners, billboards, and radio and television talk show scripts that could be used in public information campaigns, albeit it did not report about the distribution of such materials. The Government continued to raise awareness among village-level officials, while provincial authorities published guidebooks for migrant workers with information about their rights. Similarly, the Government of Lao People’s Democratic Republic continued to carry out multiple large-scale awareness raising campaigns at central and provincial levels. It also funded other initiatives in the area, including a manual on preventing child sex tourism and workshops on safe migration for district-level officials.

In Nepal, the Government conducted public awareness-raising campaigns throughout the country, sometimes in partnership with NGOs or IOs, although allegedly such campaigns often did not sufficiently reach the most vulnerable audiences. Despite multiple cases reported, efforts to reduce child sex tourism are considerably lacking (US Department of State, 2020: 364-369). In the Philippines, the anti-trafficking inter-institutional coordination body, its member agencies, and the anti-trafficking regional task forces continued to lead national, regional and local trafficking awareness-raising events and campaigns, including specific actions to combat cyberbullying and to promote children’s online safety (US Department of State, 2020: 408). In 2019, the Thai Government increased its annual budget for the prevention of trafficking in persons. It conducted awareness raising campaigns through newspapers, television, radio, social media, billboards and handouts to raise public awareness throughout the country. Officials conducted numerous outreach activities to raise awareness on trafficking among school children, teachers and community leaders. The Ministry of Foreign Affairs produced and shared a video clip on television and social media that pointed to indicators of trafficking among Thai nationals abroad and procedures to report suspected cases. Moreover, the Government continued to make efforts to reduce the demand for child sex tourism, including by displaying a video in four languages discouraging demand in Thai airports and on Thai airline flights (US Department of State, 2020: 482-488).

Although labour migrants from the region have long been integral to the economies of major destination countries in South-East Asia such as Malaysia, Singapore and Thailand, where they fill gaps in labour markets, many labour migrants continue to face exploitative conditions. Workers employed in low-skilled, labour-intensive sectors, regardless of their legal status, are most affected (IOM, 2020a). Prevention efforts aimed to protect labour workers against trafficking and exploitation have been undertaken by several countries analysed in this report; however, gaps and inconsistencies were also identified therein. In 2017, the Indonesian Government passed a law on the Protection of Indonesian Migrant Workers, which mandated the provincial governments – instead of private companies – to oversee the provision of pre-departure vocational training and placement of workers. This law also prohibited recruiters to pass on any placement costs they might have originally paid to the workers. However, due to lack of required implementing regulations, authorities had not fully applied the provisions of the new law yet during 2019. Allegedly, traffickers continued to use debt bondage to coerce and retain Thai victims into labour exploitation (US Department of State, 2020: 482-488).

In Nepal, the legislation did not permit labour inspectors to monitor adult entertainment sector establishments for labour violations, which according to some NGOs allowed many such establishments to use child and adult trafficking victims with impunity. During 2019, the Government closed several fraudulent recruitment agencies. However, the monitoring mechanism to enforce effective compliance with existing regulations was regarded as still weak by some government officials and NGOs, with the result that several recruitment agencies continued to charge migrant workers with fees above the maximum established by the law (US Department of State, 2020: 364-369).

In Bangladesh, labour inspectors’ offices are reportedly understaffed and under-resourced to effectively carry out inspections for child labour, and they do not inspect the informal sector – in which allegedly 90 per cent of child labour takes place (US Department of State, 2020: 93-98).

In Thailand, in 2019 the Government undertook several actions to prevent exploitation of both foreign migrant workers in the country and of Thai nationals abroad. The Government
implemented services to formally assist Thai migrant workers in finding employment abroad; it continued inspections among employment agencies that recruited Thai workers as well as of the operations of the 12 government labour offices in countries with large numbers of Thai workers. In August 2019, the Thai Government also approved a two-year extension of stay for Cambodian, Laotian and Myanmar workers who obtained legal work permits through the nationality verification process, which allowed undocumented workers to obtain identity documents without leaving Thailand. However, the complicated nature of the Government’s registration procedure regarding the nationality verification process and, in many cases, the low levels of literacy of perspective applicants, resulted in workers’ continued reliance on brokers and employers, who often overcharged them to obtain documents, thereby increasing their vulnerability to debt-based coercion. The Government also maintained bilateral Memoranda of Understanding (MoUs) with neighbouring countries to recruit migrant workers to Thailand, but apparently high costs, difficulties in obtaining identity documents in home countries and other administrative barriers continued to impede greater usage of this mechanism, also resulting in workers’ reliance on brokers for assistance. Furthermore, despite existing legal provisions that require employers to provide workers with a copy of their employment contracts and to cover costs associated with bringing migrant workers to Thailand and back to their home countries when employment ends, NGOs continued to report that regulations on recruitment fees were poorly defined and enforced, and that recruitment agencies and brokers still required workers to pay recruitment fees and to cover for transportation costs. Still in Thailand, the Government operated five post-arrival and integration centres that assisted migrant workers who entered Thailand through the MoU process by providing information on labour rights, local culture, employment contracts, trafficking risks and available complaint mechanisms. Whilst more than 400,000 migrant workers were reported to be assisted in 2019, due to the short time workers were present at these centres (usually immediately after their arrival in the country), officials were only able to provide them with limited information. In addition, observers reported that labour officials normally interviewed workers in the presence of their employers, brokers and armed police at post-arrival centres, which might have deterred workers from reporting exploitation (US Department of State, 2020: 482-488).

Restrictive migration policies and provisions were reportedly applied by some countries in the region to prevent trafficking and exploitation. For instance, in 2019 the Government of Indonesia extended its ban on overseas placement to 12 countries in the Middle East and North Africa,
despite noting that the number of migrant workers circumventing the ban using illegal recruiters was increasing. UN Agencies, NGOs and other organizations in the country continued to argue that bans on migration increase the likelihood of workers migrating irregularly, heightening the risk of human trafficking (US Department of State, 2020: 257-262). In Nepal, the Government maintained its ban on migration of female domestic workers younger than 24 years to the Gulf States, and of mothers with children younger than two years, which observers noted, increased the likelihood that these women would migrate irregularly (US Department of State, 2020: 368). In Lao People’s Democratic Republic, it was noted that certain regulations for Lao workers migrating abroad, designed to prevent trafficking, may exacerbate vulnerability. A Ministry of Labour and Social Welfare regulation continued to ban certain unskilled employment categories overseas (for example domestic work), which reportedly increased the risk that some workers would migrate through informal channels, heightening their vulnerability to trafficking (US Department of State, 2020: 307-310).

2.1.9. GAPS IN ANTI-TRAFFICKING ACTORS’ KNOWLEDGE AND CAPACITY

Virtually all countries covered by this literature review engage in several activities aimed to build and strengthen the capacity of anti-trafficking actors to identify, refer and protect trafficking victims, both within the country and abroad. However, gaps in national and local actors’ capacity are still highlighted and need to be further addressed. In 2019, the Government of Bangladesh trained (directly or by supporting IOs and NGOs) police, judges and immigration border officials on trafficking. However, reportedly many officials did not fully appreciate the difference between smuggling and trafficking, and lacked capacity to identify cases of internal trafficking, despite widespread allegations. Notwithstanding reports of traffickers having exploited hundreds of Rohingya refugees in both labour and sexual exploitation, very few cases have been investigated (US Department of State, 2020: 93-98). The Government of the Federated States of Micronesia regularly trains law enforcement officers, lawyers, judges, health-care workers, faith-based organizations and women and youth groups on trafficking. However, observers reported that judges still lack specialized training, and this led to fines being given in lieu of imprisonment against traffickers; according to the same observers, police officers require further training on sexual exploitation and on sophisticated investigation techniques (US Department of State, 2020: 350-351). In Indonesia, observers noted low awareness of trafficking crimes and relevant legislation among local law enforcement and judicial authorities, which impeded case detection and prosecutorial progress. In 2019, the Government continued to increase training of trainers and other capacity building activities on trafficking. In particular, the Government provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions, and training of junior diplomatic personnel. However, some labour activists attempting to report cases of forced labour of Indonesian migrant workers overseas observed non-responsive or obstructive behaviour on the part of some Indonesian consular officers and labour officials (US Department of State, 2020: 257-262).

In 2020, the Government of the Lao People’s Democratic Republic continued to provide – in cooperation with IOs – extensive capacity building to law enforcement officials, including the train-the-trainer sessions for the police at subnational levels. The Government conducted awareness-raising on child sex tourism for 50-60 representatives from local anti-trafficking committees, tourism businesses, restaurants, and hoteliers in the central and provincial levels. However, the pandemic delayed the Government’s efforts to provide the training and officially disseminate the national victim protection and referral guidelines to relevant authorities for a few months (US Department of State, 2021: 346-349). In Nepal, the Government provided training to labour, immigration, judicial, law enforcement and foreign employment officials; training
included general information on trafficking. International donor agencies complemented with training on identification, proactive investigation techniques and building prosecutions. However, police reportedly lacked sophisticated investigative techniques and resources to interact with trafficking victims in a victim-centered way. The dearth of investigators and prosecutors trained to work on trafficking cases, coupled with their frequent turnover, further hampered capacity building efforts (US Department of State, 2020: 364-369).

