



## CHALLENGES IN PROTECTING VULNERABLE POPULATIONS

Too often, individuals around the world suffer extreme hardship or violence, experience discrimination, or face social marginalization. Service providers, researchers, and other witnesses have documented that human traffickers take advantage of such circumstances. Indeed, exploitation appears even more likely when a confluence of such circumstances besets particular communities. The cumulative effects can make certain populations—such as refugees and migrants; lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; religious minorities; people with disabilities; and those who are stateless—especially vulnerable to human trafficking.

### SEXUAL ORIENTATION AND GENDER IDENTITY

In 2015, UNHCR reported that 76 countries criminalize consensual same-sex sexual conduct, with seven countries providing for the death penalty for certain offenses. These laws persecute and stigmatize LGBTI persons; even when not enforced, they validate discrimination and can lead to an increase in violence and harassment. This is particularly true when authorities do not act to protect all of their citizens and when they fail to investigate and prosecute crimes committed against members of particular groups. In several recent cases in countries that criminalize same-sex conduct, vigilante groups have carried out violent acts against LGBTI persons. In some communities, families who feel ashamed of an LGBTI relative have committed honor killings or sent them to clinics that practice “conversion therapy” to “rid them of homosexuality,” often by harmful methods.

In the United States, NGOs continue to report that LGBTI youth are over-represented among the runaway and homeless populations and have difficulties accessing tailored and non-discriminatory services. Those who are not self-sufficient are more susceptible to traffickers’ offers of shelter or food in exchange for performing commercial sex acts. Due to social biases, LGBTI victims are also more likely to be penalized for acts committed as a result of being subjected to trafficking. Because of this, victims are less likely to report their exploitation to local authorities or to access needed services.

More than a dozen countries have enacted anti-discrimination laws or conducted sensitivity training for law enforcement to protect LGBTI rights. Law enforcement agencies and service providers have benefitted from partnerships with organizations that have expertise on LGBTI issues to expand their service referral networks and learn how to develop inclusive environments for LGBTI victims. Governments can further strengthen their efforts by enhancing partnerships, especially with LGBTI survivors of trafficking, whose input is invaluable for trainings and discussions to strengthen understanding and improve support services.

### RELIGIOUS AFFILIATION

In many societies, members of religious minorities have a heightened vulnerability to trafficking. Traffickers have been known to target women and girls from religious minorities and force them into religious conversions and subsequent marriages, in which they may be subjected to domestic or sexual servitude. Religious minorities are also frequently discriminated against in job markets, especially in societies that formally restrict the exercise of rights by members of certain religions. This may make them more susceptible to traffickers’ fraudulent employment offers or other forms of abuse.

In certain countries where members of the religious majority control political power, government agencies, law enforcement entities, and judicial systems may be complicit in discriminating against religious minorities. In addition, certain countries still permit forced marriages, in purported adherence to local customs or religious beliefs. Victims from religious minorities forced into marriage or prostitution, or subjected to domestic servitude, may also face barriers or outright resistance when bringing forward allegations of human trafficking. Once in court, those who do not prevail may be returned to their traffickers.

Many states enforce anti-blasphemy statutes, which frequently restrict the activities of religious minority communities. This may serve as a direct disincentive to bring forward accusations against religious leaders or members of favored religious groups. In the most severe cases, in which governments have criminalized participation in minority religions, many individuals from

minority religions are barred from receiving government services and protections if they do not convert or conceal their religious affiliation. Exclusion from public services, such as financial assistance and medical care, and barriers to building support infrastructures leave religious minorities more vulnerable to traffickers' recruitment tactics.

Governments should denounce discrimination against and the persecution of religious minorities. Individuals from religious minorities should be afforded equal status and protection under the law and should have equal access to government services and protections. Without the rights granted to others in societies, individuals from religious minority communities, and particularly those who are the subject of governmental discrimination, will continue to be vulnerable to exploitation by human traffickers.

