**MODERN DAY SLAVERY AND WOMEN WITH DISABILITY**

*(Modern slavery being fundamentally opposed to social justice and sustainable development, is the greatest barrier to achieving SDGs by 2030)*

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Modern slavery is used as an umbrella term covering practices such as forced labour, debt bondage, forced marriage, and human trafficking. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power. Going by the Global Slavery Index (2023[[1]](#footnote-1)), and that 16% (WHO, 2022[[2]](#footnote-2)) of global population has a disability, and that one third of the world’s population resides in the Commonwealth; there are 2.64 million disabled people living in modern slavery in the Commonwealth, of which 1.47 million are in forced labour and 1.17 million in forced marriage. Due to the changing nature of modern slavery and its emergence in illegal, marginalised and ‘hidden’ spaces, the exploitation of modern slaves is often not easily identifiable, and enslaved individuals face a ‘crisis of illegibility.

It is a known fact that disabled people are more likely to experience human trafficking than the general population. Traffickers tend to target those they perceive as vulnerable, and the pervasive stigma faced by disabled people makes them especially appealing targets. But the paradox of the situation is despite UN report (2019[[3]](#footnote-3)) showing every country having scored very poorly when it comes to fulfilling SDGs for the disabled, the disabled have been not documented as victims of human trafficking. Covid19 brought a glaring picture of gaps in service delivery to the disabled population worldwide. This segment, thus, is extremely marginalised and easy to target in trafficking.

The 2030 Agenda for Sustainable Development calls for social equality by 2030, offering an opportunity to reduce modern day slavery by fundamentally reducing the conditions that fuel poverty, injustice and gender discrimination.

**UNCRPD and Modern Slavery**

The UNCRPD (United Nations General Assembly, Citation 2006[[4]](#footnote-4)) takes a human rights-based approach to disability by recognizing persons with disabilities as right-holders and asserting that impairment cannot justify the denial of human rights.

* Article 15 of the CRPD requires that state parties shall “take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment.”
* Article 16 of the CRPD requires that state parties “take measures to prevent all forms of exploitation, violence, and abuse by ensuring appropriate […] assistance and support” (United Nations General Assembly, Citation2006). The generalised wording used in Article 16 ensures the protection from all forms of exploitation, violence and abuse. The drafting history shows that the wording covers – at a minimum – “physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual and economic exploitation and abuse, abandonment and harassment”. Indeed, exploitation, violence and abuse may take different forms, arise in various settings and be actively as well as passively committed by a diversity of actors. Additionally, persons with disabilities may face multiple or intersectional discrimination.6This can be the reality, in particular but not exclusively, for women, children, older persons and refugees with disabilities as well as persons with multiple, complex and intersecting impairments and/or needs.
* Article 27(2) specifically requires that “States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour” (United Nations General Assembly, Citation 2006).
* Several other articles of the UNCRPD are relevant to protection from human trafficking, including Article 14 (liberty and security of the person), as well as articles outlining rights with regard to access to justice (article 13), and participation in public life, cultural life and recreation (articles 29 and 30), for example.

**The Humongous Numbers**

ILO Report[[5]](#footnote-5) 2022

* 49.6 million people were living in modern slavery in 2021, of which 27.6 million were in forced labour and 22 million in forced marriage.
* Of the 27.6 million people in forced labour, 17.3 million are exploited in the private sector; 6.3 million in forced commercial sexual exploitation, and 3.9 million in forced labour imposed by state.
* Women and girls account for 4.9 million of those in forced commercial sexual exploitation, and for 6 million of those in forced labour in other economic sectors.
* 12% of all those in forced labour are children. More than half of these children are in commercial sexual exploitation.
* The Asia and the Pacific region has the highest number of people in forced labour (15.1 million) and the Arab States the highest prevalence (5.3 per thousand people).
* Addressing decent work deficits in the informal economy, as part of broader efforts towards economic formalization, is a priority for progress against forced labour.

**As 16% of the world population has a disability and 1/3rd of the global population lives in the Commonwealth, the numbers in Commonwealth countries would be approximately:**

* **2.64** **million**disabled people were living in modern slavery in 2021 in the Commonwealth, of which **1.47 million**were in forced labour and **1.17 million**in forced marriage.
* Of the **1.47** **million** disabled people in forced labour, **0.93 million**are exploited in the private sector; **0.33 million**in forced commercial sexual exploitation, and **0.2 million**in forced labour imposed by state.
* Women and girls account for **0.26 million**of those in forced commercial sexual exploitation, and for **0.32 million**of those in forced labour in other economic sectors.
* **0.64%**of all those in forced labour are children. **More than half**of these children are in commercial sexual exploitation.
* The Asia and the Pacific region has the highest number of people in forced labour (**0.8 million**).

