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Embargoed until
Sunday 6 January
00:00 (midnight) CET

TRAFFICKING IN PERSONS IN THE CONTEXT OF ARMED CONFLICT 2018

UNODC
Research

UNITED NATIONS OFFICE ON DRUGS AND CRIME
Vienna

Global Report on Trafficking in Persons – in the context of armed conflict 2018



UNITED NATIONS
New York, 2018

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Suggested citation: UNODC, *Global Report on Trafficking in Persons 2018*,
Booklet 2: Trafficking in persons in the context of armed conflict
(United Nations publication, Sales No. E.19.IV.2).

Comments on the report are welcome and can be sent to:

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Title: Global Report on Trafficking in Persons – in the context of armed conflict 2018
Language: English
Sales no.: E.19.IV.2
ISBN: 978-92-1-130361-2
eISBN: 978-92-1-047552-5
print ISSN: 2411-8435
online ISSN: 2411-8443

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Acknowledgements

The booklet *Trafficking in persons in the context of armed conflict*, published in conjunction with the *Global Report on Trafficking in Persons 2018*, was prepared by the UNODC Crime Research Section under the supervision of Jean-Luc Lemahieu, Director of the Division for Policy Analysis and Public Affairs and Angela Me, Chief of the Research and Trend Analysis Branch.

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The Crime Research Section wishes to thank the Section's past intern, Nadine L. Salman who made a solid contribution to this booklet.

Review and comments

This booklet benefited from the expertise and invaluable contributions of UNODC colleagues in the Human Trafficking and Migrant Smuggling Section, the Justice Section and from the many colleagues at various UNODC Field Offices.

We are particularly grateful to the United Nations Police Division for having supported the field research by facilitating the interviews with its field personnel and also contributed a text box on page 18.

Valuable inputs were received by experts who, in December 2017, participated in the thematic Expert Group Meeting on trafficking in persons in the context of armed conflict: Tarana Baghirova, Parosha Chandran, Deanna Davy, Suze Hageman, Claire Healy, Olatunde Olayemi, Olivier Peyroux, Thomas Ritzer, Rebecca Surtees and Gilberto Zuleta. Their inputs have enriched this booklet, and for that, we are grateful.

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TRAFFICKING IN PERSONS IN THE CONTEXT OF ARMED CONFLICT

INTRODUCTION

Linking conflict, violence and exploitation

In 2016, more countries were experiencing some form of violent conflict than at any other time in the previous 30 years.¹ People living in conflict-affected areas may experience abuse, violence and exploitation, including trafficking in persons. The risk of trafficking in persons is also connected with the high numbers of refugees. A need to flee war and persecution may be taken advantage of for exploitation by traffickers.

Trafficking in persons in the context of armed conflict has received increased attention by the international community. In November 2017, the United Nations Security Council addressed the topic in Resolution 2388 and reiterated its deep concern that trafficking in persons in areas affected by armed conflict continues to occur. It also underscored that certain offences associated with trafficking in persons in the context of armed conflict may constitute war crimes.² Moreover, the Security Council reiterated its condemnation of all acts of trafficking undertaken by the Islamic State of Iraq and the Levant (ISIL), Boko Haram, Al-Shabaab, the Lord's Resistance Army and other terrorist or armed groups for the purpose of sexual slavery, sexual exploitation and forced labour.³ In Resolution 2331 of December 2016, the Security Council requested the Secretary-General to take steps to improve the collection of data, monitoring and analysis of trafficking in persons in the context of armed conflict.⁴ In response, the present study examines how trafficking in persons occurs in the context of armed conflict through an analysis based on an extensive literature review, a review of case narratives from international tribunals and interviews with personnel from United Nations peacekeeping operations.⁵

Trafficking in persons is another dimension of the violence, brutality and abuse that occur in the context of

armed conflict. While trafficking takes many forms, it always involves the purpose of exploitation. Victims are trafficked for exploitation in forced labour in different sectors, from agriculture to mines. They are also trafficked to serve as domestic servants, for sexual exploitation or for armed combat. Children are often recruited into armed groups for forced labour in a range of military-related roles. As one expert described it: *"when there are armed groups you may find all kinds of exploitation"*.⁶

Factors contributing to trafficking in persons in armed conflict

The generalized violence that characterizes conflict areas shapes the conditions for a series of actors, including armed groups, to force or deceive civilians into exploitative situations.

Factors increasing vulnerability to trafficking in persons in armed conflict



A combination of different elements characterizing armed conflicts increases the risks of trafficking. Armed conflicts amplify the social and economic vulnerabilities of the people affected. In addition, the erosion of the rule of law, which safeguards and protects individuals in peacetime, is one common consequence of armed conflict. The breakdown of state institutions and resulting impunity contribute to generating an environment where trafficking in persons can thrive.

Forced displacement is another factor that contributes to an individual's vulnerability to trafficking. In 2017, the

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1 United Nations; World Bank, 2018, *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict*, p. 12.

2 United Nations Security Council, November 2017, Resolution, S/RES/2388, preamble.

3 United Nations Security Council, November 2017, Resolution, S/RES/2388, para 10.

4 United Nations Security Council, December 2016, Resolution, S/RES/2331.

5 For methodological approach see annexes.

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6 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

United Nations High Commissioner for Refugees estimated that over 68 million people were forcibly displaced because of persecution, conflict, violence or human rights violations.⁷

Displaced persons may have limited access to education, financial resources or opportunities for income generation. This provides a fertile environment for traffickers to promise safe migration routes, employment and education or skills training, and deceive them into exploitative situations. Children who are displaced or separated from their families without support networks are particularly vulnerable to becoming targets for traffickers.⁸

Discrimination and/or marginalization of minorities compel many to leave family and friends behind in search of safety and protection. The breakdown of social ties and diminishing levels of regular economic activity in conflict settings may force people to search for alternative livelihoods.

Trafficking into and out of armed conflicts

In conflict areas, trafficking in persons for sexual slavery, recruitment of children into armed groups, forced labour and abduction of women and girls for forced marriages are the most commonly reported forms of trafficking.

Armed groups use trafficking as part of their strategy to increase their military power and economic resources, but also to project a violent image of themselves and instil fear in local populations. Armed groups also use sexual violence and sexual slavery as part of their operations. In some conflicts, for example, the prospect of receiving ‘sex slaves’ as a reward for joining the group is part of the armed groups’ strategies to recruit new fighters⁹.

Trafficking in persons related to armed conflict also occurs outside specific conflict areas. This is typically linked to higher levels of vulnerability experienced by people living on the margins of conflict, such as internally displaced persons, refugees and others living in nearby areas affected by armed conflict. In these situations, victims are primarily trafficked for sexual exploitation, forced labour, forced marriages or for multiple forms of exploitation. People using migrant smugglers to flee conflicts may end up as victims of trafficking, coerced into forced labour or sexual exploitation to pay off the smuggler fees¹⁰.

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7 Office of the United Nations High Commissioner for Refugees, *Global Trends: Forced Displacement in 2017*, p. 2.

8 United Nations Human Rights Council, *Report of the Special Rapporteur on trafficking in persons, especially women and children*. A/HRC/32/41, paras 18–22.

9 Byman, Daniel, 2016, “Understanding the Islamic State”, *International Security*, pp. 136–137

10 For a study on vulnerability to trafficking in relation to the Syrian

Definition: The context of armed conflict

An ‘armed conflict’ is characterized by protracted armed confrontations between two or more States or between governmental armed forces and the forces of one or more armed groups within a State.^a

For the purpose of this study, two broad trafficking contexts were considered; trafficking **directly** and **indirectly** related to armed conflict.

Trafficking in persons is **directly** related to armed conflict when it is part of the violence and hostilities perpetrated by parties to the conflict. This encompasses human trafficking in the areas where hostilities are taking place and perpetrated by armed groups or other actors involved in hostilities.

Trafficking in persons is **indirectly** related to armed conflict when traffickers are targeting victims in vulnerable situations as a result of a conflict. These situations include post conflict societies, as well as people fleeing conflicts or communities living at the margins of conflicts.

^a The Geneva Conventions of 1949 and their Additional Protocols, Common Article 2 and 3.

Defining trafficking and other crimes in the conflict context¹¹

Trafficking in persons is a complex phenomenon occurring in a range of different settings. The internationally agreed definition from the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, defines the crime in terms of three constituent elements, namely the act, the means and the purpose.¹²

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conflict, see: International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons*.

11 For an analysis of the relationship between trafficking in persons and crimes defined as genocide, crimes against humanity and war crimes, please refer to United Nations Office on Drugs and Crime, 2018, *Countering Trafficking in Persons in Conflict Situations*.

12 The full definition of 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’. 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.

Definition: Armed groups

For the purpose of this report, the term ‘armed groups’ describes actors engaged in armed hostilities in the context of armed conflict. These groups have some level of organizational coherence and are usually under some form of command and control reflecting internal hierarchies.^a

^a The Red Cross defines armed forces of a party to an armed conflict to consist of all organized armed forces, groups and units which are under a command responsible to that part for the conduct of its subordinates. See the International Committee of the Red Cross, Database on Customary International Humanitarian Law, Rule 4, last accessed 15 August 2018, URL: https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule4

It is sometimes challenging to distinguish between different crimes; a challenge that is even more acute in conflict situations. A range of crimes may include elements of persons being transported, recruited or transferred with some form of coercive, deceptive or abusive means for the purpose of being exploited. For instance, conflict-related sexual violence¹³ may encompass aspects of trafficking in persons. Violent and exploitative crimes such as sexual slavery in conflict areas typically stem from a trafficking process, as they involve an *act* (often recruitment and/or transportation) and a *means* (often coercion) as well as a purpose (exploitation). The trafficking occurs when armed groups abduct and/or coerce persons into forced marriages, which has been observed in many armed conflicts worldwide and continues to take place on a significant scale.