In Thailand, in the course of 2019 the Office of the Attorney General partnered with an NGO to organize trainings for prosecutors on trauma-informed procedures in trafficking cases and organized trainings on forced labour for police and prosecutors in Southern and Central Thailand. The Government-NGO partnership also organized seminars for police, prosecutors, and social service providers, to promote increased coordination in cases of child trafficking for sexual exploitation, and the Royal Thai Police organized trainings for police on internet-facilitated sex trafficking. The Office of the Judiciary collaborated with an IO and a university institute to provide training to criminal, civil and labour court judges on anti-trafficking laws and best practices in overseeing trafficking cases. In addition, the Court of Justice collaborated with a foreign government to organize a seminar for 30 judges on trafficking. However, reportedly first responders, prosecutors and judges sometimes did not properly interpret or apply anti-trafficking laws, especially to labour trafficking cases. Moreover, the frequent rotation within the police also meant that officers with experience working on trafficking cases were rotated out of their positions and often replaced with inexperienced officers (US Department of State, 2020: 482-488).

In the Philippines, the Government reportedly sustained its efforts to provide anti-trafficking training to its officials by supporting 122 capacity building activities in 2019. Specialized training topics for national and local government officials included the investigation and prosecution of cases involving forced labour and online sexual exploitation of children, as well as trauma-informed care for survivors and multi-disciplinary case management. Moreover, the Department of Justice continued to oversee and support operations and training for 24 interagency anti-trafficking task forces (US Department of State, 2020: 406-409).

2.1.10. CHALLENGES IN INTER-INSTITUTIONAL COOPERATION

Some information on the inter-institutional cooperation within and among the countries reviewed is provided in the TIP Report for the year 2019. Generally, whilst governments did make efforts to support and enhance activities in these areas, a stronger and more systematic focus would be required.

In Bangladesh, inter-ministerial cooperation is apparently weak, and so is transnational cooperation, especially on the investigation and prosecution side (US Department of State, 2020: 93-98). In 2019, the Supervisory Policy Committee on Addressing Trafficking in Persons continued to monitor progress on anti-trafficking response through data collection and annual reports to the Prime Minister and the Cabinet. Thai authorities continued to hold bilateral meetings with neighbouring countries to facilitate information-sharing and evidence-gathering in trafficking cases. In addition, law enforcement officials cooperated with foreign counterparts to investigate the trafficking of Thai nationals abroad. In coordination with the Government of Cambodia, Thai agencies established SOPs for return and reintegration of victims between these two countries. However, in practice Thai authorities apparently did not consistently follow these procedures (US Department of State, 2020: 482-488). Through continued operations of the Philippine Internet Crimes Against Children Centre, opened in 2019, the Philippine National Police Women and Children’s Protection Centre, and the National Bureau of Investigation Anti-Human Trafficking Division, partnered with foreign law enforcement agencies and NGOs to improve the effectiveness of investigations of online sexual exploitation of children. The Interagency Council
Against Trafficking convened regular meetings during 2019. The budget of its Secretariat was increased by the Government. Concerning international cooperation, with donor support and in cooperation with an NGO, the Interagency Council Against Trafficking established the Task Force Against Trafficking of Overseas Filipino Workers to coordinate investigative and protective follow-up on trafficking cases, referred by the Department of Foreign Affairs’ overseas missions. In 2019, Government officials continued to cooperate with 10 governments on the investigation and prosecution of trafficking cases (US Department of State, 2020: 406-409).

Despite the Government’s significant increase in the dedicated budget in 2019 compared to the previous year, the Government inter-agency coordination reportedly remained a challenge in Indonesia, hindering anti-trafficking efforts, especially regarding investigations of alleged trafficking cases. Coordination among ministries, and between the central and provincial level, needs to be improved. Some provincial police reported that their budget did not allow for interprovincial or international investigations (US Department of State, 2020: 257-262). In Nepal, in 2019 the National Anti-Trafficking Committee continued to lead inter-agency efforts and to coordinate anti-trafficking action within the Government and with civil society; however, observers noted that frequent turnover among members hampered efficacy. Whilst the Government continued to fund local and district anti-trafficking committees, according to some NGOs these structures lacked resources, and thus several became inactive and their anti-trafficking efforts were limited (US Department of State, 2020: 364-369). In Lao People’s Democratic Republic, in 2019 inter-institutional coordination at national level continued steadily, and the creation of multisectoral anti-trafficking steering committees at the provincial and district levels – to implement the 2016 anti-trafficking law and national action plan – apparently remained a priority. During the same year, the Government cooperated with China, Thailand and Viet Nam based on existing bilateral agreements on information sharing, case investigation and prosecution, and facilitating victims’ return. Similar forms of cooperation were implemented also among local authorities: namely, several provinces and districts in Lao People’s Democratic Republic signed MoUs with Thai cross-border counterparts to promote further cooperation in screening returning migrants for trafficking indicators and to refer victims to services. However, the Government continued to lack similar proactive screening and referral protocols covering other critical trafficking routes and exploitation sites, such as foreign-owned rubber and banana plantations, special economic zones, Lao People’s Democratic Republic-China railway construction sites and garment factories, as well as during police raids in brothels, bars and restaurants (US Department of State, 2020: 307-310).

2.1.11. GAPS IN DATA

Finally, while recognizing ongoing efforts by governments and other anti-trafficking actors, the TIP Report highlighted gaps concerning data on trafficking issues and trends, as well as on anti-trafficking responses, in some of the countries covered by the review. In several cases, data gaps concern investigation and prosecution of trafficking cases (Afghanistan, Bangladesh, Indonesia, Myanmar and the Philippines). In other instances, gaps related (also) to the total number of victims identified and assisted (Indonesia, Lao People’s Democratic Republic, and Nepal); (US Department of State, 2020: 64-68; 93-98; 126-130; 257-262; 307-310; 364-369; 406-409).
IMPACT OF COVID-19 ON CURRENT TRAFFICKING IN PERSONS TRENDS
3.1. STRUCTURAL CAUSES OF VULNERABILITY

The COVID-19 pandemic has affected all countries. The pandemic “has led to a dramatic loss of human life worldwide and presents an unprecedented challenge to public health, food systems and the world of work. The economic and social disruption caused by the pandemic is devastating: tens of millions of people are at risk of falling into extreme poverty. […] Millions of enterprises face an existential threat. Nearly half of the world’s 3.3 billion global workforce are at risk of losing their livelihoods” (WHO, 2020).

With the spread of COVID-19, the world faces an unprecedented threat to public health that poses extraordinary challenges to the economic and social cohesion of all our communities. In the fight against the pandemic, many governments have taken strong preventative measures, often combined with public interventions aimed at alleviating some of the economic losses that those measures inevitably create. While the COVID-19 pandemic is impacting everyone around the globe, some individuals and communities are being hit harder than others. “COVID-19 has the potential to negatively affect everyone, but it does not affect everyone equally” (Anti-Slavery, 2020). Although the COVID-19 threat is universal, the negative consequences of this crisis will be disproportionately carried by the most vulnerable in our societies (OSCE, 2020).

In this sense, the COVID-19 crisis is exposing the structural, root causes that were making millions of people around the world more vulnerable to (among other issues) trafficking and exploitation, even before the pandemic. While “it is difficult to assess the long-term impacts of COVID-19 while we are in the midst of this unprecedented global event […], the main drivers of vulnerability to human trafficking, namely, poverty and financial crisis, will intensify, prompting increased risk of exploitation, particularly for groups of people who are already marginalized” (Tech Against Trafficking, 2020).

Indeed, poverty, income inequalities and lack of economic opportunities are consistently listed, unsurprisingly, among the primary root causes of trafficking. According to the former Special Rapporteur on trafficking in persons, especially women and children, poverty and unemployment have long been identified as among the factors that render people more vulnerable to trafficking. The COVID-19 outbreak has generated a catastrophic income loss and layoffs, due to the containment measures aimed to limit the spreading of the disease. This situation will have a particularly severe impact on the 2 billion people who work in the informal sector, mostly in emerging and developing economies (Giammarinaro, 2020). Similarly, the Organization for Security and Co-operation in Europe
Special Representative for Combatting Trafficking in Human Beings highlights that trafficking in persons feeds off vulnerability, including economic inequality, and is a symptom of frailty in our societies (OSCE, 2020), which the COVID-19 crisis is expected to exacerbate. In the Asia-Pacific region, the total working hour losses for the second quarter of 2020 was estimated by the International Labour Organization (ILO) at 15.2 per cent, or 256 million full time equivalent jobs. For the third quarter of 2020, there was an estimated decline in working hours of 10.7 per cent for Asia and the Pacific (United Nations ESCAP, 2020a: 175). As quoted by the United Nations Development Programme (UNDP), already in March 2020 the World Bank projected that at least 11 million people across East Asia and the Pacific will be falling into poverty due to the COVID-19 crisis (UNDP, 2020: 12).