## MIGRANTS FLEEING CRISIS

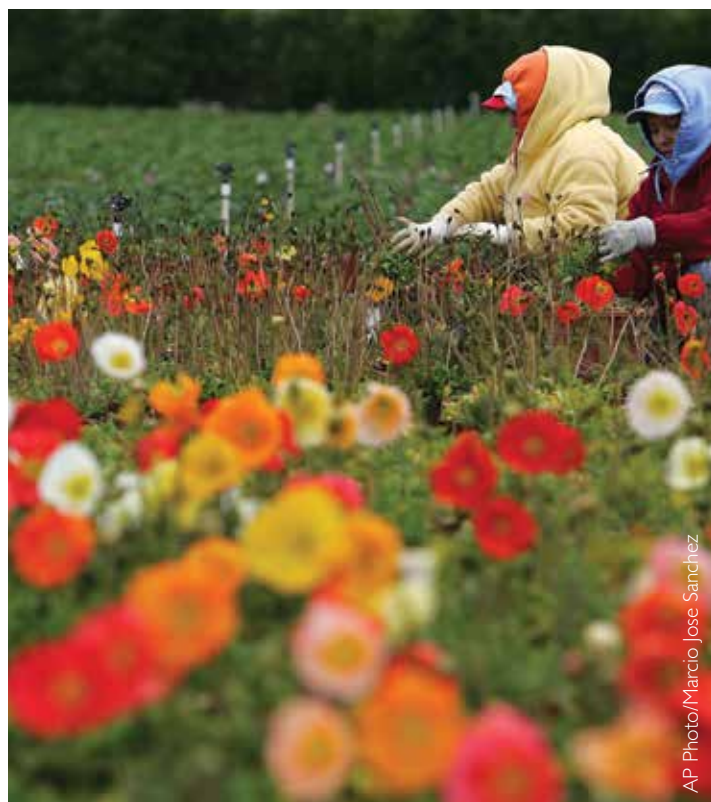
The unprecedented flow of migrants, including refugees, to Europe since the beginning of 2015 has shed light on the challenges of identifying human trafficking victims among migrant populations. Some trafficking victims have been identified among those fleeing civil war and unrest, and many migrants remain vulnerable to trafficking en route to or after arriving in Europe. The limited number of confirmed trafficking cases may not be indicative of the size of the problem, given the reluctance of victims to seek out authorities or self-identify. The greatly overburdened asylum systems across Europe have also created challenges to implementing effective identification and screening measures.

Migrants, including asylum-seekers, and refugees are susceptible to many crimes, including extortion, rape, and human trafficking. Many migrants fleeing conflict rely on smugglers at some point during their journeys and, in some instances, their smugglers are involved in schemes designed to deceive and trap them in sex or labor trafficking. Women, unaccompanied minors, and those denied asylum are particularly vulnerable to human trafficking, including while in transit and upon arrival in destination countries.

Some migrants arrive in Europe with no identity documents, which can increase their vulnerability to trafficking. Reports indicate traffickers sometimes urge victims to request asylum upon arrival, which allows traffickers to exploit them as they await asylum decisions. Some international organizations report that the reliance by authorities on improvised shelters has led to an increase in human trafficking. Of equal concern, human traffickers have attempted to illegally recruit refugees at migrant reception centers for low-paid work and prostitution.

It is critical that governments and international organizations make every effort to identify and help trafficking victims among migrant populations. This can be accomplished by making efforts to ensure adequate staffing in centers and training immigration officials, including those charged with interviewing asylum applicants, to screen for indicators of trafficking. Another important opportunity for prevention is at ports of entry, where authorities can facilitate the distribution of information to migrants, including refugees, on the risks of human trafficking and available resources from governments,

international organizations, and NGOs. Inspections at worksites employing foreign laborers, training for police on indicators of sex and labor trafficking, and providing refugees and asylum-seekers with opportunities to work are all worthy prevention efforts.



## DISABILITY

Owing to cultural and societal stigmas, people with disabilities, including individuals with physical, sensory, mental, cognitive, behavioral, or other visible and invisible disabilities, often lack access to social support networks. Prejudices contribute to biases in law enforcement or judicial systems and often to unequal treatment by employers and government service agencies. Social support networks serve as one means by which persons with disabilities can pursue social and economic inclusion. Without these networks, and without effective enforcement of robust non-discrimination laws, fewer safeguards exist to protect against a variety of human rights abuses, including trafficking in persons.

Children and young adults with disabilities are especially vulnerable to the risks of human trafficking. Children with disabilities have been targeted by traffickers, for example, by being forced to beg because their disabilities—especially if highly visible—draw sympathy and charity from the public. In societies where children with disabilities are not expected to attend school, communities may be less likely to question why a disabled child is begging. All too often, young people with disabilities are regarded as undesirable and may even be subjected to trafficking by their own families. Children with less visible disabilities, such as cognitive or behavioral disabilities, are similarly at risk, as they also may be stigmatized by their families and communities, and may not be in school due to bias or lack of understanding of how to provide reasonable



accommodations. Children with disabilities who do not participate fully in social or academic settings are more likely to be isolated from their communities, which may make them more vulnerable to trafficking.

Persons with disabilities also face many barriers to justice. Lack of training for police, prosecutors, and judges on how to accommodate persons with disabilities—for example, on providing physical access or sign language interpreters—can leave victims with disabilities unable to report their abuse or effectively participate in the criminal justice process. Lack of accessible information about judicial procedures and rights may also preclude them from approaching law enforcement or courts to report abuse; those who do may encounter social biases against the credibility of their statements and evidence. Reflecting such social biases, some countries have codified laws that prohibit persons with disabilities from testifying in court. Diminished access to the justice system and limited avenues of recourse to address abuse can empower traffickers to target persons with disabilities with a sense of impunity.