The recruitment of children, and sometimes also the coerced or deceptive recruitment of adults¹⁴, into armed groups is another example of trafficking in persons. These children and adults are used as combatants or subdued into sexual slavery or used in various supportive roles. In many cases, ‘child soldiers’ are recruited or abducted and subsequently exploited, which qualifies this conduct as trafficking in persons. The recruitment of children by armed groups is included among the six grave violations against children¹⁵ and considered a war crime.¹⁶

Trafficking in persons is reported by UN agencies and other international organizations in different ways. UNODC has made efforts to establish the facts of situa-

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13 United Nations Security Council, *Report of the Secretary-General on Conflict Related Sexual Violence*, S/2017/249, para 2.

14 United Nations Office on Drugs and Crime, 2018, *Countering Trafficking in Persons in Conflict Situations*, p. 17.

15 United Nations, webpage, Monitoring and Reporting on Grave Violations (six grave violations), URL: <https://childrenandarmedconflict.un.org/tools-for-action/monitoring-and-reporting/>

16 Rome Statute of the International Criminal Court, article 8.

Definitions: Refugees, internally displaced persons and migrants

Refugees are persons who are fleeing conflict or persecution and are entitled to a series of protections as described in the 1951 Refugee Convention, which in condensed form has been defined by the United Nations High Commissioner for Refugees (UNHCR) as follows: “A refugee is someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.”^a

Internally displaced persons (IDPs) are defined by UNHCR as “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.”^b

Migrants are defined as “persons who change their country of usual residence. The term covers persons who move across international borders.”^c The category is not necessarily associated with armed conflict, although many migrants travel through areas affected by conflict.

^a Convention Relating to the Status of Refugees, 1951, article 1; UNHCR, webpage, retrieved 11 June 2018, <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>

^b UNHCR, “Handbook for the Protection of Internally Displaced Persons”, 2010, pp. 8.

^c United Nations, Department of Economic and Social Affairs, *United Nations Recommendation on Statistics of International Migration*, Revision 1, 1998.

tions discussed in this study to assess whether the conduct in question was, in fact, trafficking in persons. However, it was not always possible to establish with certainty as the available information of the different cases was often incomplete. Some of the crimes discussed in this study may clearly be defined as trafficking in persons, while others exhibit elements of trafficking in persons in the way they were carried out. For example, cases of conflict involving sexual violence or war crimes have been documented by many organizations. While some of these include elements of exploitation they may not necessarily qualify as trafficking in persons.

Structure of this booklet

This booklet presents the status of knowledge on trafficking in persons in the context of armed conflict. It is based on an extensive review of literature and reports from regional and international organizations combined with primary information collected from areas where armed conflicts have been discussed by the United Nations Security Council. It draws on cases investigated by the international criminal tribunals and interviews with United Nations peacekeeping personnel based in field missions located within or in the proximity of conflict zones. A detailed methodology, interview questions and list of respondents is annexed to this booklet.

The first section presents an overview of the main forms of trafficking that have been identified within and in the surroundings of conflict areas. The subsequent section describes commonly identified victim profiles and outlines the main factors impacting their vulnerability to trafficking. The third section identifies main perpetrators and analyses the ways in which trafficking in persons is used as part of their modus operandi. The final section presents examples of trafficking in persons in conflict scenarios on the agenda of the Security Council (where enough information was available).

OVERVIEW: THE MAIN FORMS OF TRAFFICKING IN PERSONS IN ARMED CONFLICT

One of the features that characterizes trafficking in persons in armed conflict is that it takes place in the context of high levels of violence and coercion. In conflict situations, traffickers can operate with even less fear of consequences than in peacetime. In environments marked by high levels of violence and abuse, the more frequently reported forms of trafficking in persons include trafficking for sexual exploitation, for sexual slavery, for forced marriages, the recruitment of children into armed groups, and several forms of trafficking for forced labour.

Trafficking for sexual exploitation

On a global scale, trafficking in persons for sexual exploitation is the most detected form.¹⁷ Sexual exploitation is a broad category, however, and more specific forms of sexual exploitation have been identified in the context of armed conflict.

Among refugees in formal and informal camps and in urban contexts in the Middle East, some families have felt that they had no option but to trade away their daughters for marriage to obtain some money to support the rest of the family. Some may perceive this practice as a way to protect their daughters from sexual and gender-based violence.¹⁸ Some of these marriages resulted in girls and women being coerced into sexual exploitation which would qualify as trafficking in persons. Similarly, families coping with the harsh realities of internally displaced persons and refugee camps, informal settlements and displacement in urban settings, may apply less scrutiny to job offers used by traffickers to recruit young women and girls, and sometimes also boys and men, into sexual exploitation. Such cases have been detected in areas with high levels of vulnerability tied to limited economic opportunities and weak rule of law.¹⁹

17 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, all editions.

18 Office of United Nations High Commissioner for Human Rights, *Report of the Special Rapporteur on Trafficking especially women and children, on her mission to Jordan*, A/HRC/32/41/Add.1, para 18; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons*.

19 International Organization for Migration, 2008, *Field Survey Report on Trafficking in Persons in Afghanistan*; United Nations, webpage, *UN warns of trafficking, sexual abuse in shadow of Rohingya refugee crisis*, 14. November 2017, URL: <https://news.un.org/en/story/2017/11/636002-un-warns-trafficking-sexual-abuse-shadow-rohingya-refugee-crisis>; UNICEF, 2003, *Trafficking in Human Beings, Especially Women and Children, In Africa*, p. 5; United Nations General Assembly, *A comprehensive strategy to eliminate future sexual*

Trafficking in persons for sexual exploitation has also been reported as part of the generalized sexual and gender-based violence that characterizes conflict areas. Women and girls who live in environments where sexual abuse and violence are rife are at increased risk of sexual exploitation including through trafficking.²⁰

Trafficking in persons for sexual exploitation is also associated with the increased demand for sexual services that often emerges in conflict areas. This may be due to the deployment of military personnel²¹, particularly when they are comparatively wealthy. Higher demand combined with lack of basic services and economic opportunities for affected civilians provide incentives for trafficking networks to extend their operations into conflict zones or for new networks to develop.²² For example, the presence of military personnel during the conflicts in the former Yugoslavia resulted in an increase of trafficking for sexual exploitation in the region affected by the conflict.²³

Trafficking for sexual slavery

Trafficking in persons for sexual slavery may be defined by the character of the relationship between the perpetrator and victim. In international law, slavery is defined as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.”²⁴ Slavery and practices similar to slavery are forms of exploitation explicitly listed in the UN Trafficking in Persons Protocol. In a recent publication, UNODC explains how trafficking in persons for sexual slavery can constitute crimes against humanity or war crimes.²⁵

International criminal tribunals have demonstrated that many cases of sexual abuse and violence amount to sexual slavery. Coercion, segregation and violence are often part

• • exploitation and abuse in United Nations peacekeeping operations, A/59/710; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons*.

20 United Nations Human Rights Council, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, A/71/303, paras 18-19.

21 United Nations Human Rights Council, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, A/71/303, paras 41-44.

22 Smith, Charles Anthony and Smith, M. Heather, 2011, “Human Trafficking: The Unintended Effects of United Nations Intervention”, *International Political Science Review*, pp. 138-139.

23 *Ibid*; p. 131.

24 Convention to Suppress the Slave Trade and Slavery, 60 LNTS 253, done 25 September 1926, entered into force 9 March 1927 (Slavery Convention); For a discussion of slavery and slavery like practices see United Nations Office on Drugs and Crime, 2015, *Issue Paper on “The Concept of Exploitation in the Trafficking in Persons Protocol”*, pp. 32-3

25 United Nations Office on Drugs and Crime, 2018, *Countering Trafficking in Persons in Conflict Situations*, pp. 26-28.

Reported forms of trafficking in persons directly and indirectly related to armed conflict

Victims exploited in conflict areas



Victims exploited while fleeing conflict areas



of the way armed groups perpetrate sexual slavery in different conflicts around the world.²⁶

Various reports on violence in armed conflict have documented that victims are abducted, held in captivity, and exposed to many forms of sexual abuse, including rape and sexual slavery.²⁷ Prosecutions of war crimes in the aftermath of the wars in the former Yugoslavia involved cases of sexual violence that included elements that may warrant considering them as trafficking for sexual slavery. In one case, the court documented that a group of women were segregated and repeatedly raped by the captors and coerced into performing domestic chores. Occasionally, they were also coerced into sexual intercourse with others, and eventually sold to other criminals:

“After a month [in captivity and sexual abuse] she and the other witness which was a captive as well] were taken away by a certain “Misko” and another man (...). She later learnt that they had been sold for 500 Deutschmarks each and a truckload of washing powder. The men who had bought them mocked them for having been bought at such a price.”²⁸

The international tribunals have documented similar cases in other conflicts.²⁹ The narratives of these cases show how

these crimes are often carried out with “acts” and “means” that could qualify them as trafficking in persons for sexual slavery.

Sexual slavery also occurs in the broader context of conflict-related sexual violence. In 2016, the United Nations Mission in South Sudan recorded hundreds of incidents of conflict-related sexual violence, of which several included elements of trafficking for sexual slavery. Women were abducted by the Sudan People’s Liberation Army and sexually enslaved for more than four months, during which they also witnessed the killing of other victims held in captivity.³⁰

Trafficking for forced marriage

Trafficking for the purpose of forced marriage is not explicitly listed as a form of exploitation in the UN Trafficking in Persons Protocol. In the context of forced marriages, which may be understood as a union of two persons in which at least one has not given his or her full and free consent,³¹ the non-consenting partner is often exploited in different ways. This exploitation determines that this phenomenon is trafficking in persons. This type of trafficking mainly targets women and girls, and the type of exploitation leverages on stereotypical gender roles where the wife carries out household duties while experiencing severe forms of violence, abuse and coercion including rape and non-consensual sexual intercourse.

This phenomenon has been identified in most armed conflicts in Africa, the Middle East and Asia. In South Sudan,

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26 United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2107/249.

27 *Ibid.*; International Committee of the Red Cross, 2014, “Sexual violence in armed conflict”, *International Review of the Red Cross*, no. 894.