Precarization of work, limited enforcement of workers’ rights, as well as unrecognized care work for children and the elderly are regarded as some of the main drivers behind trafficking, which may be fueled by the pandemic, thus rendering informal and formal workers more vulnerable to trafficking and exploitation (Wagner and Hoang, 2020). According to the ILO, full or partial lockdown measures are affecting almost 2.7 billion workers, representing around 81 per cent of the world's workforce. The Global Alliance Against Trafficking in Women (GAATW) points to the need to address, now more than ever, these structural causes that favor trafficking and make so many persons around the world at risk of trafficking and exploitation: “The vast majority of people globally work in precarious employment, whether informal work, daily-wage work or subsistence farming, without contracts and access to social support schemes” (2020). “The pandemic is causing massive job and income losses in the Asia and the Pacific region, disproportionately affecting people in informal employment. The impact is sudden for millions of people who are losing incomes and jobs overnight, such as daily and hourly laborers, domestic and cross-border migrants. Their sheer number illustrates the potential scale of devastation to livelihoods in the absence of supportive measures. Of the total workforce of Asia and the Pacific, estimated at 1.9 billion in 2019, around two thirds, 1.3 billion people are informally employed” (UNDP, 2020: 18).

“Discrimination, poverty and limited enforcement of workers’ rights all increase the risk of exploitation. The COVID-19 pandemic further highlights the limits of anti-trafficking responses that are built on the Trafficking in Persons Protocol adopted 20 years ago” (UN OHCHR, 2020b).

Precarious employment situations as a key-risk factor for trafficking, exacerbated by the COVID-19 crisis, are compounded by inadequate or absence of social protection and public services.

“Public services and social safety nets, such as health care, unemployment benefits or old-age pension have been decimated by decades of privatization and austerity measures” (GAATW, 2020). This circumstance affects men, women and children. As remarked by UNICEF, “the COVID-19 pandemic has been devastating for the basic services that millions of children rely on, but not all children have been affected equally. Even before the pandemic, there were already deep divisions in how people are treated and given access to services, like health, nutrition, education, mental health and social protection” (UNICEF, 2020).

Gender inequalities and domestic violence are cited as an additional root cause of trafficking that will be exacerbated by the COVID-19 pandemic (OSCE, 2020). “Women continue do to most of the unpaid care work, such as cooking, cleaning [and] child and elderly care”. Throughout the pandemic, “those who are privileged enough to be working from home […] work doubly – their regular work from home and care for the children who are not going to school” (GAATW, 2020).

According to UNDP, “gender inequality in the Asia-Pacific region is already relatively high to begin with […] The share of unpaid care and domestic work, already disproportionately burdening women in normal times, has skyrocketed due to school closures affecting over
850 million learners in the Asia-Pacific region, as well as due to the increased need for care of elderly relatives more at risk of experiencing COVID-19-related complications. The pandemic-induced crisis also has gender-differentiated economic impacts, reducing women’s economic opportunities. Crises have a disproportionately negative economic impact on women, who make most of the part-time and informal workers, generally with lower pay” (2020: 19).

Related to that, an increase in domestic violence is expected “against women and children by men who are conditioned by patriarchy that they are the ‘boss’ in the family” (GAATW, 2020). As quoted by the United Nations ESCAP, “the United Nations Population Fund estimates that the COVID-19 pandemic has the potential to cause 15 million additional GBV [gender-based violence] cases worldwide for every additional three months of lockdown. This figure is based on a 20 per cent increase in violence during lockdowns” (United Nations ESCAP, 2020b: 8).

**Racist and xenophobic attitudes** towards marginalized communities, particularly migrants, are highlighted as a further structural cause that is conducive to trafficking and that may be aggravated by the crisis. La Strada International draws attention to the fact that the COVID-19 pandemic “has a particularly negative impact on marginalized communities, which include thousands of migrants that work in low paid and exploitative jobs, supporting rich countries to plug their labour shortfalls” (La Strada International, 2020). GAATW highlights that “racist and xenophobic attitudes towards migrants are wide-spread”. While there is suspicion and even cases of violence against Asian migrants in the West, accused of spreading COVID-19 (2020), migrants and other individuals from marginalized communities “are both exposed to further abuse and exploitation during the pandemic, but also at heightened health risk to get the infection, and thus even becoming a scapegoat for public health concerns” (ibid.), not to mention the risk of reduced assistance and protection services that such groups and communities because of the economic crisis and subsequent budget cuts to public expenditures.

According to the United Nations ESCAP, “the social marginalization and xenophobia experienced by migrants and compounded by multiple vulnerabilities, already significant in the [Asia-Pacific] region, are likely to be further exacerbated by COVID-19. The increased risks faced by migrants may translate into inaccurate public perceptions of migrants as carriers and spreaders of COVID-19”. The ESCAP quotes as an example the results of a survey carried out in Indonesia, Malaysia, Myanmar and Pakistan, according to which around one third of the nearly 5,000 respondents blamed specific groups, including migrants, for spreading COVID-19. Similarly, in some countries in the region migrants are reportedly concerned for their safety; migrant workers from Bangladesh surveyed in Malaysia expressed increased fear of arbitrary arrest and detention since the beginning of the COVID-19 pandemic (2020a: 179).
As a result of the exacerbation of the root causes of trafficking and exploitation summarized in the previous paragraph, it is expected that, first, the pandemic and its socioeconomic downturn is and will be leading to an increase in the number of individuals exposed to trafficking and exploitation in a variety of different forms. Second, many individuals and communities who were already at risk of trafficking will be at increased risk due to the COVID-19 outbreak and related impact on societies. Third, current survivors of human trafficking will be at higher risk of being re-trafficked due to lack of potential employment options and a decrease in critical services (Tech Against Trafficking, 2020).

Some groups of individuals are consistently identified across the reviewed literature as at heightened risk of trafficking and exploitation. These groups frequently overlap, and individuals may ‘move’ from one group to the other over time.

**UNDOCUMENTED MIGRANTS AND ASYLUM-SEEKERS**

According to Anti-Slavery, due to the COVID-19 crisis, migrant workers are increasingly vulnerable to (further) trafficking and exploitation, especially if they are undocumented, because of several factors. These workers may already find themselves in debt bondage situations. If they are laid off suddenly, they may face extreme difficulties in finding a new employment. If they return to their home community because of the economic crisis, they may experience stigma and rejection. They may also get pushed to work in risky situations where distancing and isolation are extremely difficult to respect in practice. Moreover, undocumented migrant and asylum-seeking workers are likely to be reticent to access health care for fear of being reported to immigration authorities (Anti-Slavery, 2020). For example, only one third of respondents from 260 Afghan migrants in India and Indonesia stated that if they had COVID-19 symptoms they would be able to access health care services immediately (United Nations ESCAP, 2020a: 172).

As quoted by La Strada International, ILO estimates that 25 million jobs could be lost due to the pandemic. Certain population groups are likely to be disproportionately affected, above all people in irregular migration situations. These individuals risk work hour cuts and losing jobs, and are generally excluded from support and benefits provided by the government. Moreover, due to travel and movement restrictions, they cannot look for better conditions elsewhere (La Strada International, 2020). Similarly, the Global Initiative Against Transnational Organized Crime (GI-TOC) identifies undocumented
migrant and refugee workers among those hit harder by the economic crisis; left with low or no labour social protection, they find themselves even more vulnerable to trafficking and exploitation (Wagner and Hoang, 2020). Anti-Slavery reports about millions of migrant workers in India and Nepal – seasonal migrants working in the construction and manufacturing sectors and belonging to castes that are discriminated against – who returned to their home villages and were socially isolated. These returning migrant workers were locked down in schools and other facilities in uncomfortable conditions, because they were perceived to ‘have brought the disease with them’. These individuals and groups faced growing stigma, and communities sometimes called for returnees to leave their villages. In brief, COVID-19 has exacerbated caste-based prejudices and discrimination in this context (Anti-Slavery, 2020).

As reiterated by the former UN Special Rapporteur on trafficking in persons, especially women and children, the COVID-19 outbreak has had a significant impact on migrant workers. For this group, the risk of becoming victims of trafficking and exploitation is double-faceted: as they lose their jobs, they may find themselves without a work permit and without an income, and thus even more vulnerable to exploitation. At the same time, due to travel restrictions, they may be also unable to return home, and be thus compelled to find alternative ways to support themselves in the host country. Even though many countries have been promoting measures to regularize their situation or extend their work permit, many migrant workers may be left without protection (Giammarinaro, 2020). Indeed, due to movement restrictions, migrants in irregular situations may become stranded. They are likely to run out of funds while waiting to continue their travel, and to be subjected to increased exploitation by traffickers, who could be members of the smuggling networks as well. These migrants may also engage in exploitative sexual services or labour to survive.

In the Asia-Pacific region, “travel restrictions and border closures have trapped migrants, undermining their dignity and rights, and leaving them in precarious situations. […] Border closures […] have led to thousands of migrants becoming stranded in destination countries or at border points, including airports and land borders” (United Nations ESCAP, 2020a: 173). “For example, in the last week of March, tens of thousands of migrant workers from Cambodia, Myanmar and the Lao People’s Democratic Republic sought to return home from Thailand when it announced the closure of its borders. Many are stranded due to the border closures and testing requirements, without jobs or income” (UNDP, 2020: 18; IOM 2020).

Conversely, in other cases, “large numbers of people moved in anticipation of border closures”. For example, “153,300 undocumented Afghan migrants were recorded returning from the Islamic Republic of Iran to Afghanistan in a four-week period, compared with usual numbers of returns averaging fewer than 10,000 per week”. Furthermore, “in March 2020, following the announcement of localized shutdowns of some industries and venues in Bangkok, an estimated 200,000 migrant workers from Cambodia, the Lao People’s Democratic Republic and Myanmar rapidly crossed land borders to return home due to fears of both COVID-19 and economic impacts” (United Nations ESCAP, 2020a: 173).