**Facts from Commonwealth Countries**

* Despite significant efforts made by the South African Government to combat trafficking in persons, the country has been placed on the "Tier 2 Watch List[[6]](#footnote-6)” by the U.S Department of Trafficking in Persons for the past four years. South Africa shares borders with Namibia, Botswana, Zimbabwe, Lesotho, Mozambique and Eswatini. It has 72 official ports of entry "and a number of unofficial ports of entry where people come in and out without being detected"
* The majority of bonded labourers in India are migrant workers who leave impoverished states, such as Bundelkhand, Bihar and Jharkhand, in search of work. In brick kilns, for example, entire families are allotted a piece of land by the owner and work as a team digging the earth and wetting it with water to make the mud suitable for the brick moulding process. Shruti Nagavamsi, a women’s and child’s rights activist who was one of the founders of the People’s Vigilance Committee on Human Rights, said that during the brick moulding process, whole families are engaged, including young children.
* Covid-19 has led to increased risk of forced marriage in every region. Where data is available, increases in child and forced marriages have been reported in 11 countries including commonwealth countries India, Bangladesh and Uganda.

**Case Studies from India**

**Case Study 1 - Beggary**

I was kidnapped by begging mafia, they gave me injection that made me blind, my fingers were cut, says 24-year-old UP man. 'They would give me and other beggars just 2 chapatis a day to ensure that we stay skinny and invoke pity – Tribune

Kanpur (Uttar Pradesh), November 7

He was abducted by the begging mafia six months ago. The gang gave him an injection that made him blind. They cut the fingers of his hand and foot and assaulted him to give injury marks - all this to make him a suitable beggar.

As his condition worsened and he could not even beg, the gang conveniently dumped him near a slum settlement where he lay unconscious for quite some time till the police rescued him and took him to hospital.

*'They would give me and other beggars just 2 chapatis a day to ensure that we stay skinny and invoke pity.”*

Source: <https://www.tribuneindia.com/news/nation/i-was-kidnapped-by-begging-mafia-they-gave-me-injection-that-made-me-blind-my-fingers-were-cut-says-24-year-old-up-man-448502>

**Case Study 2 – Agricultural Labourer**

He wasn’t kept in shackles but the term 'slave' defines the life Dalbir Singh, now 35, lived. He is one among the hundreds of mentally unstable people who were found being kept as slave labourers in Punjab in the last three years. In March 2021, the Ministry of Home Affairswroteto the Punjab government about how the Border Security Force had rescued 58 people, who were kept as bonded labourers by farmers in the border areas of Gurdaspur, Amritsar, Abohar, and Firozpur. The Ministry said that most of them were from Uttar Pradesh and Bihar, and were either mentally handicapped or had unstable mind.



**Modern-Day Slavery in Punjab: Villagers Enslaved and Tortured by Dairy Farmers. They are tortured so much that they forget their village name and limit their life to feeding cattle, clearing dung.**[SANDEEP SINGH](https://www.thequint.com/author/1643597/sandeep-singh-12)

Updated: 18 Feb 2022, 10:37 AM IST

*'“Eh ta meri bebe hai,” said Dalbir Singh, (she is my mother) looking at his distraught mother. He then identified his sister. One after the other, he called out the names of familiar faces among the villagers who came with his family. The small crowd cheered every time he joined names to faces correctly -- a task for his unstable mind. “Chalo chaliye ghare. Mainu ta ithe koi chhad gya,” (Let us go home. Someone had left me here), he said in Punjabi.*

Dalbir, a Dalit from Haryana’s Fatehabad, had been missing for 10 years. In August 2021, he was found living a slave’s life 250 km away in a farm in Punjab’s Fazilka.

Source: <https://www.thequint.com/news/india/villagers-in-punjab-enslaved-by-wealthy-farmers#read-more>

**Case Study 3 – Forced Marriage**

The Ann Craft Trust, which works with the learning- disabled, said there was a “serious problem” of British Asian people with learning disabilities being forced into marriage without giving their proper consent. Around 10% of cases reported to the government’s forced marriage unit, 140 a year, concern people with learning disabilities.



Pakistanis in UK bringing wives from abroad for disabled sons, says British MP

Press Trust of India, London | ByPress Trust of India

Aug 27, 2017 05:59 PM IST

Research for the trust found that the vast majority involved people of Pakistani, Bangladeshi and also Indian origin.Labour MP Jess Phillips said the practice was among “*lots of cases*” she dealt with where people from Pakistani and Bangladeshi communities behaved “unacceptably” towards women. *“Well, sorry, the British Pakistani-Bangladeshi community, certainly where I am, has issues about women’s roles in a family, in society,”* she was quoted as saying by The Times.

Rachael Clawson, assistant professor of social work at Nottingham University, who is studying the issue, said: “We will see people trying to use this to get people in as a loophole. But the most common situation is that families really think they are doing their best for their [disabled] son or daughter by getting them a carer”.