28 International Criminal Tribunal for the former Yugoslavia, Trial Chamber, the Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic, case no.: IT-96-23-T & IT-96-23/1-T, para 213.

29 See for instance: Special Court for Sierra Leone, Trial Chamber II, 2007, *the Prosecutor v. Alex tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, case no.: SCSL-04-16-T.; Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case no.: SCSL-03-01-A.

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30 United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249, para 62.

31 United Nations Office on Drugs and Crime, 2016, *The Concept of Exploitation in the Trafficking in Persons Protocol*, p. 34.

over 40 per cent of the 376 cases of sexual violence in armed conflict recorded in 2016 were registered as cases of forced marriage, with many of the perpetrators being members of armed groups.³²

In some contexts, this practice is part of a strategy of how the group operates. For example, Boko Haram has abducted about 200 young girls from Chibok Community in Borno State with the purpose of forcibly marrying them to fighters followed by other exploitation and abuse. Most of these young girls have been rescued and reunited with their families. In summary, the group has abducted hundreds of girls and coerced many into slavery.³³

Similarly, during the armed conflict in Sierra Leone, members of the armed groups could be ‘assigned’ a wife. Women and girls were abducted, raped and coerced into servitude as “wives”.³⁴ One of the judgments of the Special Court of Sierra Leone described how commanders managed and organized this type of trafficking in persons:

*“[The] witness testified that he and other ‘soldiers’ under the command of ‘Woyoh’ captured approximately 35 civilian women during the attack on Karina in June of 1998. The women were initially stripped naked but were later permitted to dress. When the soldiers left Karina they stopped at a temporary base in the jungle. There, Woyoh handed the women over to ‘Five-Five’ who was the Chief of Staff. ‘Five-Five’ distributed the women among the soldiers under his command by requiring them to ‘sign for’ a woman. ‘Five-Five’ stated that if there were any problems the soldiers should immediately report directly to him. He also stated that if the soldiers ‘disturbed’ the women, they would be removed from the soldier’s control. The women were ‘wives to the soldiers’ and they remained with their ‘husbands’ until the soldiers invaded Freetown.”*³⁵

Women and girls who are trafficked into such ‘marriages’ are perceived differently than other victims who are trafficked into sexual exploitation or slavery. Women and girls coerced into forced marriages receive a higher status compared to other victims who have been abducted or kidnapped by armed groups. The unambiguous language of the Special Court described how: “... wives were accorded

special treatment.”³⁶ The wives were not to be shared with others and were regarded as the sole property of the fighter to whom they belonged.³⁷ The wives were also part of an organized group system in which one of the captured wives – the “Mammy Queen” – had a responsibility for the ‘welfare’ of the other wives, which underlines the purpose of this crime.³⁸

This case shows an advanced level of organization. Low-ranking soldiers were tasked with acquiring wives, who were then given to more senior commanders who often had several “wives”, indicating a sense of order and status.³⁹

Trafficking in persons in connection with forced marriages also occurs at the margins of conflict. Poverty may lead some parents to give or trade their daughters for marriage. In the poor socio-economic conditions of some refugee families, having one less dependent to care for and additional income from a dowry payment provide strong economic incentives.⁴⁰ In some cases, entering into an early or arranged marital commitment is seen as an acceptable alternative to attending school, especially as attendance and transportation to and from school can be dangerous during periods of active conflict⁴¹. Traffickers may take advantage of these vulnerabilities and coerce victims into exploitative situations.

Trafficking of children into armed groups

Armed groups recruit children to boost military capacity or to add pliant human resources. These ways of using children are regarded as exploitative.⁴² Figures from the United Nations Secretary-General’s Reports on Children

32 United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249, para 60.

33 Information provided by the Government of Nigeria.

34 Special Court for Sierra Leone, Trial Chamber II, 2007, *the Prosecutor v. Alex tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, case no.: SCSL-04-16-T, paras 1109ff.; Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case No. SCSL-03-01-A, para 264-6.

35 Special Court for Sierra Leone, Trial Chamber II, 2007, *the Prosecutor v. Alex tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, case no.: SCSL-04-16-T, para 1137.

36 Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case no.: SCSL-03-01-A, para 266.

37 Special Court for Sierra Leone, Trial Chamber II, *the Prosecutor v. Alex tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, Case no.: SCSL-04-16-T, para 1122.

38 *Ibid.* para 1138.

39 *Ibid.* para 1121.

40 UN Women, 2013, *Inter-Agency Assessment of Gender-Based Violence and Child Protection Among Syrian Refugees in Jordan, with a Focus on Early Marriage*, pp. 30-31; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq*.

41 McAlpine, Alys; Mazed, Hossain; and Zimmerman, Cathy, 2016, “Sex trafficking and sexual exploitation in settings affected by armed conflicts in Africa, Asia and the Middle East: systematic review”, *BMC international health and human rights*, p. 6.; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq*.

42 United Nations Office on Drugs and Crime, 2018, *Countering Trafficking in Persons in Conflict Situations*, pp. 16-17.

and Armed Conflict documents 7,734 verified cases of children being associated with armed groups in the year 2016.⁴³

According to the Special Representative of the Secretary-General on Children and Armed Conflict, the recruitment and use of children associated with armed groups nearly always constitutes trafficking in persons.⁴⁴ Trafficking of children by armed groups has been documented in conflicts across many regions, including the Middle East, sub-Saharan Africa and Asia.⁴⁵

Recruitment may involve families or communities handing over their children, particularly boys, to join armed groups that share ethnic, religious or territorial ties with these communities. They may do so out of ‘a sense’ of obligation towards the group, which may be perceived as the authority in charge of community security. Some case material from international tribunals illustrates how armed groups exert pressure on local communities to provide children for military service in response to perceived external threats.⁴⁶ In other situations, children join armed groups due to lack of other options,⁴⁷ out of a desire for revenge for having lost their families during the conflict or to defend their community.⁴⁸

Once enrolled in the groups, children may be prevented from leaving.⁴⁹ During the conflict in Sierra Leone, armed groups prevented children from defecting by using violence, threats and sanctions. For example, if children tried to escape, their commanders might burn the letters “RUF”⁵⁰ into their skin to deter others from doing the

same. The commanders also manipulated victims by infusing narcotics into open wounds.⁵¹

Children are used for armed combat in several ways, often depending on their age and sex. As a general pattern, older children are recruited into armed units to take active part in hostilities, while younger children are used for other tasks. In some cases, younger children are used as body guards or in other supporting roles because they are more obedient and easier to manage.⁵²

In some armed groups, children account for a large part of their military power. According to some reports, more than half of the members of Al-Shabaab are children, and estimates suggest that over 90 per cent of the members of the Lord’s Resistance Army are children.⁵³ In these groups, as well as some others, child trafficking is used to ensure recruitment.

Being trafficked into armed combat may also entail being coerced to carry out suicide bombings.⁵⁴ Boko Haram, for example, has used young girls and boys in suicide attacks. UNICEF has documented the use of children as young as eight in suicide attacks. The number of suicide attacks carried out by children against targets in the Lake Chad region increased from 4 in 2014 to 44 in 2015.⁵⁵

In a recent publication, UNODC assessed how children are recruited and exploited by terrorist and violent extremist groups. The study explores the various recruitment methods, from propaganda to community pressure, from the use of internet to economic incentives. The publication also reports on how different profiles are targeted, and on the various forms of exploitation used by these groups for their purposes.⁵⁶

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43 Save the Children, 2018, *The War on Children*, p. 22.

44 United Nations Human Rights Council, *Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict*, A/HRC/37/47, paras 15-16.

45 United Nations General Assembly and United Nations Security Council, *Report of the Secretary-General. Children and Armed Conflict*, A/72/361.

46 International Criminal Court, Trial Chamber I, 2012, *Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo*, case no.: ICC-01/04-01/06. para 771.

47 Ibid. para 767; UNICEF, fact sheet, URL: https://www.unicef.org/wcaro/FactSheet100601Final_E_100603_.pdf

48 Kohrt, Brandon; Rai, Sauharda; and Maharjan, Sujen M., 2015, “Child Soldiers”, *International Encyclopaedia of the Social & Behavioural Sciences*, 2nd edition; United Nations Office on Drugs and Crime, 2017, *Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice System*, pp. 11-12.

49 According to trafficking in persons’ definition, the recruitment and exploitation of children accounts to trafficking in persons without necessarily forcing or coercing children and using any other “trafficking means” documented in the cases reported.

50 Special Court for Sierra Leone, Trial Chamber II, 2007, *the Prosecutor v. Alex Tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, case no.: SCSL-04-16-T, para 1207.

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51 Special Court for Sierra Leone, Trial Chamber I, *the Prosecutor Against Issa Hassan, Sesay Morris and Kallon Augustine Gbao*, case No. SCSL-04-15-T. para 1623.

52 International Criminal Court, Trial Chamber I, *Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo*, case no.: ICC-01/04-01/06. paras 759-760, 851

53 United Nations Security Council, *Report of the Secretary-General on children and armed conflict in Somalia*, S/2016/1098, para 17; Twaibu, Wamala, 2015, “Children, Youth, and Armed Conflict: How Youth Participation in Armed Conflict Has Prevented Peace in Africa as Shown by a Case Study in Northern Uganda”, *SSRN Electronic Journal*; United Nations Office on Drugs and Crime, 2018, *Countering Trafficking in Persons in Conflict Situations*, p. 16.

54 Speckhard, Anne & Ahmet S. Yayla, 2015, “Eyewitness accounts from recent defectors from Islamic State: Why they joined, what they saw, why they quit”, *Perspectives on Terrorism*.

55 UNICEF, 2016, *Beyond Chibok*, p. 2.

56 United Nations Office on Drugs and Crime, 2017, *Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice System*, pp. 11-15.