Even when they continue their journey, migrants in irregular situations will likely be even more reliant on smugglers through environments that are increasingly hostile to migration. According to the United Nations ESCAP, “with borders closed, some migrants are taking more dangerous routes to move or return”. Indeed, with the onset of the pandemic, many people who had planned on migrating found themselves blocked in their country of origin (or transit), often having already spent significant sums on recruitment costs. “For example, an estimated 115,000 people were unable to migrate from Nepal despite having received work permits (United Nations ESCAP, 2020a: 174).

The former UN Special Rapporteur on trafficking in persons, especially women and children, further inferred that restrictive migration policies,
while justifiable as a measure to protect public health during the pandemic, may disproportionately affect trafficked persons, refugees and asylum seekers, who may find themselves trapped in conflict zones or in exploitative situations. “Governments are taking advantage of the crisis to adopt harsher migration policies that could stay in place long after the COVID-19 outbreak. The restrictive migration measures adopted by several countries to push people out of their borders or segregate them in camps follow the trend seen in recent years in which countries have restricted access to asylum procedures and international mobility. The restrictions to or ban of asylum procedures can have a long-term impact on victims of trafficking and exploitation, since a prolonged situation of irregularity exacerbates vulnerabilities” (Giammarinaro, 2020).

UN experts also warned that migrants in irregular situations and asylum seekers, as well as exploited and trafficked persons, may be particularly at risk of COVID-19 because their living or working environment, without the necessary protection, may expose them to the virus. Some of them do not have access to minimal protection against contagion, not even to clean water to wash their hands. Many live in overcrowded shelters or detention centres without the possibility to observe physical distance. Some migrants are working in agriculture or in informal sectors without any protection measures (UN OHCHR, 2020b). In the Asia and the Pacific region, “many migrants reside in dormitories or other forms of housing that are substandard because of policies which restrict their access to regular housing. They are less likely to make use of health care facilities because they have limited or no access to them, or do not know they can access them safely” (United Nations ESCAP, 2020a: 170).

A specific issue related to the worsening conditions of migrant workers relates to the remittances they send to their families, which alleviate poverty in lower- and middle-income countries. Quoting the World Bank, the former UN Special Rapporteur on trafficking in persons, especially women and children, stated that according to the Organizations’ estimates, global remittances will decline sharply in the future due to the economic crisis induced by the COVID-19 pandemic and subsequent lockdowns. In the Asia and the Pacific region, “remittances sent by migrants are expected to decrease significantly between 2019 and 2020”. For example, the Central Bank of Bangladesh reported that there had been a 25 per cent drop in remittances in April 2020 compared to the previous year; approximately during the same period, Sri Lanka reported a 35 per cent decrease in remittances (United Nations ESCAP, 2020a: 177). The loss of remittances will affect families’ ability to spend on immediate livelihoods needs and expose them to higher risks of extreme poverty (Giammarinaro, 2020). Asia-Pacific countries are among the most remittance-dependent in the world (United Nations ESCAP, 2020a: 177). In countries like the Philippines, which in 2018 was the fourth largest remittance-recipient country globally and has been consistently ranking among the largest remittance-recipient countries in the world over the previous years (IOM, 2020a), this circumstance is expected to have a significant impact.

Literature focusing on the Asia and the Pacific region points to two specific sub-groups among undocumented migrants who have become particularly vulnerable as a consequence of the COVID-19 outbreak: older migrants who given their age, are at high risk in terms of health impact, migrants who have reduced or discontinued essential health care services; and migrants with disabilities, who are at risk due to co-morbidities and pre-existing inequalities, such as higher levels of poverty and exclusion, and who now likely face additional, multiple barriers in accessing disability-inclusive support services amid the pandemic (United Nations ESCAP, 2020a: 170).

WORKERS IN THE INFORMAL SECTORS, ESPECIALLY IN LOW-INCOME COUNTRIES

Individuals working in the informal labour market are consistently quoted as exposed to further risk of trafficking and exploitation because of the pandemic. It is believed that low-skilled workers and workers in the informal economies were affected more hardly by the
economic crisis, especially those in developing countries with limited or no labour and social protection, which makes them even more vulnerable to trafficking and exploitation (Wagner and Hoang, 2020).

UNDP underscores that in the Asia and the Pacific region “widespread informality, especially in lower-income countries, means that support schemes based on formal employment will have very limited reach, excluding the most vulnerable such as informal workers, migrants and slumdwellers. In addition to massive numbers of people in low-skill, low-wage informal employment, there is also an increasing phenomenon of outsourcing and gig economy workers also falling outside of the formal sector covered by social insurance” (2020: 26).

Those who are already victims of labour exploitation may experience temporary relief as work in some sectors such as construction and agriculture in high-income countries might have been put on hold due to the pandemic. However, they are likely to face increased financial burdens and fall deeper into debt bondage as their incomes further dry up (ibid.).

Some individuals working in certain sectors at heightened risk of exploitation are regarded as bearing additional vulnerability even when they work in the formal labour market. The lock downs to try and halt the spread of the virus have led to mass layoffs, as many global brands have cancelled orders and factories have been required to shut down. The garment industry in Bangladesh, for example, has been particularly affected. By late March 2020, over 1 million workers in this sector in the country had been laid off or temporarily suspended. Workers across South and South-East Asia, including Cambodia, India, Myanmar and Viet Nam, are experiencing similar crises, Anti-Slavery reported (2020).

DOMESTIC WORKERS

Whether they work in the formal or informal economy, domestic workers have been pinpointed as a specific group of concern for heightened risk of trafficking across some of the consulted literature. As quoted by the GI-TOC, according to ILO, there are 67 million domestic workers worldwide, mainly women and children, three quarters of whom lack formal health care, sick-leave provision, unemployment insurance and a host of other workplace benefits. Due to the pandemic, these individuals are at risk of an increase in their workload, and of being obliged to care for sick people, potentially leading to health risks and labour exploitation (Wagner and Hoang, 2020).

At the same time, many families fear contagion, and domestic workers may consequently lose their jobs and accommodation. While this situation offers an opportunity to domestic workers who were previously exploited to be set free, it also leaves individuals exposed to extreme poverty (Anti-Slavery, 2020). Furthermore, with families losing jobs, domestic workers may experience delays in wage payment or lose their income. These circumstances may make them more vulnerable to exploitation (ibid.).

The United Nations ESCAP warns that lockdown measures have particularly exacerbated the isolation of live-in migrant domestic workers in the Asia-Pacific region, also increasing their risk of abuse and discrimination while being confined indoors without the safeguards afforded by regular contact with the outside world (2020a: 179).

A report by the Inter-Agency Standing Committee highlights as the COVID-19 pandemics has exacerbated the situation of women who are migrant domestic workers in the Middle East, most of whom are from Asian and African countries such as Bangladesh, Indonesia, Nepal, the Philippines and Sri Lanka, and Ethiopia and Kenya. According to this report, containment measures put in place by these countries, particularly strict lockdown measures, have exacerbated these women’s exposure to risks concerning not only their health and safety, but also different forms of gender-based violence, to which they were already at risk previously, due to lack of legal protections and power imbalance towards their employers (2020: 1-2).
SEX WORKERS

Finally, some sources refer to sex workers having become more vulnerable to trafficking and exploitation. Regularized clubs, hotels or similar, have been shut down in many countries (La Strada International, 2020). Sex workers are likely to experience a severe loss of income and to become easy preys of traffickers and exploiters.

Drawing upon the results from a mapping of sex workers’ vulnerability in Bangladesh and Myanmar, UNAIDS warns that, “with the closure of entertainment venues, a classification that includes brothels, some sex workers have resorted to street-based sex work, which increases the risk of violence, condom-less sex and no pay or low pay”.

“Sex workers are also experiencing increasing vulnerability to gender-based violence. Without a source of income, conflicts about finances arise, and sex worker networks report that their members have experienced abuse at the hands of their spouses or partners and brothel owners.

“Some sex workers report that they have become homeless because the brothels have been closed, or in some cases the residents were evicted because rent could not be paid. Many sex workers cite stigma and discrimination as a barrier for other forms of employment. Health outreach services that once provided brothels with sexual and reproductive health services, including HIV testing and prevention, have been suspended due to travel restrictions” (UNAIDS, 2021).

A global survey on the impact of COVID-19 on sex workers, encompassing 11 countries from the Asia-Pacific region, uncovers that “as sex workers and their clients self-isolate, sex workers are left unprotected, increasingly vulnerable and unable to provide for themselves and their families. The criminalization of various aspects of sex work in most Asia-Pacific countries further magnifies the already precarious situation of sex workers in the informal economy” (NSWP, 2020).

Based on a rapid assessment carried out in Cambodia, Lao’s People Democratic Republic, Myanmar, Thailand and Viet Nam, some organizations argue that “transgender female sex workers are a particularly vulnerable group due to intense stigmatization and social marginalization, which can create additional barriers to services and information” (UNICEF, UN WOMEN and Care, 2020: 13).