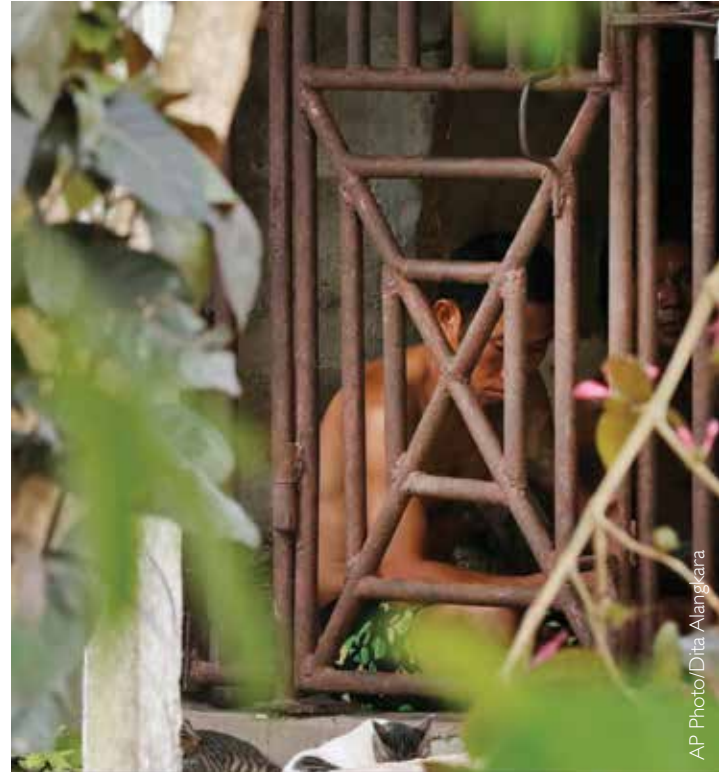
Governments can minimize these risks by outlawing discrimination, enhancing safeguards, and offering a wide range of community-based support services. Even in instances where trafficking victims do not have disabilities, the experience of being subjected to trafficking substantially increases the risk of victims acquiring disabilities as a result of physical and psychological trauma. It is, therefore, essential that victim service programs include resources for those with a wide range of disabilities.

## STATELESSNESS

A stateless person is someone who is not considered as a national by any state under the operation of its law. UNHCR estimates 10 million people, approximately one-third of whom are children, are stateless today. In many countries, stateless individuals lack identity documents, access to education, and economic opportunities. It is easier for unscrupulous employers to coerce undocumented workers into debt bondage or other exploitative conditions. Even if family members suspect or report a loved one has been subjected to human trafficking, it is difficult for authorities to trace an individual who lacks formal identity documents.

Some governments impose travel restrictions on stateless people, which—when coupled with their often dire economic situations and need to migrate for work—can push them to accept informal, sometimes fraudulent, job offers and to arrange transportation via middlemen and smugglers. Using unscrupulous middlemen, who often charge exorbitant interest rates, can lead to debt bondage. In Burma, for example, the government denies citizenship to an estimated 810,000 men, women, and children—most of whom are ethnic Rohingya living in Rakhine State. Their lack of legal status and access to identity documents significantly increases this population's vulnerability to sex and labor trafficking. Rohingya have endured forced labor and dire social conditions within Burma. Many have fled, often with the help of smugglers, to neighboring countries, where some have been subjected to forced labor in agriculture, fishing, and domestic work.

Stateless populations encounter discrimination not only in their daily life, but also when interacting with law enforcement, which can significantly diminish their confidence in law enforcement and the justice system. As a result, stateless trafficking victims do not always report exploitative situations to the authorities, fearing either inaction or punishment. Some members of the Romani community, who became stateless following the breakup of the former Yugoslavia, are penalized in Europe for committing crimes, such as petty theft, even when they do so as a result of being subjected to trafficking.



Until governments take measures to address and reduce statelessness, including registering and extending citizenship to stateless people, issuing identity documents, and developing programs to foster economic growth and trust between such groups and law enforcement, stateless people will continue to be vulnerable to trafficking in their own countries and abroad.

## CONCLUSION

Although there is no exhaustive list of groups vulnerable to human trafficking, the experiences discussed above exemplify common challenges faced by populations at risk of modern slavery. Moreover, some individuals may be vulnerable for more than one reason, making their exploitation even more likely. Governments can take affirmative steps to consider those who may be uniquely vulnerable given their country's culture, social structure, and history, and ensure those groups have access to the protections necessary to keep them from being targeted for human trafficking.