Trafficking for forced labour

Trafficking in persons for forced labour within conflict areas is typically carried out by armed groups to generate illicit income or sustain military operations. Children associated with armed groups, for instance, are also exploited in various non-combat or 'support' roles, such as cooking or carrying out other household chores.⁵⁷ They may also be forced to undertake heavy construction work, such as building bridges, roadblocks and camps.⁵⁸ Case material from the conflicts in Sierra Leone shows that children were recruited by armed groups and used to gather food, fish, or to work on farms, and at one point, build an airstrip.⁵⁹

Trafficking for forced labour also occurs in the margins of hostilities. People living in informal settlements close to the conflict zone, or people travelling along smuggling routes in order to flee the conflict and seek asylum, are also at risk of being trafficked for forced labour.⁶⁰

Trafficking in persons for the purpose of forced labour in situations of crisis and State fragility, including in the context of armed conflict, is looked at as part of a broader policy report on forced labour published by the International Labour Office. The report suggests a range of policy measures to address forced labour in its different manifestations and settings, from prevention to victims' protection, from capacity building to strengthening cooperation.⁶¹

Porters

Within areas directly affected by armed conflict, armed groups exploit adults and children to carry heavy equipment.⁶² This form of trafficking depends on the military operations carried out by the armed groups. More complex operations demand more labour resources.

Where the use of porters is an integrated way of how armed groups move, this practice occurs systematically. For example, in South-East Asia, armed groups force children or adults from some ethnic minorities to carry heavy loads and military equipment up mountainsides and through jungles. In one case, victims reported that they were treated as slaves and the conditions were so harsh some of them died out of fatigue, while others were deliberately killed by the armed groups.⁶³

In other contexts, porters are key to looting and pillaging. In Central Africa, for example, some armed groups abducted victims, and while being transferred, they were used to "carry stolen goods, equipment and different materials".⁶⁴

Extractive industries

Another form of conflict-related trafficking in persons for forced labour involves victims who are coerced into extracting mineral resources to finance the operations of armed groups.

This form of trafficking in persons hinges on the availability of abundant natural resources that can be extracted without advanced technology in areas of weak institutional controls. It has been documented in different conflicts in sub-Saharan Africa, mainly concerning the mining of diamonds.⁶⁵ In some contexts, competition over the control of mineral resources is a central feature of the armed conflict, and the acquisition of people for forced labour at mining sites is an integrated part of the war effort.

The socio-economic vulnerabilities that characterize most conflict areas may also facilitate human trafficking in the extractive sector. Mining sites attract workers who have few alternative livelihood options. Many risk ending up as victims of trafficking to pay back the money borrowed to purchase tools, supplies and food, or because they have 'inherited' debt from their families.⁶⁶

57 United Nations, Children and Armed Conflict, webpage, last accessed 7 August 2018, URL: <https://childrenandarmedconflict.un.org/six-grave-violations/child-soldiers/>

58 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

59 Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case No. SCSL-03-01-A., paras 261-263.

60 United Nations Office on Drugs and Crime, 2018, *Global Study on Smuggling of Migrants*; International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

61 International Labour Office, 2018, *Policy Report on Forced Labour*.

62 See for instance: Cook, Tonya L., et al, 2015, "War trauma and torture experiences reported during public health screening of newly resettled Karen refugees: a qualitative study", *BMC international health and human rights*, pp. 8-9; Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case No. SCSL-03-01-A., para 261 supra nota 610; Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

63 Cook, Tonya et al., 2015, "War trauma and torture experiences reported during public health screening of newly resettled Karen refugees: a qualitative study." *BMC international health and human rights*, pp. 8-9.

64 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

65 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018; Special Court for Sierra Leone, Trial Chamber I, *the Prosecutor against Issa Hassan Sesay, Morris Kallon, Augustine Gbao*, case no. SCSL-04-15-T, para 1415.

66 World Bank & Harvard Humanitarian Initiative, *Resources and Resourcefulness: Gender, Conflict, and Artisanal Mining Communities in Eastern Democratic Republic of the Congo*, p. 15.

In some cases, victims are forced to pay a share or amount of their daily wages to traffickers. Those who refuse or fail to pay may be beaten, banned from entering the mines, forced to work for free or imprisoned.

This form of trafficking often involves a structured organization that prevents victims from leaving. In the conflict in Sierra Leone, for example, victims exploited for the extraction of diamonds were forced to live in guarded settlements functioning as detention camps.⁶⁷

Agriculture

Trafficking in persons for forced labour in the agricultural sector has also been documented in the context of armed conflict.⁶⁸ Persons fleeing conflict, for example, may risk being trafficked for forced labour on farms during their journeys.⁶⁹ Along migration routes, armed groups may abduct migrants travelling through areas affected by conflict and 'sell' them for forced labour in agriculture. There have been cases where migrants and refugees died due to the difficult working conditions.⁷⁰

In conflict areas, armed groups recruit victims for various forms of forced labour in agriculture.⁷¹ One expert described how armed groups in Central Africa coerce victims into growing maize, yams and bananas, turning human trafficking into an integrated food supply chain for the group.⁷² In some cases, victims pursue employment by contacting armed groups independently, to later find themselves segregated and forced to continue working without pay.⁷³ The Special Court for Sierra Leone described how armed groups active in the conflict in West Africa forced approximately 100 to 500 victims to work at farms. The extensive production resulting from forced labour in agriculture was used for both consumption and trade.⁷⁴

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67 Special Court for Sierra Leone, Trial Chamber I, *the Prosecutor against Issa Hassan Sesay, Morris Kallon, Augustine Gbao*, case no. SCSL-04-15-T, para 1415.

68 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

69 Interview, Office of the United Nations High Commissioner for Refugees, 13 March 2018.

70 Interview, United Nations High Commissioner for Refugees, 13 March 2018; International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

71 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons*.

72 *Ibid.*

73 *Ibid.*

74 Special Court for Sierra Leone, Trial Chamber I, *the Prosecutor against Issa Hassan Sesay, Morris Kallon, Augustine Gbao*, case no. SCSL-04-15-T, paras 1417-1428.

Service and industry

Traffickers may operate as brokers or recruiters, supplying victims from conflict zones to businesses in surrounding areas. In some contexts, businesses contact traffickers to recruit a certain number of persons for exploitative work. The traffickers facilitate the victims' transfer out of the conflict zone, where they are exploited in restaurants or other service businesses. Victims receive limited pay and must work exceedingly long hours, and are often subjected to abuse.⁷⁵

In conflict zones, victims are also trafficked to provide services in military sites run by national armies. The Special Rapporteur on Trafficking in Persons describes how some subcontractors in charge of catering or other services for military sites in the Middle East use deceptive recruitment practices to traffic persons *into* conflict zones. These practices include the use of excessive recruitment fees, and the exploitation involves dangerous working conditions, poor living conditions, and underpayment or non-payment of wages. The subcontractors often lie about the destination country, location of work, the conditions of work and living arrangements, and may also retain the workers' passports, preventing them from leaving.⁷⁶

Domestic work

Victims are trafficked and exploited for domestic work in and around conflict areas. During a country visit in the Middle East, the Special Rapporteur on Trafficking in Persons documented that the lack of economic opportunities is putting Syrian refugees at risk of being trafficked for domestic servitude and other forms of exploitation.⁷⁷

Within conflict areas, victims of sexual slavery or forced marriages may be forced to carry out domestic chores.⁷⁸

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75 Interview, United Nations High Commissioner for Refugees, 13 March 2018.

76 United Nations Human Rights Council, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, A/HRC/32/41, para 36.

77 Office of the United Nations High Commissioner for Human Rights, webpage, *Jordan: UN rights expert calls for prevention of human trafficking by improving working conditions for Jordanians, migrants and refugees*, URL: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17011&LangID=E>

78 International Criminal Court, *Situation in the Democratic Republic of the Congo in the case of the Prosecutor v. Germain Katanga*, ICC-01/04-01/07.7.; United Nations Human Rights Council and the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2.

VICTIMS: TARGETED AND VULNERABLE

People living in areas directly or indirectly affected by armed conflict may be vulnerable to trafficking in persons in different and mixed ways, often reflecting their sex and age profiles. With the eruption or escalation of armed conflicts, people are forced to flee or find coping mechanisms to tackle heightened levels of insecurity. Being forcibly displaced or discriminated for ethnic, religious or political reasons are some of the factors that typically increase the risks of being trafficked.

Sex and age of the victims

The information collected for this study shows that women, men and children are at risk of being trafficked for different purposes in areas affected, directly or indirectly, by armed conflict. At the same time, the analysis confirms that male and female victims are targeted for different purposes.

One expert interviewed for this study reported how armed groups in the Horn of Africa recruit girls for sexual slavery, while boys are used as soldiers.⁷⁹ In South-East Asia, armed groups target both men and women for forced or compulsory labour. While men are exploited to construct infrastructure or to carry heavy packs, women are forced to wash, clean and cook.⁸⁰ In the sub-Saharan African conflicts, girls recruited by armed groups tend to be younger than boys. In particular, one study reports that 77 per cent of the girls abducted in context of the conflict in the Democratic Republic of the Congo were aged 15 or younger. The study suggests that this may be due to the earlier maturity of girls and the type of exploitation they are forced into, such as performing household chores.⁸¹

In addition, women and girls surviving sexual slavery and forced marriages during conflicts are, more than men, victims of stigma and discrimination outside conflicts, when returning to their communities.⁸²

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79 Interview, United Nations High Commissioner for Refugees, 8 March 2018.

80 United Nations Human Rights Council, 2018, *Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar*, A/HRC/39/CRP.2, para 413

81 United Nations Organization Stabilisation Mission in DR Congo, 2015, *Invisible Survivors: Girls in Armed Groups in the Democratic Republic of the Congo from 2009 to 2015*, pp. 7-8

82 United Nations Human Rights Council, *Violations and abuses committed by Boko Haram and the impact on human rights in the countries affected*, A/HRC/30/67, para 41-43

Women

According to the UNODC *Global Report on Trafficking in Persons*, women and girls comprise the largest share of detected trafficking victims worldwide.⁸³ While most are trafficked for sexual exploitation, this is not true for all female victims, as females account for about 30 per cent of the detected victims who were trafficked for forced labour. These patterns appear to be similar in conflict zones as well.