Source: <https://www.hindustantimes.com/world-news/pakistanis-in-uk-bringing-wives-from-abroad-for-disabled-sons-says-british-mp/story-yNZCzDBDqTOSniCOxRcYIO.html>

**Causes of Easy Trafficking and Enslavement of Disabled Persons**

* Traffickers may seek out victims with disabilities to gain access to their public benefits such as disability pension, marriage benefits and 5% reservation in poverty alleviation programs. Forced marriages.
* Take advantage of intellectual disabilities and force them into prostitution or labour.
* Some individuals with disabilities may have difficulties with communication and/or speech. This may affect their ability to get help and report the abuse they are suffering and could require them to depend on their trafficker for interpretation. For these victims, suffering in silence takes on a very literal meaning.
* Disabled people may be sheltered and isolated and therefore crave friendships and relationships. In one example from the National Human Trafficking Hotline, an adult potential victim with a developmental disability was recruited from a recreational and vocational training centre. The potential trafficker posed as a boyfriend and made the victim believe that counsellors, family, and friends did not want her to be an independent adult. He used her fear of being treated as a child against her, which caused her to be
* Traffickers may also target individuals with disabilities because of the social discrimination and prejudice they face.  This can cause authorities and even their own family and friends to not believe victims when they report their abuse. This is especially true for victims with disabilities that affect intellectual, cognitive, or communication functions or those individuals with mental health diagnoses. In some cases the National Hotline has seen, it has required non-profit organizations to add their voice to the victim’s report before their experience and needs are addressed properly.
* When individuals with disabilities are displaced and put into desperate circumstances at increasing rates, as they often are during natural disasters, they become even more attractive to traffickers. Existing vulnerabilities compound in disaster and climate events for everyone. For a population already dangerously exposed, it equals an exceptionally high risk of being trafficked.

**Disabled Women and Trafficking**

It is no secret that slavery is a highly lucrative business in the modern world that generates as much as US$150 billion in profits every year. About 70 percent of slaves are women and girls, while children account for 25 percent or 10 million slaves worldwide, according to the global slavery index (2023). According to International Organisation for Migration (2019), the causes for increased trafficking of disabled women are a mix of family, community, individual and structural factors illustrated in the diagram underneath:



**Findings of Global Slavery Report 2023**

* Contributing Factors:
	+ The report identifies climate change, armed conflict, weak governance, and health emergencies like the Covid-19 pandemic as key factors that have contributed to the rise in modern slavery.
		- G20 nations account for more than half of all people living in modern slavery, primarily due to the importation of products worth USD 468 billion from countries with weak worker protection, thereby worsening forced labour conditions.
* Role of Global Supply Chains:
	+ Complex and opaque global supply chains, which involve the sourcing of raw materials, manufacturing, packaging, and transportation, are deeply entangled with forced labour.
	+ The report highlights the importation of high-risk products, such as electronics, textiles, palm oil, and solar panels, and their association with forced labor, human trafficking, and child labour.
		- It reveals that G20 countries collectively import billions of dollars worth of textiles and apparel goods at risk of being produced by forced labour every year.

**Way Forward**

* Multi-Pronged Approach:
	+ Governments need to enact and enforce laws that criminalise all forms of modern slavery and protect the rights of victims.
	+ Businesses need to ensure that their operations and supply chains are free from forced labour and human trafficking.
	+ Civil society needs to raise awareness, advocate for change, and provide support to survivors.
	+ Individuals need to educate themselves about the issue, demand transparency from companies they buy from or invest in, and report any suspected cases of modern slavery they encounter
* Survey on Bonded/Generational Labour:
	+ There is also a need to property identify and enumerate people stuck in modern slavery conditions. India’s last national survey of bonded labour was done in the mid-90s.
	+ Other countries who have this issue involving indigenous people, tribes etc. need to identify and enumerate the population in a periodic manner.

References:

1. CRPD (2006)
2. Department of Economic and Social Affairs. (2019). UN Report on Disability and Development. Chapter II. Pages 31-284.
3. ILO. (2022). Global Estimates of Modern Slavery Forced Labour and Forced Marriage. Report P11.
4. Walk Free. (2023). Global Slavery Index <https://cdn.walkfree.org/content/uploads/2023/05/17114737/Global-Slavery-Index-2023.pdf>
5. WHO. (2022). Disability Fact Files.

<https://www.who.int/news-room/fact-sheets/detail/disability-and-health#:~:text=An%20estimated%201.3%20billion%20people,earlier%20than%20those%20without%20disabilities>.

1. <https://cdn.walkfree.org/content/uploads/2023/05/17114737/Global-Slavery-Index-2023.pdf> [↑](#footnote-ref-1)
2. <https://www.who.int/news-room/fact-sheets/detail/disability-and-health#:~:text=An%20estimated%201.3%20billion%20people,earlier%20than%20those%20without%20disabilities>. [↑](#footnote-ref-2)
3. <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/07/disability-report-chapter2.pdf> [↑](#footnote-ref-3)
4. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> [↑](#footnote-ref-4)
5. <https://www.ilo.org/global/topics/forced-labour/publications/WCMS_854733/lang--en/index.htm> [↑](#footnote-ref-5)
6. <https://www.ucanews.com/news/asia-the-hub-of-modern-slavery/92573> [↑](#footnote-ref-6)