GENDER AND AGE DIMENSIONS

Women, boys and girls have been generally pointed to as more likely to face negative consequences of COVID-19 in terms of heightened risks of violence, including trafficking and exploitation, in different ways and forms.

Women and girls were already disproportionately targeted by traffickers, respectively accounting...
for 71 and 72 per cent of estimated and detected victims of trafficking globally. The surge in domestic violence reported worldwide during the pandemic has escalated women and girls’ vulnerability, as domestic violence is a widely recognized push factor for trafficking in sexual exploitation (Wagner and Hoang, 2020). According to UNICEF, lockdowns and school closures have worsened a ‘shadow pandemic’ of gender-based violence and violence against children. According to the Agency, multiple countries have reported an increase in domestic violence, demand of emergency shelters and helplines (2020).

In some countries, girls from poor and rural areas are the first to drop out of school and be sent off to a forced marriage to alleviate the family’s hardship, especially in cases where the school closure means that there are no more government-subsidized meals for children. Women and girls living in refugee and IDP camps are at increased risk of sexual exploitation by gangs operating in the camps, who are taking advantage of the reduced security, disruption of protection and provision services and increased chaos caused by the coronavirus and associated confinement measures (ibid.).

Women are also over-represented in the informal sector, especially in high-income countries. This means that women cannot rely on job security, health insurance, or other safety or financial measures to respond to a crisis (ibid.). Girls and women are generally earning less, saving less and are more involved in the informal economy, and are therefore more vulnerable to exploitation.

Migrant women allegedly face specific vulnerabilities in relation to COVID-19. Given their concentration in care, domestic work and nursing, they face high risk of exposure to COVID-19. “Data from Thailand suggest that migrant women experience heightened difficulties, including in access to hygiene products and longer waiting times at medical centres”. Similarly, 78 per cent of a sample of returnee Afghan women surveyed in Afghanistan reported being unable to access medical care because of the pandemic (United Nations ESCAP, 2020a: 172).

Moreover, similarly to the increase in domestic violence, victims of sexual exploitation might face abuses and physical and psychological violence perpetrated by their exploiters, especially when they share the same premises (Giammarinaro, 2020).

The COVID-19 pandemic is reportedly having a particularly negative impact on children and youth around the world, for several reasons. According to UNICEF, school closures can lead to drastically negative outcomes for children. At the peak of the pandemic’s first wave in April 2020, nationwide school closures disrupted the learning of almost 90 per cent of students worldwide,
affecting more than 1.5 billion schoolchildren. Poor children pay the heaviest price. While more than 90 per cent of governments adopted some form or remote learning, it only reached around 70 per cent of schoolchildren worldwide. About 30 per cent of children in school age globally could either not access remote learning or did not have the necessary technology for remote learning at the place where they live. Younger children are especially left behind: almost half of all students who did not access remote learning were primary school students. Girls are also disadvantaged: in many countries, ICT skills favor boys and there is less frequent use of household computers and the internet by girls (UNICEF, 2020). Remote learning is not accessible to many migrant children who do not own a laptop or do not have internet connection (Anti-Slavery, 2020).

School closure means that many children have lost their subsidized school meal, which is posing an extra-burden on poor families’ economy. Moreover, family members might have lost their jobs. Conversely, some parents may continue to work either remotely or at their workplace, and face difficulties supervising their children who are not in school.

As highlighted concerning the Asia and the Pacific region (but applicable to virtually all regions in the world) “migrant children and children of migrants, […] suffer interruptions to their education and associated services, including meal distributions at school, as educational institutions close” (United Nations ESCAP, 2020: 179).

Based on a global survey about the impact of COVID-19 carried out by UN WOMEN and the OSCE/Office for Democratic Institutions and Human Rights (ODIHR) among trafficking survivors and frontline organizations, “children who are victims of abuse, street children, stateless children, internally displaced or undocumented children and unaccompanied children are particularly vulnerable to [trafficking]” (2020: 30).

One of the key areas in which increasing risk of abuse and exploitation of children is referred to in the literature concerns online abuse and exploitation. Wagner and Hoang report that children’s increasing digital presence during lockdown is being exploited by traffickers. As children abruptly shift towards online learning, but also social media and gaming platforms to connect with peers, they are increasingly exposed to digital risks and criminal exploitation. Parents who continue to work may be tempted to let children entertain themselves online, leaving them unsupervised. Offenders may make casual contact with children online, gain their trust and introduce sexual chats which become more explicit over time (2020). According to UN WOMEN and the OSCE/ODIHR, “the COVID-19 pandemic had the most significant impact on cybercrimes compared to other forms of criminal activities”. This report further states that “there are reports of increased grooming and exploitation of children online through gaming sites and social media platforms by sexual predators during the emergency measures, as children have to stay home and the demand for pornography has risen” (2020: 30-31).

According to a recent report by Save the Children and Plan International, “in the Philippines, the Government recorded close to 280,000 cases of online sex abuse (so-called cybersex trafficking) against children from 1 March to 24 May [2020] – almost four times as many as in 2019” (Save the Children, Plan International, 2020: 8).

Parents who have lost their jobs or business may – especially in poor and marginalized communities – livestream sexual abuse of their children for payment. In some cases, when this form of sexual exploitation does not involve physical interaction, parents may even perceive that it does not do significant harm to children. Moreover, it requires minimal resources – an internet connection, a smartphone, and a platform to receive payments (Wagner and Hoang, 2020).

Reportedly, there is a considerable gender gap in access to information and communication technologies and to online resources in Asia and the Pacific. The percentage of men using the internet is 54.6 per cent while the percentage of women is just 41.3 per cent. While the digital divide may shield some
women and girls from online abuse and exploitation, it may also put those who come online during the pandemic at greater risk. Users who are less experienced with online technologies and communication, who tend to be women and girls due to the digital gender gap, are more vulnerable to harassment (United Nations ESCAP, 2020b: 10-11).

Access to education protects children from other forms of abuse and exploitation, namely forced marriage and child labour. If schools are closed and family incomes fall, child marriage and child labour are expected to increase as families seek desperate means to survive (Anti-Slavery, 2020).

“...In Asia and the Pacific, the percentage of women aged 20 to 24 [years] who were first married before age 15 ranges from 0 per cent to 22.4 per cent. These figures are higher for the percentage of women 20 to 24 who were married before age 18: from 3.9 per cent to 58.6 per cent. The World Bank advocates that one of the best ways to end child marriage is to keep girls in school. With schools either transitioning to remote learning or closing altogether to avoid community spread of the novel coronavirus, girls may be at greater risk for marriage” (United Nations ESCAP, 2020b: 9).

According to UNICEF, there is concerning evidence that child labour is on the rise again for the first time in 20 years (UNICEF, 2020). Financial shocks experienced by families may lead to more children being enrolled in forced labour (Wagner and Hoang, 2020). Children who are already working are at heightened risk of exploitation too. First, they may be more involved in agricultural work, as families may have to expedite their harvesting and selling activities; second, they are likely to drop out of school in poor families, for example older children who need to look after younger siblings (ibid.).

In the Asia-Pacific region, it has been highlighted that children left behind by migrant parents who are unable to send remittances are a particular at-risk group, because they are likely to face reduced access to education and heightened risks of school drop-out, a fact that exposes them to greater risks of child labour, child marriage, trafficking and exploitation, as well as gender-based violence and social exclusion (United Nations ESCAP, 2020a: 170, 2020b: 10).

A disrupted education also leads, in the long term, to further poverty and vulnerability. According to UNICEF, for those graduating from secondary schools or universities, COVID-19 is aggravating a youth employment crisis. Even before the pandemic, more than 267 million young people out of 1.2 billion globally were not in employment, education or training. Since the pandemic began, over one in six young people have stopped working and working hours have declined by 23 per cent for those young persons who are still in employment (UNICEF, 2020).


15. Usually referred to as ‘NEET’.
warned that during the COVID-19 pandemic, the situation of victims of trafficking can only deteriorate and criminals may actively use this global crisis to exploit vulnerability to increase the financial profits that trafficking in persons generates (CoE, 2020).

Reportedly, traffickers are and will be taking advantage of the opportunities that the COVID-19 crisis presents. Large-scale, massive unemployment, even if only temporary, will shrink incomes for workers and their families. This in turn will lead to increases in household debt, particularly in places where debt is already endemic due to poverty. Mass unemployment, high debt and little government safety net creates opportunities for traffickers, as well as for business owners (Anti-Slavery, 2020).

According to GI-TOC, traffickers and exploiters are also likely to take advantage of reduced policing and enforcement, part of which have been diverted to COVID-related tasks. Businesses are likely to resort to employing informal workers more often, to quickly re-start production and services, and to shift the financial burden of the crisis on to workers (Wagner and Hoang, 2020). Traffickers are believed to exploit this increased demand for cheap and forced labour and recruit more and more people who find themselves in dire economic straits (OSCE, 2020).

Traffickers are apparently adopting different strategies to take advantage and to adapt to the changes brought about by COVID-19. It is believed that traffickers may do that in very poor communities with fragile institutions and little or no state-support grant loans, with individuals in despair who will then become tied to their exploiters via debt bondage (ibid.).

