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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by International
Organization for the Elimination of All Forms of Racial
Discrimination, Association Ma'onah for Human Rights and
Immigration, International-Lawyers.Org, Union of Arab
Jurists, United Towns Agency for North-South Cooperation,
non-governmental organizations in special consultative
status, International Educational Development, Inc., World
Peace Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

* Issued as received, in the language(s) of submission only.

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Trafficking-in-Persons and Climate Change

Introduction

Trafficking-in-persons is a form of exploitation with a global impact and a growing global awareness movement. While the efforts of the international community over the past twenty years do represent progress, there has been a stark lack of emphasis on how trafficking intersects with other issues like climate change.

This statement presents the relationship between trafficking-in-persons and climate change, emphasizing the impacts felt by persons in developing economies.

An Overview of Trafficking-in-Persons

With the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children in 2000, the United Nations (UN) General Assembly signaled to the world that the international community was taking action to reduce the prevalence of trafficking.¹ In the Protocol, trafficking-in-persons is defined as “the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other means 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.” Of particular note is the inclusion of Article 3(b) of the Protocol, which notes that an individual’s consent is irrelevant if any of the means described in the above definition have been used. Individuals who are facing extreme poverty or threats to security may consent to situations they may know are exploitative in order to provide for themselves or their family members, as may be the case in situations where an individual has lost their livelihood due to climate change. This is a key element that must be recognized by all UN member states in efforts to combat trafficking and protect the basic human rights of all persons.

The Impact of Climate Change on Vulnerabilities to Trafficking-in-Persons

In a trafficking context, the term vulnerability must be considered through a broad, intersectional lens. To assume that vulnerability equates solely with poverty is a misrepresentation and minimization of the factors that contribute to trafficking. Poverty, migrant status, insecurity, gender inequality, and forms of discrimination based on race, ethnicity, sexual orientation, etc. are all vulnerabilities to trafficking. These manifest in different ways for different individuals, but the underlying basis is the same: someone who is experiencing one or more of these vulnerabilities is more likely to become a victim of trafficking-in-persons. Traffickers may target people exhibiting these vulnerabilities or may exploit labor in situations where they learn an employee has a specific vulnerability that decreases their likelihood of leaving or seeking law enforcement assistance, like undocumented immigrant status.

Climate change exacerbates these vulnerabilities. As the earth warms and the natural environment begins to respond with shrinking deserts and rising oceans, human life is threatened. Sudden-onset disasters like extreme flooding or prolonged, more frequent wildfires cause large-scale displacement within a particular region or community. During disaster situations, cases of trafficking are likely to increase. This is in part due to the exaggeration of vulnerabilities like poverty or homelessness due to displacement or loss of

¹ UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

home and livelihood, which can lead individuals to seek or accept jobs they traditionally would not take due to the need to survive.

Long-term disruptions, like recurring droughts, also change patterns of movement. Sources of income are lost as farms—including subsistence farms—are unable to grow crops due to changing environmental conditions, and people are forced to leave their homes to find work, food, or water. This displacement due to immediate need is one of the most drastic effects of climate change, though little attention is given to ‘climate refugees’ or others who migrate. Migrants are particularly vulnerable to trafficking because they often have lost connections to support structures, and may lack means to acquire legal status, access social services, and obtain legitimate employment.

Climate change is also a destabilizing force that exaggerates human security threats, leading to displacement. Climate change worsens tensions within societies that fall on economic, political, religious, or ethnic lines, especially among already vulnerable populations. This occurs because competition for limited resources like land and water increases, furthering rifts between social groups that can then lead to instability or outright conflict. Insecurity is a driving factor of migration, and individuals fleeing violence may be more at risk of exploitation because they have a stronger need to leave their current situation. In the words of UN Secretary-General Antonino Guterres, climate change increases the desperation that enables human trafficking to flourish.

There is also a nexus between those who are most vulnerable to climate change and those who have a heightened risk to become a victim of trafficking-in-persons. Women, especially women of color and indigenous women, are the most affected by climate change because of discrimination across societies at the intersection of gender and race/ethnicity. Others, like members of minorities who live outside of the socio-economic and political frameworks are also increasingly vulnerable to the effects of climate change because of their differential access to resources, opportunities, decision-making power, etc. The reduction of already limited opportunities and increased security threats placed on these populations due to environmental degradation further intensifies vulnerabilities to trafficking-in-persons.

The Unequal Burden of Climate Change on Persons in Developing Economies

The communities that are most vulnerable to trafficking-in-persons are also those most affected by climate change. This is particularly true of developing economies, where many live in or at the margins of extreme poverty and are highly dependent on natural resources for survival. While it should be widely acknowledged that trafficking does occur in developed economies, victims and survivors are most often members of marginalized communities who are facing greater burdens for survival—including the burden of climate change—as it is those with the least power in a society who are the first to be exploited.

The effects of climate change, including drought, flooding, deforestation, and desertification will have a massive impact on the lives of the vast majority of those living in sub-Saharan Africa. Africa, which produces only a fraction of global greenhouse gas emissions, is highly reliant on climate-dependent sectors like agriculture for economic development. Given the large proportion of the rural population that is entirely dependent on agriculture for food and income, declining agricultural productivity associated with climate change has and will continue to drive people from rural areas into the cities in search of work. Such displacement is a vulnerability to trafficking, just one in a list of many such vulnerabilities exacerbated by climate change. Noting again that trafficking can occur even in situations where the victim has initially consented, migrants may knowingly or unknowingly find themselves in exploitative situations as they journey from Africa to another continent, or once they have reached their destination. Internally displaced persons and internal migrants face similar threats within the borders of their own country, as do those who migrate or live with certain vulnerabilities in a particular region.

Climate change will also challenge the very existence of small island nations. The effects of environmental degradation clearly exacerbate vulnerabilities to trafficking experienced by citizens of these nations and other exposed states. Without unhampered access to basic needs

like food and water and opportunities for employment or housing, citizens of island nations (or any nation suffering from climate change) will desire to migrate to better their situation in life. If destination states fail to accept and welcome these refugees—and acknowledge them as refugees, not economic migrants—their vulnerability to trafficking increases even more and they may take greater risks to leave their home nation. For example, they may attempt to migrate through non-traditional channels and find themselves exploited by employment agencies or others who have provided them with the means to migrate.

Recommendations

The authors of this joint statement recommend that the Human Rights Council:

- Urge UN Member States to adhere to resolution 44/7 on Human Rights and Climate Change, adopted by consensus at the 44th session of the Human Rights Council;
- Consider the adoption of a resolution which recognizes the interrelatedness between climate change and trafficking-in-persons;
- Recognize and present both climate change and trafficking-in-persons as threats to the basic human rights of persons across the globe, reframing prevention efforts within a rights-based framework;
- Pressure UN Member States to ensure that mechanisms for safe and legal migration are in place to ensure that the basic human rights of those fleeing violence, destruction, and death due to climate change are protected;
- Conduct research into the support services needed by migrants and refugees to ensure that they do not fall into vulnerable situations and disseminate said research to UN Member States;
- Consider the imperative of establishing a special procedure mandate specifically focused on climate change as it poses a colossal threat to the enjoyment of human rights globally, as recognized by both the UN High Commissioner for Human Rights and the UN Secretary-General;
- Facilitate the creation of knowledge-sharing platforms and collaborative networks for promoting evidence-based climate mitigations in vulnerable communities.

Geneva International Centre for Justice (GICJ), Just Atonement Inc., The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.