Women and girls are also trafficked for other forms of exploitation than sexual exploitation and forced labour in the context of armed conflict, for instance, forced marriages. It is well documented how ISIL coerced Yazidi women and girls into marriages and exploited them by compelling them to clean, cook, wash clothes and care for children. The women were severely beaten if they resisted rape, refused orders to complete tasks or attempted to escape.⁸⁴ Similar examples have been reported in conflicts in Central Africa; for instance, the International Criminal Court documented that women were abducted, sexually abused and regarded as “wives” by their captors.⁸⁵

The age of women and girls plays a significant role in determining their vulnerability to trafficking. Younger women are more at risk, and there is limited evidence of older women being trafficked. Examples from available case studies illustrate, for instance, how soldiers ‘sign up’ for more attractive and presumably younger females out of larger groups of women who have been abducted.⁸⁶ The report of the Sierra Leone Truth and Reconciliation Commission describes how armed groups pursued a deliberate strategy of enslaving women between 13 and 22 years of age.⁸⁷

Men

Men are primarily trafficked for various forms of forced labour. Since this often involves hard physical work, they tend to be young adults. In the context of armed conflict,

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83 United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, all editions.

84 United Nations Human Rights Council and the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2, paras 66-73, 130.

85 International Criminal Court, *Situation in the Democratic Republic of the Congo in the case of the Prosecutor v. Germain Katanga*, ICC-01/04-01/07. 7, paras 1006-1009.

86 Special Court for Sierra Leone, Trial Chamber II, *the Prosecutor v. Alex tamba, Brima, Brima Bazzy Kamara, Santigie Barbor Kanu*, case no.: SCSL-04-16-T, para 1137.

87 Sierra Leone Truth and Reconciliation Commission, 2014, Vol Three B, Chapter Three, *Women and the Armed Conflict in Sierra Leone*, para 213. URL: <http://www.sierraleonetrc.org/index.php/view-the-final-report/table-of-contents>

men are abducted and exploited for carrying heavy equipment, digging and cooking, among others.⁸⁸ Examples from Central Africa show how boys and men are trafficked for forced labour in mines or in agriculture.⁸⁹

Some men are also trafficked into sexual slavery. In the context of the conflicts in the Democratic Republic of the Congo, armed groups abducted and transferred men into camps where they were sexually abused by fighters over weeks, months or even years. Sexual abuse of men may also be used to emasculate victims, as there is a cultural perception that raping a man transforms him into a woman in the eyes of his family and community. The perpetrators also force these victims to perform household tasks that are often considered “women’s work”, such as childcare, washing clothes, collecting water and cooking.⁹⁰

Outside conflict areas, some traffickers may recruit victims, especially young men, by encouraging them to migrate, for instance, from Somalia to North Africa or Europe. En route, the victims are apprehended, detained and typically extorted or exploited in forced labour.⁹¹ Studies documented how some Afghan refugees travelling to Europe are at risk of being exploited in forced labour and sexual exploitation en route and in destination countries.⁹²

Children

One study estimated that 357 million children lived in conflict areas in 2016.⁹³ These children are at risk of being exploited by armed groups or by other traffickers.

Children trafficked by armed groups are exposed to traumatic events by participation in front-line fighting or by witnessing violence, including torture, death, explosions, massacres or indiscriminate firing. While boys are typi-

cally recruited to take part in armed combat, girls are more often subjected to sexual slavery, exploited in marriage or used for domestic work.⁹⁴

Children recruited by armed groups can also be used for food production and other forms of forced labour. During the armed conflict in Sierra Leone, for example, armed groups trafficked a significant number of children for forced labour in diamond mines. They were typically between 10 and 17 years old, exploited in dangerous and unsanitary conditions, with little or no access to medical care.⁹⁵

Beside the vulnerabilities that characterize conflict areas, children may be targeted as a result of local custom. In several countries where the recruitment of child soldiers has been reported, children are considered adults at an early age (for example 15).⁹⁶ In these countries, it is often commonplace for children to contribute to household work or to work together with older members of their families. In some instances, children may also be pressured by family members to undertake paid work, sometimes involving hard physical labour.⁹⁷

Forcibly displaced people

The armed conflicts considered in this study, from sub-Saharan Africa to the Middle East and South-East Asia, have all driven the forced displacement of large numbers of civilians from the areas directly affected by the conflicts. People forced to flee their homes leave families, friends and support networks behind. This social isolation makes them extremely vulnerable and easy targets for traffickers.⁹⁸

In addition, the urgency of conflict-related displacement compels people to gather in locations with limited protection, safety and economic opportunities, such as informal settlements, camps for internally displaced persons and refugee camps. The poor socio-economic conditions of

88 United Nations Human Rights Council, 2018, *Report of the Detailed Findings of the Independent International Fact Finding Mission on Myanmar*, A/HRC/39/CRP.2, paras 253-260; International Criminal Court, *Situation in the Democratic Republic of the Congo in the case of the Prosecutor v. Germain Katanga*, case no. ICC-01/04-01/07. 7. para 1014ff.; the Special Court for Sierra Leone describes similar examples.

89 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

90 Mervyn, Christian et al., 2011, “Sexual and gender-based violence against men in the Democratic Republic of the Congo: effects on survivors, their families and the community”, *Medicine, Conflict and Survival*, p. 235.

91 Interview, Office of the United Nations High Commissioner for Refugees, 13 March 2018; Interview, United Nations Support Mission in Libya, March 2018

92 International Centre for Migration Policy Development, 2015, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

93 Save the Children, 2017, *The War on Children*, p. 15.

94 United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, 2015, *Invisible Survivors: Girls in Armed Groups in the Democratic Republic of the Congo from 2009 to 2015*, p. 18.

95 International Human Rights Clinic at Harvard Law School, 2009, *Digging in the Dirt: Child Miners in Sierra Leone’s Diamond Industry*, pp. 21-30.

96 Interview, United Nations Support Mission in Libya, March 2018; Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

97 UNICEF, 2012, *Children Working in Mines and Quarries: Evidence from West and Central Africa*, p. 5ff.

98 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018; United Nations Office on Drugs and Crime, 2018, *Global Study on Smuggling of Migrants*, pp. 41-2.

displaced populations also exacerbate the risks of trafficking for different forms of exploitation.⁹⁹

Displaced persons are also at risk of illegal detention and subsequent coercion into forced labour, either within conflict zones or along migration routes to safer locations. Information collected on Libya illustrates how refugees in detention centres are at risk of being exploited in forced labour. These centres may host over 1,000 migrants¹⁰⁰ and serve as sources of supply of cheap labour for local businesses.

Discriminated and marginalized minorities

Especially in conflict zones, people may suffer discrimination and marginalization on the basis of their religion, ethnicity or political views. These groups are particularly at risk of being trafficked, either because they are specifically targeted by armed groups, or because they have less economic resources as a result of their marginalization. Religious and ethnic minorities who were marginalized prior to conflict tend to become more vulnerable to trafficking when armed conflict erupts. Political exclusion may also fuel grievances and contention. In addition, discriminated minorities may not enjoy sufficient protection by local institutions, making them easy targets for traffickers.

In Sub-Saharan Africa, armed groups may target ethnic minorities for forced recruitment as armed combatants,¹⁰¹ for slavery or forced marriages¹⁰². According to one expert working in Central Africa, “*..the lack of proper resource sharing between political factions is a driver fuelling conflict. When some live in sheer poverty with no access to resources, they are easily pushed to join armed groups because of marginalization*”¹⁰³ The Lord’s Resistance Army, for example, has recruited children from the Acholi community; an ethnic minority in East Africa discriminated by other

major ethnic groups.¹⁰⁴ Another example is Al-Shabaab’s recruitment of children from marginalized communities with limited means of protection.¹⁰⁵

In other situations, religious minorities are targeted for trafficking by armed groups. This is the case, for instance, of the Yazidi people in the Middle East and certain communities in the Lake Chad region. In South-East Asia, persecution and violence directed against the Rohingya result in trafficking networks taking advantage of members of this ethnic minority for different exploitative purposes.¹⁰⁶

Family breakdown and unaccompanied children

The fragmentation of social structures and families is one consequence of armed conflict, which leaves people vulnerable without support networks.

Men are typically more directly involved and killed in armed combat, leaving an increased number of single female heads of households in conflict areas.¹⁰⁷ In contexts where women face discrimination, being a single head of household can exacerbate the risks of trafficking and abuse as women struggle to meet the basic needs of their families.¹⁰⁸

With family breakdown during conflict, children are also more at risk of displacement. Travelling alone along migrant routes, for example, place them at risk of being trafficked.¹⁰⁹ Armed clashes in the provinces of Tanganyika and South Kivu of the Democratic Republic of the Congo resulted in the displacement of 462,000 children, of which more than 500 were unaccompanied.¹¹⁰

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99 International Centre for Migration Policy Development, 2015, *Tar-geting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq*, p. 162.

100 Interview, United Nations Support Mission in Libya, 26 March 2018.

101 Murphy, William, 2003, “Military Patrimonialism and Child Solider Clientelism in the Liberian and Sierra Leonean Civil Wars”, *African Studies Review*, pp. 62-66.

102 Morten Bøås & Liv Elin Torheim, 2013, “The Trouble in Mali—corruption, collusion, resistance”, *Third World Quarterly*; Office of the United Nations Office of the High Commissioner for Human Rights, 2014, *Report of the independent expert on the situation of human rights in Mali*, A/HRC/25/72, para 63.

103 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

104 Nannyonjo, Justine, 2005, “Conflicts, poverty and human development in Northern Uganda”, *The Commonwealth Journal of International Affairs*, p. 475; Phuong N. Pham; et al., 2008, “The Lord’s Resistance Army and Forced Conscription in Northern Uganda”, *Human Rights Quarterly*.