It is estimated that irregular migration flows are going to increase in the medium and long term: people from poor countries are expected to increasingly move to rich economies, the poor needing money and the rich needing a cheap workforce to restart their business. In addition to taking advantage of this increased migration flow, criminals may, considering more stringent controls to movement, be charging higher fees for smuggling, which could make migrants more vulnerable to debt bondage (ibid.). In the Asia and the Pacific region, international migration is likely to increase post-pandemic. A survey of returned migrants in Myanmar found that 58 per cent of respondents planned to re-migrate once COVID-19-related measures were lifted (United Nations ESCAP, 2020a: 175).

According to some observers, in the Asia-Pacific region “evidence suggests that smugglers are making use of more dangerous routes to cross borders and charging higher fees, and, where this is the case,
they are among the main groups committing violent acts against migrants (United Nations ESCAP, 2020a: 174, emphasis added).

Traffickers and exploiters are supposedly also adapting their strategies of exploitation to the new circumstances. Namely, trafficking for sexual exploitation is increasingly moving online, where traffickers can keep their revenues and enhance the isolation of and control over victims, particularly women and girls (OSCE, 2020). As mentioned earlier, traffickers and exploiters also see an opportunity to recruit new members of their online child abuse and exploitation network, among those individuals with latent child sexual abuse and exploitation interests, as some of these groups require members to produce, upload, share and disseminate child abuse materials.

UN WOMEN and the OSCE/ODIHR state that “available information indicates a growth of demand for [child sexual abuse materials (CSAM)] and growth of CSAM and online exploitation, especially using livestreams since the beginning of the COVID-19 pandemic. Technology companies using automated tools to detect child abuse content based on previously categorized material are struggling to identify new uncategorized data and are further constrained by the impact of the pandemic due to lack of capacity. At the same time, distributors of CSAM are constantly developing sophisticated, cross-platform strategies in coded language to evade detection, and using popular platforms to attract audiences, diverting interested consumers to private channels for access to the material” (2020: 31).

Furthermore, traffickers who have seen a decline of their profits in certain sectors due to COVID-19 (for example, construction and textile), may move victims to other sectors with more demand (such as agriculture), or change form of exploitation, for example from child labour to livestreaming child sexual abuse and exploitation (Wagner and Hoang, 2020).
IMPACT OF COVID-19 ON ANTI-TRAFFICKING RESPONSES
This section of the report analyses the impact of the COVID-19 pandemic on anti-trafficking responses according to the literature reviewed. Information has been collated in line with the 3Ps scheme: prevention, protection and prosecution.

4.1. PREVENTION

This review identified limited information concerning the specific impact of the COVID-19 crisis on activities aimed to prevent trafficking and exploitation. As referred to elsewhere in this report, several actors pointed to the need to address, now more than ever, the structural causes that favor trafficking and that make so many people at risk of trafficking and exploitation, including: inadequate or lack of social protection and public services; precarization of work; unpaid and unrecognized care work; domestic gender-based violence; huge income inequality; racism and xenophobia; and also the climate crisis (GAATW, 2020). Some of the reviewed sources consistently stress that marginalized communities should be included in support measures, as the COVID-19 outbreak is having and will have a more severe impact on these people (La Strada International, 2020).

Among the activities aimed at or contributing to preventing trafficking and exploitation most affected during the pandemic, UNICEF warns that case management and home visits for children and women at risk of abuse have been among the most disrupted services. Generally, violence prevention and response services have been significantly reduced in 104 countries (UNICEF, 2020). Organizations in the Philippines that provide shelters for vulnerable children and support to vulnerable communities reported facing logistical challenges because of the lockdown, with the subsequent inability to provide support on the ground (Wagner and Hoang, 2020). While this disruption is obviously related to the physical distancing measures imposed by governments around the world to contain the virus, it is also likely related to a shortage of funding available to service providers.

A survey carried out by BOND – a network of organizations in the United Kingdom working in international development – between March and May 2020 on the repercussions of COVID-19 on international NGOs’ finances and operations exposed that more NGOs face cuts and closures as the volatile COVID-19 crisis continues. According to the respondents, 50 out of 116 organizations will not survive longer than six months without additional funding. Fifty-three per cent of respondents have already or are planning on cutting back programmes overseas. Moreover, NGOs are resorting to a range of measures to reduce their staffing...
costs, further hampering operations. Ten per cent of respondents reported that their organization has made redundancies. Twenty-eight per cent said their organizations have asked staff to take temporary pay reductions and 58 per cent have frozen recruitment (BOND, 2020).

Similarly, GI-TOC highlighted that one third of CSOs participating in the Tech Against Trafficking’s Impact survey reported concerns and issues about donor funding to their activities. Financial support to NGO service providers is partially being interrupted: grants and donations are in steep decline and therefore these organizations are hard hit. Some NGOs and CSOs risk to close and not re-open. It is not clear yet whether the decrease in funding is a short-term response or a shift away from financial support to at-risk communities and individuals, including victims of trafficking (Wagner and Hoang, 2020).

In 2020, the Asia-Pacific Gender in Humanitarian Action Working Group conducted an analysis of 20 humanitarian and multisector plans in response to COVID-19 across the Asia-Pacific region. “As of 16 July 2020, the OCHA Financial Tracking Service showed that the Global Humanitarian Response Plan for COVID-19 has raised a total of USD 1.74 billion, yet only USD 18,724,205 (1% of the total raised) had been allocated to national or local NGOs” (2020: 3).

Some population groups are more likely to be excluded from existing COVID-19 related social protection measures, thus missing vital support that could reduce their risk of becoming prey of traffickers. UNICEF in particular points out that only 17 countries have explicitly included migrants and refugees in COVID-19 related social protection schemes (UNICEF, 2020).

As elsewhere, in the Asia and the Pacific region, migrant children have experienced significant disruption in their schooling, including schools not being able to provide a haven for children to receive food and counseling, and this situation is believed to decrease prevention of trafficking and exploitation amongst these vulnerable groups (United Nations ESCAP, 2020: 179).

Even though some governments in the region have enacted more inclusive social protection schemes, even the most inclusive stimulus measures have generally excluded migrant workers in an irregular situation (United Nations ESCAP, 2020a: 176).

Some countries in the Asia-Pacific region are making efforts to address some of the risk factors that might have been exacerbated by the COVID-19 crisis, thus potentially contributing to (also) preventing trafficking and exploitation. For example, some governments are addressing the heightened health risks that migrants face in relation to the pandemic. In Thailand, the Ministry of Public Health, with support from IOM, WHO and CSOs, launched a migrant COVID-19 hotline to provide multilingual information to migrants including on how to protect themselves against the virus and where to access testing and treatment. In Sri Lanka, the Ministry of Health provides access to free COVID-19 testing, treatment and information for migrants. In Marawi City, the Philippines, with support from UN-Habitat, 2,5000 IDP families have been given personal protective equipment and disinfectant supplies to address their high vulnerability to COVID-19 (UN ESCAP, 2020a: 172).

Some countries in the Asia and the Pacific region have instituted measures to keep migrants in regular status amid the COVID-19 crisis and related job losses or changes. For instance, Thailand introduced measures providing greater flexibility to enable migrant workers who have changed employer to extend their permits. The Philippines have authorized the payments of 10,000 Philippine pesos (around USD 200) to over 270,000 overseas Filipino workers (United Nations ESCAP, 2020a: 178).

Countries in the region are also undertaking measures to encourage the sending of remittances during the pandemic. For example, in 2020 Bangladesh relaxed conditions for migrant workers to receive a two per cent bonus on remittances, including raising the ceiling for eligibility and increasing the time to submit paperwork. To address difficulties in making in-person payments, Nepal increased the amount of money that can be sent digitally, while banks in Nepal are enabling recipients to receive money in bank accounts through Nepal Rastra Bank (central bank of Nepal) has made arrangement for the migrant workers to send remittance through mobile and internet banking as well as electronic cards, digital wallets and other electronic means (United Nations ESCAP, 2020a: 178).

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16. For example, in Thailand migrants who have contributed to the Social Security Fund for six months or more have also been eligible for compensation for COVID-19 related job losses (United Nations ESCAP, 2020: 176).
Information about the impact of COVID-19 on measures aimed to identify, assist and protect victims of trafficking and exploitation is more prominent across the literature analysed – compared to prevention and prosecution (the other two Ps).

The pandemic has considerably disrupted protection services to potential and actual victims of trafficking, both because of restrictions and because of decreased funding to service providers. While the governments’ measures to contain the spread of the virus (including mandatory quarantine, closure of non-essential activities and sealing of borders) may be necessary, they also create challenges for professionals supporting victims of trafficking (CoE, 2020). Moreover, frontline organizations providing essential services to victims of trafficking have experienced loss of grants and donations from individual and corporate donors following the COVID-19 pandemic.

One of the key concerns voiced by organizations working with trafficked persons regards the significant difficulties in identifying victims. On the one hand, these difficulties relate to the adapted exploitative strategies. For instance, as child and adult victims of sexual exploitation are increasingly being exploited online or sent to clients’ private apartments or other places rather than the usual locations where they would be found, they become more invisible and hence harder to detect by frontline workers.

The CoE stressed that actors who can detect victims of trafficking in different exploitative settings, such as labour inspectors, social workers, law enforcement, health care staff and NGOs are currently severely limited in their anti-trafficking action (2020). Because of decreased labour inspections, chances of identification for victims of forced labour may be reduced during the pandemic (Wagner and Hoang, 2020).

Key services provided to identified trafficked victims are also being disrupted because of the pandemic. The main concern highlighted across the literature reviewed was the shrinkage of accommodation opportunities. As reported by La Strada International and the CoE, some shelters had to close...
because of COVID-19 cases – to avoid the spreading of infections to other residents. In general, shelters have a reduced capacity to accommodate victims of trafficking due to the mandatory compliance with safety measures and physical distancing. As a result, many victims of trafficking are being put at risk of homelessness (La Strada International, 2020). The OSCE confirmed that access to shelter and other support structures is increasingly limited at a time when need is at its greatest (2020).

Difficulties in offering information and legal assistance to victims also appeared as a major concern in the literature. According to La Strada International, trafficked persons lack access to information on how to protect from the virus and on pandemic-related legal restrictions in place, and their rights and entitlements as victims of trafficking (2020). Lack of free legal aid was even more severe during the pandemic. Even though NGOs strive to continue offering legal aid to victims online and by telephone, these services have been at least partly suspended, due to lockdown restrictions and reduced availability of funding (OSCE, 2020).

Psychosocial support, vital for victims’ recovery, has been provided mostly online during the lockdowns, La Strada International reports (2020). Service disruption is reported to have an impact also on victims’ (re)integration support. Tech Against Trafficking highlights that, for example, entry-level jobs and childcare are no longer available to victims of trafficking, as was the case prior to the pandemic (2020). Anti-Slavery reports that assistance programmes relying on community mobilization are being severely disrupted as well (2020). According to the CoE, the state of emergency or other restrictive measures also have implications for the return of victims of trafficking to their countries of origin, which may be delayed or, conversely, precipitated, even if the person concerned faces serious health and protection risks in the countries of return (2020).

The main consequences of the limited identification, assistance and protection capacity caused by COVID-19 are that on the one hand, more victims are left at the mercy of their traffickers and exploiters and are invisible; the risk that they remain undetected and unprotected is heightened as attention and resources are geared towards curbing the spread of COVID-19. On the other hand, as access to health care, accommodation options and psychological assistance have considerably decreased during the pandemic, identified victims of trafficking are left without vital support to recover and to pursue socioeconomic (re)integration, and are placed at higher risk of being re-trafficked (Wagner and Hoang, 2020). Because they are confined with their exploiters, victims have also reportedly been subjected to heightened violence and abuse. The same applies to child victims, especially when the abusers are their caregivers and home is not a safe place to stay (ibid.).

Like other (often overlapping) groups of the population at risk, victims of trafficking are exposed to a heightened risk of COVID-19 infection and to limited access or no health treatment. When not identified, victims may be compelled to continue working, without sufficient preventive measures taken by their exploiters. They may also be forced to work while sick. Victims with irregular migration status may be reluctant to approach health care services and to report symptoms because they fear deportation. Furthermore, in many countries, migrants in irregular situations are only entitled to emergency health care, albeit some governments are taking measures to remove barriers to accessing necessary health care services for undocumented migrants (La Strada International, 2020).

However, GI-TOC highlights that, despite logistical constraints and funding challenges, many NGOs and CSOs are adapting to the COVID-19-related restrictions and, for example, are moving their services or activities online, including legal counseling and assistance to victims; other organizations have moved to online platforms for coordination and collaboration (for example, the Freedom Collaborative COVID-19 Response Facebook Group, the Human Trafficking Foundation Google Group and Resource List) (ibid.).
Like prevention activities, information regarding the specific impact of COVID-19 on the prosecution of trafficking cases is limited in the examined literature.

Several sources point to the fact that in many countries, law enforcement agencies have been mobilized to implement state of emergency and other restrictive measures to contain the disease, a fact that has curbed their capacity to investigate trafficking-related cases and to identify victims (Wagner and Hoang, 2020). As resources gravitate to address public health concerns, attention is diverted from deterring criminal actors, and vulnerable persons already living in precarious circumstances are now at greater risk for being swept into exploitative situations (OSCE, 2020).

Law enforcement operations also experience delays and disruptions due to fear of infection, leading to a decline in identification of victims as well (ibid.).

In addition, victims allegedly experience delayed support in the criminal justice process (ibid.). For migrants and victims of trafficking engaged in legal proceedings, long-awaited court procedures that might offer justice have been put on hold, and sometimes this may mean prolonged detention of victims themselves (La Strada International, 2020). Trials are being postponed, causing significant disturbances in the conduct of proceedings before criminal, civil and administrative courts to the detriment of victims’ rights (Council of Europe, 2020).

4.3. PROSECUTION

The studies and articles reviewed pointed to several current or expected changes in trafficking trends and patterns against the backdrop of the country-specific situations reviewed, because of the COVID-19 pandemic. Sources also highlighted several effects on anti-trafficking responses undertaken by governments, IOs, NGOs CSOs and other stakeholders. However, while this review has intrinsic limitations data collected and analysed presented several gaps, pointing to the need for further analysis during the upcoming research at country level.
CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER RESEARCH
GAPS INCLUDE:

i. Solid, corroborated data based on evidence. Most of the documents retrieved were statements, position papers and press releases by a number of prominent anti-trafficking stakeholders, rather than systematic research reports;

ii. Specific data on the impact of COVID-19 on trafficking and anti-trafficking issues and responses at country level, even beyond the Asia and the Pacific region. Indeed, the absolute majority of sources reviewed described such impact in general terms and mostly at the global level, with few examples of country-specific situations;

iii. Further details about the impact of COVID-19 on prevention and prosecution activities. Concerning prosecution, more details are needed on how the presumed delays in civil and criminal proceedings for alleged trafficking cases is affecting the safety, wellbeing and access to justice of victims and witnesses. Regarding the prevention of trafficking, it is recommended that research at country level focus on activities explicitly aimed to prevent trafficking, and those that do not have this objective but contribute to reducing risk factors (for example: prevention of domestic violence against women and children; social inclusion measures targeting the most marginalized groups; etc.);

iv. Information on how national anti-trafficking supporting frameworks were affected (including: co-ordination structures; legal framework; research activities; data collection and information management; capacity building; and international cooperation);

v. A more detailed analysis of the impact of COVID-19 on children on the move, particularly unaccompanied and separated children, and how the protection measures that they are entitled to have been applied (or not) during the pandemic;

vi. Data on new trafficking routes followed by traffickers, and in general on traffickers’ modus operandi;

vii. Information concerning the impact of the pandemic on transgender persons; whilst some information on their access to services is available, their (possibly increased) exposure to trafficking and exploitation does not seem adequately covered.
In addition to recommendations from the literature, concerning data gaps and research needs, the sources reviewed put forward a number of recommended actions at policy and programmatic levels.

**Structural causes and social exclusion**

All sources reviewed as part of this analysis agree that the pandemic is likely to lead to an increase in trafficking in persons for both sexual and labour exploitation, as well as potentially for other exploitative purposes. The ‘supply’ of potential victims from among vulnerable groups is expected to significantly rise, and the increasing demand for certain goods and services further fuels the need of cheap and forced labour (Wagner and Hoang, 2020). More individuals and groups who are experiencing material, social and economic losses may find themselves at higher risk of trafficking and other human rights violations (Giammarinaro, 2020). “Desperation will make it more likely that people will have no option but to accept exploitative, hazardous or high-risk working conditions” (Anti-Slavery, 2020).

Similarly, different actors stress that “the current crisis caused by COVID-19 is bringing to the surface existing inequalities and vulnerabilities” (Giammarinaro, 2020), and that vulnerability factors induced by the pandemic mostly exacerbate pre-existing structural weaknesses (Wagner and Hoang, 2020). As a consequence, not only more individuals and communities are at risk of becoming victims of trafficking, but people who were already vulnerable might become even more vulnerable to traffickers who are exploiting global uncertainties to gain profits (Giammarinaro, 2020).

The literature highlights the opportunity provided by this unprecedented global crisis “to steer our future in a better direction” (OSCE, 2020). As the economic crisis begins to pass, there is a need to build back better and create economies and communities that value everyone, everywhere. In the long term, it is recommended to both governments and donors to address, essentially, the root causes of trafficking and exploitation (Anti-Slavery, 2020; OSCE/OCIHR and UN WOMEN, 2020: 36). Progressive taxation for high-earners, high property tax, end to tax incentives for corporations and illicit financial flows, tax avoidance and evasion, are recommended, to build more balanced societies and address income inequalities (GAATW, 2020).

The need to strengthen and create inclusive public services and implement social protection systems to mitigate social inequalities is mentioned, since as the way governments react to this global crisis will set the foot for future generations and provide an opportunity to make societies fairer, more inclusive, and free from trafficking and exploitation (Giammarinaro, 2020). Inclusive programmes ensuring protection to vulnerable groups can also be a powerful tool to break the cycle of exploitation and strengthen exit pathways, giving a real alternative to those in need (OSCE, 2020).
Among the population groups whose vulnerabilities will be further increased by the COVID-19 crisis, the literature identifies in particular: undocumented migrants and asylum-seekers; workers in the informal sectors, especially in low-income countries; domestic workers; and sex workers.