105 Institute for Security Studies, 2014, *Radicalization and al-Shabaab recruitment in Somalia*.

106 International Organization for Migration, online press release, URL: <https://www.iom.int/news/un-migration-agency-warns-trafficking-labour-exploitation-sexual-abuse-rohingya-refugees>; Interview with United Nations Action for Cooperation Against Trafficking in Persons, 13. December 2017.

107 UNICEF & Save the Children, 2015, *Small Hands, heavy burden: How the Syria conflict is driving more children into the workforce*.

108 United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249, para 90.

109 United Nations Office on Drugs and Crime, 2016, *Global Report on Trafficking in Persons*, p. 61.; International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

110 UNICEF, webpage, last accessed August 2018, URL: <https://blogs.unicef.org/blog/unaccompanied-children-conflict-drc/>

Police division and police components' activities to address trafficking in persons in conflict situations

Text contributed by the United Nations Police Division

Trafficking in persons, especially when it is of transnational nature, flourishes in areas marked by armed conflict and post-conflict situations due to porous borders, weak enforcement, and the lack of capacity of police and other criminal justice actors.

As a result, the UN Security Council in its resolutions 2331 (2016) and 2388 (2017) tasked the UN Department of Peacekeeping Operations (DPKO) with coordinating a collective response to this crime with other UN agencies, including the UN Office on Drugs and Crime, UN Office of the High Commissioner for Human Rights, and the UN Counter-Terrorism Committee Executive Directorate, and with external partners like the African Union, European Union, INTERPOL, and Organization for Security and Co-operation in Europe. Mission mandates handed down by the Security Council do not address the issue of trafficking in persons explicitly. However, this activity falls within the broader protection of civilian activities. In this vein, the Integrated Training Service of the UN Departments of Peacekeeping Operations and Field Support is currently reviewing existing pre-deployment training curricula to better address trafficking in persons.

The Serious and Organized Crime (SOC) Team was formed within the UN Police Division in 2016 to act as the focal point for SOC and crime intelligence-related issues, to lead the development of strategies to address SOC and intelligence issues in field missions, and to foster collaboration with other entities inside and outside the UN System. To better facilitate its activities and draw on the wealth of expertise at Headquarters and in field missions, the SOC Team created the SOC Focal Point Network to encourage the development, implementation, and reinforcement of strategies, practices, and procedures relating to SOC, including trafficking in persons. The ongoing development of crime intelligence guidance for UN police in the field by the UN Police Division will incorporate analytical approaches and strategies relevant to the prevention and investigation of all forms of serious and organized crime, including trafficking in persons.

The UN Police Division is also developing new forms of tailored support through the deployment of SOC Special-

ized Police Teams (SPT) composed of experts from Member States. Specialized Police Teams are currently deployed in peacekeeping operations in Mali (MINUSMA), Democratic Republic of the Congo (MONUSCO) and Haiti (MINUJUSTH). If there is a request from a field mission for assistance related to trafficking in persons, the deployment of an SPT sourced from a Member State can be explored.

The Police Division works in close cooperation with UNODC and INTERPOL to create synergies and maximize comparative advantages. The Police Division is currently liaising with the UNODC Human Trafficking and Migrant Smuggling Section. The Police Division also assisted UNODC with the drafting of the thematic paper, *Countering Trafficking in Persons in Conflict Situations*, which was published in October 2018.

The role of the UN Police in this area is to strengthen the rule of law in host states by building the capacity of national law enforcement agencies to prevent and counter trafficking in persons. Ongoing activities in the Central African Republic, Libya, Somalia and Afghanistan aim to improve the support provided to relevant law enforcement agencies. More specifically, the MINUSMA Police Component advises the Malian Security Forces, including on different capacity-building activities and training courses on trafficking in persons. In the UN Mission in Somalia (UNSOM), the Police Component is liaising with the officer in charge of the Human Trafficking and Organized Crime Unit of the Somali Police Force (SPF) to consider possible training courses. In Kosovo^a, (UNMIK) and Guinea-Bissau (UNIOGBIS), UN Police is collecting and sharing information on trafficking, while a task force on organized crime established in MONUSCO undertakes the acquisition, analysis and dissemination of information related to organized crime, including trafficking in persons. Also, in Cyprus (UNFICYP), UN Police is assisting local authorities in cases of trafficking in persons by escorting them to the buffer zone to conduct necessary police activities.

^a All references to Kosovo in the present publication should be understood to be in the context of Security Council resolution 1244 (1999).

Children who are separated from their families often have limited social networks, which contributes to their isolation and ease of manipulation. Without trustworthy adult support, children may be more readily victimized

by traffickers. It has been reported that in East Africa, for example, young persons living in refugee camps were recruited into criminal gangs and local militias.¹¹¹

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¹¹¹ Hellsten, Sirkku, 2016, "Radicalisation and terrorist recruitment among Kenya's Youth", *Nordic Africa Institute*.

TRAFFICKERS: THE ARMED GROUPS AND THE OPPORTUNISTS

In the context of armed conflicts, those that perpetrate trafficking in persons can be categorized in two main profiles: armed groups and opportunists. Armed groups make use of their military power to exploit civilians and opponents for different purposes. Opportunists are criminal groups or individuals who, motivated by profits, engage in human trafficking by leveraging the criminal opportunities created by the conflict.

Armed groups and their strategies

Armed groups engage in trafficking in persons in different ways and for different reasons. These groups may recruit children, for instance, to have more fighters; may use generalized sexual violence to spread terror among local populations and to control territories; and may force civilians to labour with the purpose of generating income for the group.

Armed groups include 'self-defence' entities such as militias with strong ethnic and/or religious ties with local communities. The presence of such groups has been documented in Central Africa, the Horn of Africa and South-East Asia, among others. Other armed groups and terrorist and violent extremist groups also engage in trafficking for different strategic and operational purposes.¹¹²

Trafficking as a strategy to generate fear

Some armed groups have used trafficking in persons as part of their strategies to spread terror and control communities in areas affected by conflict. This includes the abduction of civilians for sexual slavery or forced marriage. These forms of exploitation hinge on high levels of violence and coercion and often blend together with the brutality that characterizes conflict situations.

In Central Africa, for example, mass abductions of civilians forced into sexual slavery served the strategy of terrorizing the local population and instilling fear in communities opposing the armed groups. Similarly, cases of the Special Court for Sierra Leone documented that *"the crimes of enslavement, sexual violence and conscription and use of child soldiers, and the attending crimes of physical violence and acts of terror, were committed pursuant to the RUF/AFRC's Operational Strategy."*¹¹³

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112 United Nations Office on Drugs and Crime, 2017, *Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups: The Role of the Justice System*, pp. 11-15.

113 Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case No. SCSL-03-01-A., para 271.

In other conflicts, armed groups have used cultural beliefs to spread fear among local communities. The Lord's Resistance Army, for example, abused traditional beliefs as a tactic to magnify the group's perceived power.¹¹⁴ The leader of this group is purported to be embodied with an all-knowing spirit projected with fear, violence and punishment to maintain control.¹¹⁵

Trafficking as a strategy to support group operations

It is widely documented that some armed groups engage in trafficking to increase their military capacity. The purpose may be to obtain more combatants, or to have a steady supply of persons to carry out support functions such as cooking or housework.

Because they are often easy to manipulate and manage, children are particularly targeted. The Special Court for Sierra Leone described how the recruitment of children contributed to *"enhance the ... military capacity..."*¹¹⁶ of the armed groups active in this conflict. The re-eruption of conflict in one part of the Democratic Republic of the Congo in October 2017 involved the abduction of children for enlistment in armed groups. The Allied Democratic Forces, for instance, reportedly abducted children who were returning home from work with their parents.¹¹⁷

Armed groups use different methods to recruit children into their ranks. In some cases, they put pressure on local communities, promising security from external threats in exchange for child recruits. The International Criminal Court has described how armed groups in the Democratic Republic of the Congo took advantage of the sense of insecurity and pressured village elders to promote the recruitment of children,¹¹⁸ *"...some families acted under an obligation, in the sense that nearly all the groups in Ituri asked parents to give one of their sons for "work"..."*¹¹⁹. Similarly, in Somalia, Al-Shabaab has focused recruitment efforts by offering security in exchange for child recruits.¹²⁰

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114 Kelly, Jocelyn TD, et al., 2016, "Abducted children and youth in Lord's Resistance Army in Northeastern Democratic Republic of the Congo (DRC): mechanisms of indoctrination and control." *Conflict and health*, p. 11.

115 Faulkner, Christopher M., 2016, "Money and Control: Rebel Groups and the Forcible Recruitment of Child Soldiers.", *African Security*, pp. 228-229.

116 Special Court for Sierra Leone, Appeals Chamber, *the Prosecutor v. Charles Ghankay Taylor*, case No. SCSL-03-01-A., para 271.

117 Case narratives shared by United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

118 International Criminal Court, Trial Chamber I, 2012, *Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo*, case no.: ICC-01/04-01/06. para 771.

119 *Ibid.* para 781.

120 Interview, Office of the United Nations High Commissioner for Refugees, 8 March 2018; United Nations Assistance Mission in

Forced recruitment into armed groups may also take the form of ‘military conscription’, as part of greater ‘governance’ these groups set up in the territories they control. In the parts of the Middle East conquered, ISIL has forced people living in these areas to join their ranks.¹²¹

ISIL perpetrates trafficking in persons by attracting young recruits using women and girls as ‘sex slaves’ to ‘reward’ fighters.¹²² This group has used social media networks to attract young western women into their territories for this purpose.¹²³ The recruiters befriend, flatter, and praise the girls and young women, often abusing their vulnerability.¹²⁴ Once they have arrived in ISIL-controlled territories these women and girls are given as ‘wives’ or sex slaves to fighters.¹²⁵ Al-Shabaab uses similar techniques to enhance the incentives for ‘foreign fighters’ to join their ranks by abducting and transferring women and girls into the territories they control in order to exploit them in sexual slavery.¹²⁶

Trafficking as an income-generating system

The use of trafficking in persons by armed groups also has an economic dimension. The funds generated by trafficking activities may help finance the groups’ operational costs.