The literature also highlights gender and age dimensions of risks, with substantial agreement that women, girls and boys are likely to be more harshly affected by the COVID-19 crisis, which puts them at increased risks of human rights violations, including trafficking and exploitation. In particular, the risk of increased online abuse and exploitation, child marriage and child labour for children and youth were remarked, as well as heightened exposure to sexual exploitation and forced labour for women. Transgender sex workers are regarded as a particularly vulnerable group due to intense stigmatization and social marginalization, in general and including in Asia and the Pacific.

For the Asia-Pacific region, Save the Children and Plan International recommend that, since child protection services play a critical role in both responding to and preventing violence against children, these services be well-resourced and supported with increased numbers and reach of trained and skilled child protection workers and effective systems for reporting and responding to violations (2020: 14).

Moreover, with reference to the Asia-Pacific context, the United Nations ESCAP recommends that, bearing in mind that the risks women and girls face when transitioning to digital workplaces and remote schooling are in large part due to less ICT experience, courses and manuals to improve women and girls’ knowledge of privacy and digital security should be developed and used, to limit their exposure to online harassment (2020b: 19), and potentially trafficking and exploitation.

Most studies and statements calling for inclusive social protection systems underscore the need to include certain groups at heightened risk as a priority. These groups are primarily migrants, refugees and asylum seekers, especially if in irregular situations. “Human rights must be at the centre of the response to the COVID-19 pandemic. Inclusive measures aimed at protecting the rights and health of the whole population, including all migrants and trafficked persons, regardless of their migration status, are urgent and necessary” (UN OHCHR, 2020b). In acknowledgement of the contribution of migrant workers to economies and to filling labour shortages therein (La Strada International, 2020), migrants regardless of their status should benefit from accessible, affordable public services, such as health care, child and elderly care and social protection, among others (GAATW, 2020).

Furthermore, measures to relieve the social and economic consequences of the crisis should fully include migrants and refugees without discrimination, including those working in the informal economy, with a full reach of migrant women workers, in domestic and care work. These measures should encompass wage support, insurance, social protection, measures to prevent bankruptcies and job loss, crisis-related worker and unemployment benefits, extension of payment of taxes, rent, mortgages and other financial obligations, as well as renewal of migrant worker contracts and visas. International financial institutions should consider the effects of lost remittances for countries where remittances are a significant source of income for families and communities (Civil Society Action Committee, 2020).
Stakeholders call on governments to enact a series of urgent measures to protect migrants and refugees in vulnerable situations, mostly to facilitate their access to health services during the pandemic, including: taking steps towards the regularization of undocumented migrants and the extension of their temporary permits (UN OHCHR, 2020b); granting everyone, regardless of migration status, full access to health care and clearly separate between access to health care and social assistance and immigration enforcement, including data sharing (La Strada International, 2020), by erecting “firewalls” against immigration enforcement, so that migrants and refugees are not prevented from accessing health care for fear of repercussions. Barriers to full access should be removed, including legal, regulatory or documentation requirements; language; cultural barriers; and other deterrents (Civil Society Action Committee, 2020).

Finally, several United Nations agencies called upon states to temporarily suspend forced returns, as well as to release people from immigration detention centres and finding them safe, non-custodial alternative accommodations in the community rather than seeking their deportation, stressing that no person who faces the risk of refoulement should be returned to places where their life, safety or human rights are threatened (United Nations Network on Migration, 2020).

The need to protect workers in the informal sectors, or in other sectors prone to exploitation, is equally recommended across the reviewed literature. Resuming, enhancing and prioritizing labour inspections during the pandemic is considered an essential measure, especially in sectors at high risk of labour exploitation and unsafe working conditions, as well as ensuring that workers in those sectors are supported in accessing information, protective measures, support and redress, and that they do not risk immigration enforcement (La Strada International, 2020; GAATW, 2020). Currently, agriculture and medical supplies are regarded as among the most at-risk sectors for labour exploitation (Wagner and Hoang, 2020). Governments should strengthen legal and social protection pathways for victims of labour exploitation, and labour inspectors should be trained to recognize cases of trafficking and exploitation (Giammarinaro, 2020).

Along with prioritized labour inspections, it is recommended that governments provide immediate support to informal workers: social protection benefits schemes should be extended to everyone, to ensure that no one is left behind (ibid.). Mechanisms put in place to control the spread of COVID-19 should not undermine the livelihoods of those in the informal economy or who rely on daily income (Civil Society Action Committee, 2020).

To protect at-risk individuals and victims of trafficking and exploitation among sex workers, some stakeholders advise governments to ensure the availability of exit services from the sex industry, and to guarantee that those who have exited such sector have all the support required to not be forced into the industry again due to lack of choices (OSCE/ODIHR and UN WOMEN, 2020: 37).

Stakeholders also recommend ensuring continued awareness raising and prevention campaigns targeting the general population, on trafficking and specific risks for women and men, girls and boys, during the pandemic, with a focus on the increased risk for trafficking for the purposes of sexual and labour exploitation (OSCE/ODIHR and UN WOMEN, 2020: 41).

The promotion of gender equality is one of the recommendations, including through the recognition, valuation and redistribution of unpaid care work (GAATW, 2020), which is mostly performed by
women. Indeed, governments should ensure that responses to COVID-19 include gender- and age-appropriate measures to protect women and children from abuse, violence and exploitation (Giammarinaro, 2020). As online grooming, recruitment and exploitation has increased, making women and children especially vulnerable to online sexual exploitation, governments should ensure that they have anti-trafficking legislation to address trafficking in persons in cyberspace, and that it reflects gender and age specificities. It is also important that relevant authorities can understand and use such legislation (OSCE/ODIHR and UN WOMEN, 2020: 35).

Generally, it is recommended that the voices, knowledge and perspective of victims, survivors and people vulnerable to trafficking and exploitation, including children and youth, be at the centre of all immediate and long-term policy responses to COVID-19, and that they are not only listened to, but supported in their safe and meaningful participation and leadership in the decision-making process. Measures should be put in place to reach out to and involve the most marginalized groups (Anti-Slavery, 2020; UNICEF, 2020; Save the Children and Plan International, 2020).

**Services for victims of trafficking**

Albeit information on the impact of the COVID-19 crisis on anti-trafficking responses was unevenly distributed across the literature reviewed, there is general agreement that prevention, protection and prosecution efforts are all being significantly hampered by the pandemic, due to a combination of shortage of funding, diversion of resources and containment measures.

Therefore, individuals at risk may not have access to preventative services that would reduce their exposure to trafficking and exploitation. Fewer victims of trafficking are expected to be identified due to significantly reduced outreach services and investigative activities. Finally, victims of trafficking who have been identified are missing vital services for their recovery – such as adequate care and accommodation, legal counseling and assistance, psychosocial support, and return and (re)integration support – and are thus at risk of being re-victimized and re-trafficked.

Strengthening the proactive identification of victims of trafficking among women, men, girls, boys and transgender persons during and after the COVID-19 pandemic is regarded as a priority, by adopting responses to changes in trafficking trends, especially in the cyberspace. Identification should be strengthened particularly among at-risk groups, including marginalized communities, ethnic and racial minorities, migrants in irregular situations, refugees, IDPs and people with disabilities (UN WOMEN and OSCE/ODIHR, 2020: 37).

Considering the importance of continuing to offer assistance and services to trafficked persons and to other vulnerable groups, several actors stressed the need to support NGOs and CSOs financially, and to provide additional emergency funds, so that they do not have to discontinue or shut down victims identification and assistance services (Anti-Slavery, 2020; Wagner and Hoang, 2020; La Strada International, 2020). As recalled by the CoE, while it is understandable that governments must make choices in terms of priorities and resources when faced with risks to

17. With a prevalence of information regarding protection, compared to the other two areas.
life and health, they have an obligation to identify victims of trafficking and to adopt measures to assist them in their physical, psychological and social recovery, taking into account their safety and protection needs. These measures should apply to all victims in a non-discriminatory manner. The CoE reminded heads of state of the legal and moral obligation not to cut corners on the rights and protection of the most vulnerable, which include victims of trafficking (2020).

Among the services that must be maintained throughout the COVID-19 crisis, safe accommodation for victims of trafficking is regarded as a priority (La Strada International, 2020), also by learning from good practices such as the repurposing of empty hotels for sheltering survivors of violence and trafficking (OSCE/ODIHR and UN WOMEN, 2020: 36-37). This recommendation extends to other settings in which individuals and groups at risk of trafficking or exploited are accommodated – primarily refugee and migrant camps and camp-like settings, but also detention centres and informal settlements – by alleviating overcrowding, improving sanitation and guaranteeing access to health care (La Strada International, 2020). Moreover, it is recommended to release migrants and refugees detained for migration-related reasons; to never detain children for immigration reasons; and that measures to reduce overcrowding and provide physical distancing in prisons and other detention facilities equally reach migrants and refugees detained for non-immigration reasons (Civil Society Action Committee, 2020). Concerning the situation of women and girls in the Asia-Pacific region, the United Nations ESCAP recommends that governments expand shelter capacity and crisis support centres for victims of domestic violence, including by partnering with hotels and schools (2020b: 19).


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THE IMPACT OF COVID-19 ON TRAFFICKING IN PERSONS TRENDS AND INTER-INSTITUTIONAL RESPONSE IN ASIA AND THE PACIFIC: A LITERATURE REVIEW

IOM ASIA-PACIFIC REGIONAL DATA HUB

OCTOBER 2021