In 2017, the United Nations Secretary-General reported that trafficking in persons was used to generate revenue as part of the “shadow economy” of conflict and terrorism, including through sexual exploitation and sexual slavery. For instance, victims of sexual exploitation were

segregated to extort ransom from their families.¹²⁷ In West and Central Africa, some terrorist groups seem to engage in trafficking for sexual exploitation or child trafficking to fund their operations.¹²⁸ Similarly, in North Africa, it has been documented how armed groups in control of detention centres for migrants and refugees may use these people as a source of funding.¹²⁹ Similar funding strategies are reported in other conflict situations.

Some armed groups take advantage of their military power and territorial control to engage in a broad array of economic activities. Often this leads to the use of forced labour. The Special Court for Sierra Leone describes the organization of forced labour in diamond extraction:

“...[A]n RUF [Revolutionary United Front, one of the main armed groups of the conflict] commander, testified that during the Junta administration, he visited Tongo Fields, which was being run by the RUF through their mining commanders, and SLA [Sierra Leone national Army] with an SLA Secretariat. He saw ‘hundreds of civilians in open fields mining diamonds’ and digging for gravel, watched over by armed guards holding AK-47s. He was told by a commander there, Major Gweh, that the civilians were locals of the area who had been captured during the fighting... He testified that workers in Tongo Fields were not paid. Diamonds mined in Tongo Fields during the Junta period were handed over (to the RUF)...”¹³⁰

Opportunists and their modus operandi

In conflict situations, not only armed groups engage in trafficking in persons. There is a range of other actors, such as criminal groups, ‘lone’ traffickers, and even friends and family members, taking advantage of people’s increased vulnerabilities to carry out trafficking. While for many, conflict results in dramatic living conditions, for some, it becomes an opportunity to commit crimes.

A typical modus operandi for a trafficker operating in conflict settings is to exploit the urgency for refugees to move to safe countries. Refugees often have no better option than to trust the offer of the alleged migrant smug-

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Somalia, 2017, *Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia*, p. 12.

121 Speckhard, Anne, and Ahmet S. Yayla, 2015, “Eyewitness accounts from recent defectors from Islamic State: Why they joined, what they saw, why they quit”, *Perspectives on Terrorism*.

122 Spencer, Amanda N., 2016, “The Hidden Face of Terrorism: An Analysis of the Women in Islamic State.”, *Journal of Strategic Security*, pp. 81-85; Byman, Daniel, 2016, “Understanding the Islamic State – A review Essay”, *International Security*, p. 141; United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249, para. 8.

123 Binetti, Ashley, 2015, “A New Frontier: Human Trafficking and ISIS’s Recruitment of Women from the West.” *Georgetown Institute for Women, Peace & Security*, pp. 2-3.

124 Spencer, Amanda N., 2016, “The Hidden Face of Terrorism: An Analysis of the Women in Islamic State.”, *Journal of Strategic Security*, p. 85.

125 Binetti, Ashley, 2015, “A New Frontier: Human Trafficking and ISIS’s Recruitment of Women from the West.” *Georgetown Institute for Women, Peace & Security*, p. 2-4.

126 Office of the Special Representative of the Secretary General for Sexual Violence in Conflict, website, last accessed 8 May 2018, available at: <https://www.un.org/sexualviolenceinconflict/countries/somalia/>; United Nations Assistance Mission in Somalia, 2017, *Countering Al-Shabaab Propaganda and Recruitment Mechanisms in South Central Somalia*.

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127 United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249, para 8

128 The Financial Action Task Force, 2016, *Terrorist Financing in West and Central Africa*, pp. 26-27

129 United Nations Support Mission in Libya & United Nations Office of the High Commissioner for Human Rights, 2016, *Detained and Dehumanized: Report on human rights abuses against migrants in Libya*, pp. 16ff; Interview, United Nations Support Mission in Libya, March 2018

130 Special Court for Sierra Leone, Trial Chamber II, *the Prosecutor v. Charles Ghankay Taylor*, Case No. SCSL-03-01-T, para 1648.

gler for passage across different borders. However, not all those who offer a smuggling journey are genuinely acting in the interest of refugees; some may eventually coerce them into exploitative conditions at destination or during the travel.¹³¹ It has been documented, for example, that trafficking groups operating along Eastern African routes attracted young men through recruiters based in Somalia. Once they embark on their journey, however, they may be sold to traffickers or detained and extorted for ransom by armed groups along the routes.¹³²

Another way of deceiving victims is by promising marriage. Traffickers may take advantage of conflict and insecurity to deceive families into committing their daughters to marriage. Some of these marriages are arranged by traffickers to facilitate sexual exploitation. For example, one study reported that refugees in the Middle East may be tricked into giving their daughter to marry men from other countries in exchange for money or promises for the girls' safety or a better life. These marriages are sometimes accompanied by a dowry payment to the victim's male guardian. The victims are also required to give up their legal or customary rights as a wife, such as the right to financial and material support. Some of these marriages may last as little as a few days or even hours; the time for these victims to be sexually exploited.¹³³

A similar phenomenon has been documented in South-East Asia, where the victims' families, in particular the mother, often arrange the marriage. In this context, families living in refugee camps may have the interest of arranging for the marriage to strengthen ties with another family. Some of these marriages turn into trafficking as victims are forced into sexual exploitation after the marriage.¹³⁴

131 United Nations Office on Drugs and Crime, 2018, *Global Study on Smuggling of Migrants*, p 41; International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

132 Interview, Office of the United Nations High Commissioner for Refugees, 13 March 2018

133 International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq*, pp. 158-162

134 Interview, United Nations Action for Cooperation Against Trafficking in Persons, 13 December 2017.

TRAFFICKING IN PERSONS IN THE CONTEXT OF SPECIFIC ARMED CONFLICTS

The following section presents specific armed conflicts on the agenda of the United Nations Security Council, where trafficking in persons has been documented as a direct or indirect result of the conflict.

Libya

Trafficking in persons has been documented in the context of the armed conflict in Libya. The absence of an effective central government has created a fragile security situation in which armed groups have taken control over parts of the country's territory. Libya is also a key transit country for smuggled migrants where some have been forced into exploitative situations in their attempts to reach European shores.¹³⁵

Migrants and refugees crossing Libya are constantly targeted by armed groups and criminals who see them as a potential source of profit.¹³⁶ Different groups are involved in trafficking in and through Libya, and some transnational organized crime networks based in Libya may have connections to intermediaries in origin countries. Local facilitators in the countries of origin of migrants arrange their journey to Europe. When they reach North Africa, they may be detained and sold or used for extortion.¹³⁷

The United Nations Support Mission in Libya reports of centres where migrants and refugees are detained. Some of these centres are officially recognized by the government but to some extent under the control of local militias.¹³⁸ It has been documented that militias and criminals are coercing migrants and refugees detained in these centres into various forms of forced labour. Some are also exploited in domestic servitude or sold into sexual slavery.¹³⁹

These practices are so common that the detention centres in some cases serve to supply cheap labour to the sur-

rounding local economies. One local business reportedly recruited up to 10 persons from one of the centres. The transaction was formally registered with written contracts and there was no report of migrants receiving any payment.¹⁴⁰

Afghanistan

Afghanistan has long been marred by armed conflict and many armed groups active in the country have been involved in child trafficking for years. The United Nations documented how, between September 2010 and December 2014, the Taliban and ISIL-Khorosan Province (ISIL-KP) recruited up to 600 children for service within their ranks.¹⁴¹

The recruitment of children often occurs during attacks on schools. Children are abducted and transferred into areas under the control of these groups for military training or religious indoctrination. Children are exploited as armed combatants, and some are also compelled to manufacture improvised explosive devices and to undertake suicide attacks.¹⁴²

As for other refugees, Afghans fleeing conflict areas have been at risk of being trafficked along their journeys to safer destinations¹⁴³. A dated survey showed that traffickers deceived Afghan victims with false job offers to exploit them along the route or at destination. The study also reported that some of these victims had been trafficked for different purposes.¹⁴⁴

A different form of trafficking reported in Afghanistan relates to the practice of “bacha bazi”, which roughly translates as “dancing boys”. According to some reports, this phenomenon is generally associated with sexual exploitation.¹⁴⁵ Boys from poor families may be sold in

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135 United Nations Office on Drugs and Crime, 2018, *Global Study on Smuggling of Migrants*.

136 Interview, United Nations Support Mission in Libya, March 2018.

137 Interview, United Nations Support Mission in Libya, March 2018; Interview, Office of the United Nations High Commissioner for Refugees, 13 March 2018; International Centre for Migration Policy Development, 2017, *What are the protection concerns for migrants and refugees in Libya?*

138 Interview, United Nations Support Mission in Libya, March 2018.

139 United Nations Support Mission in Libya & United Nations Office of the High Commissioner for Human Rights, 2016, *Detained and Dehumanized: Report on human rights abuses against migrants in Libya*, pp. 16ff; Interview, United Nations Support Mission in Libya, March 2018

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140 Interview, United Nations Support Mission in Libya, March 2018.

141 United Nations Security Council, 2015, *Report of the Secretary General on Children and Armed Conflict in Afghanistan*, S/2015/336, paras 18.

142 United Nations Security Council, *Report of the Secretary-General on children and armed conflict in Afghanistan*, S/2015/336 paras. 19ff.

143 International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

144 International Organization for Migration, 2008, *Trafficking in Persons in Afghanistan – Field Survey Report*, pp. 27-40.

145 United Nations Security Council, *Report of the Secretary-General on children and armed conflict in Afghanistan*, S/2015/336 para 39; United Nations Security Council, *Report of the Secretary-General on conflict-related sexual violence*, S/2017/249; The revised Penal Code was published in the Official Gazette. It includes provisions prohibiting and criminalizing the recruitment and use of children by armed

exchange for food, clothing or money. Traffickers may also recruit boys living on the streets or market places.¹⁴⁶ In the context of conflict, these boys are often given to older, influential men such as warlords and former military commanders.¹⁴⁷ Recently, members of armed forces were reported to have trafficked three boys who were “exploited for the purposes of bacha bazi”.¹⁴⁸

Central Africa

In the context of the Central African conflicts, different armed groups have used trafficking in persons for different purposes. Women, men and children have been trafficked for exploitation in sexual slavery, forced labour or armed combat.¹⁴⁹

In the Democratic Republic of the Congo, some armed groups abduct victims and coerce them into forced labour in the extractive industry. Armed groups control many mining sites in the country, and these are used to finance their operations or for personal profits.¹⁵⁰ For instance, the *Allied Democratic Forces*,¹⁵¹ an armed group operating in the border area between Uganda and the Democratic Republic of the Congo, controls gold mines and uses forced labour to finance their activities.¹⁵² According to experts, during July and August 2017, some groups abducted up to 200 people from villages and transferred them to work in mines.¹⁵³

Armed groups in Central Africa are also trafficking children, mainly boys, into armed combat. Girls are also trafficked; recruited to serve as sexual slaves or in forced marriages for commanders and fighters.¹⁵⁴ The *Allied Democratic Forces* has been abducting children for decades.¹⁵⁵ Between the beginning of 2017 and March 2018, this armed group abducted 47 children, including 17 girls, for different forms of exploitation. In some parts of Central Africa, the abduction of children for enlistment in armed groups is particularly acute.¹⁵⁶ The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo documented one case where a mother was forced to give her daughter to members of armed groups saying “...*what we need are children and girls. Adults are no longer our priority*”.¹⁵⁷

Various forms of conflict-related sexual violence, including sexual slavery, have also been reported throughout the region. A large number of cases have shown that civilians have been abducted, held in captivity, and abused sexually for sustained periods of time.¹⁵⁸ One study describes how girls were abducted by armed groups and used as sex slaves or for forced marriages.¹⁵⁹ In one case documented by the International Criminal Court, armed groups coerced a girl into slavery and used her to carry equipment through the jungle.¹⁶⁰ In another case, fighters raped a woman during a raid on a village, transferred her to the armed

forces and a new chapter criminalizing the practice of bacha bazi. Source: United Nations Security Council, *The situation in Afghanistan and its implications for international peace and security*, A/72/768 S/2018/165, p. 24.

146 Jones, Samuel, Vincent, 2015, “Ending bacha bazi: boy sex slavery and the responsibility to protect doctrine.” *Indiana International & Comparative Law Review*, pp. 66-67.

147 United Nations Regional Information Centre for Western Europe, 2014, “The Dancing Boys of Afghanistan”, last accessed 23 September 2018, URL: <https://www.unric.org/en/latest-un-buzz/29091-the-dancing-boys-of-afghanistan>

148 United Nations General Assembly and United Nations Security Council, *Report of the Secretary-General on children and armed conflict*, A/72/361 S/2017/821, para. 22.

149 Interview, United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018.

150 United Nations Security Council, *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, S/2018/16.

151 Security Council Committee established pursuant to resolution 1533 concerning the Democratic Republic of the Congo, webpage, last accessed august 2018, URL: <https://www.un.org/sc/suborg/en/sanctions/1533/materials/summaries/entity/allied-democratic-forces-%28adp%29>

152 Titeca, Kristof, and Vlassenroot, Koen, 2012, “Rebels without borders in the Rwenzori borderland? A biography of the Allied Democratic Forces”, *Journal of Eastern African Studies*, pp. 163-4.

153 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

154 See for instance International Criminal Court, *Situation in the Democratic Republic of the Congo in the case of the Prosecutor v. Germain Katanga*, case no: ICC-01/04-01/07. 7, paras 958-9; United Nations Organization Stabilisation Mission in the DR Congo, 2015, *Girls in Armed groups in the Democratic Republic of the Congo from 2009 to 2015*, pp. 18ff.

155 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.; Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, webpage, URL: <https://www.un.org/sc/suborg/en/sanctions/1533/materials/summaries/entity/allied-democratic-forces-%28adp%29>

156 Narrative of cases recorded and shared by United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

157 *Ibid.*

158 Narrative of cases recorded and shared by United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

159 United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 2015, *Girls in Armed groups in the Democratic Republic of the Congo from 2009 to 2015*, p. 22.; United Nations Department of Peacekeeping Operations, 2009, *Review of the Sexual Violence Elements of The Judgments of the International Criminal Tribunal for The Former Yugoslavia*, The International Criminal Tribunal for Rwanda, and The Special Court for Sierra Leone In the Light of Security Council Resolution 1820, pp. 5, 58-64

160 International Criminal Court, 2014, *Situation in the Democratic Republic of the Congo in the case of the Prosecutor v. Germain Katanga*, case no. ICC-01/04-01/07. 7. Para 1014ff.

group's camp and forced her to carry out domestic chores.¹⁶¹

As for other conflicts, the forced displacement of civilians resulting from the different Central African conflicts has brought higher risks of trafficking in persons. In the Central African Republic, the humanitarian situation poses a continued challenge which also involves increased levels of vulnerability to trafficking. An upsurge in violence in 2017 resulted in a spike in the number of internally displaced persons, reaching 600,000 people across 84 sites, an increase of 50 per cent compared to the previous year. Combined with increasing numbers of refugees fleeing across borders, the total number of displaced people has surpassed 1.1 million.¹⁶² According to some reports, traffickers approach refugee camps looking for potential victims for sexual exploitation, domestic labour or forced marriage.¹⁶³ Interviews with local experts revealed that people travelling towards urban centres may also become victims of trafficking for sexual exploitation or forced labour.¹⁶⁴

The Middle East

In some parts of the Syrian Arab Republic and Iraq, lack of rule of law, forced displacement of people and humanitarian crisis expose many civilians to a risk of trafficking in persons. Some armed groups use trafficking as part of their way to spread terror among civilians. Opportunistic traffickers also take advantage of the increasing levels of vulnerability in refugee camps and informal settlements.

One report of the Special Rapporteur on Trafficking in Persons described how, in the countries hosting large refugee camps, Syrian refugees were at risk of being deceived into exploitative working conditions.¹⁶⁵ Children living within and outside of refugee camps can be exploited in street begging. The Special Rapporteur also documented that Syrian refugees have been trafficked for the purpose of the removal of organs.¹⁶⁶

Refugees fleeing conflict in the Middle East may become victims of trafficking when they transit third countries. Some victims are particularly vulnerable because of their limited resources. Their need to use smugglers to reach safe destinations brings some of them into the risk of trafficking by transnational criminal networks.¹⁶⁷

Armed groups in the Middle East have used trafficking in persons as part of their military strategies as well. For example, ISIL has abducted and indoctrinated children to support their military operations. The group recruited, trained and exploited children in combat, making use of violence and coercion. According to one study, children aged between 8 and 17 were referred to as “Cubs of the Caliphate” and radicalized to serve as fighters. Once their loyalty was tested, they were subjected to hardship and isolation. They obtained status, identity and “respect” within the armed group for carrying out progressively violent acts. Victims may also be convinced by charismatic trainers to become suicide bombers, tasked with driving explosive-laden vehicles into enemy positions.¹⁶⁸

ISIL has targeted Yazidi people, a religious minority, for trafficking for sexual slavery and domestic servitude (girls and women), as well exploitation in armed combat (boys and men). In some cases, the exploitation culminated with the sale of the victims at organized ‘slave auctions’, either back to their families, to other ISIL fighters or to others. Estimates suggest that in 2016, over 3,200 Yazidi people were in ISIL captivity.¹⁶⁹ Some 80 per cent of the captured Yazidi women and girls were sold as commodities, while the remaining 20 per cent were distributed in military camps.¹⁷⁰

161 *Ibid.* Para 1009.

162 United Nations Security Council, 2017, *Report of the Secretary-General on the Central African Republic*, S/2017/865, para 55.

163 International Organization for Migration, webpage, last accessed September 2018, URL: <https://www.iom.int/news/chad-human-trafficking-challenge-iom-report>

164 Interview, United Nations Organization Stabilisation Mission in the Democratic Republic of the Congo, 3 March 2018.

165 United Nations Human Rights Council, 2016, *Report of the Special Rapporteur on trafficking in persons, especially women and children, on her mission to Jordan*, Para 11.

166 United Nations Human Rights Council, 2016, *Report of the Special Rapporteur on trafficking in persons, especially women and children, on her mission to Jordan*, Paras 19-20.

167 United Nations Office on Drugs and Crime, 2018, *Global Study on Smuggling of Migrants*, p. 41; International Centre for Migration Policy Development, 2015, *Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq*, pp 58-9; International Centre for Migration Policy Development, 2018, *Trafficking Along Migration Routes to Europe: Bridging the Gap between Migration, Asylum and Anti-Trafficking*.

168 Speckhard, Anne & Ahmet S. Yayla, 2015, “Eyewitness accounts from recent defectors from Islamic State: Why they joined, what they saw, why they quit”, *Perspectives on Terrorism*.

169 United Nations Human Rights Council and the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2, paras. 6, 55-57.

170 United Nations Human Rights Council and the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2.

Other past and present armed conflicts

Somalia

The ongoing state-building process in Somalia is characterized by instability and political contention. Armed groups active in this environment abduct and coerce women into sexual slavery and recruit children for use in combat or support roles. Refugees escaping this armed conflict are at risk of being trafficked and used for extortion or sold as sex slaves.¹⁷¹

Trafficking of children into various armed groups has been documented throughout the country. Al-Shabaab, for example, has trafficked children for various purposes, including for armed combat and sexual slavery. The armed group Ahl al-Sunna wal-Jama'a, the Somalia National Army, clan militias and regional government forces have also recruited children into their ranks, albeit in lesser numbers.¹⁷²

Al-Shabaab is also trafficking women and girls for use in sexual slavery or forced marriage. The Special Representative of the Secretary-General for Sexual Violence in Conflict reported that in 2017, a group of women was recruited from a coastal region of Kenya and transported into territory controlled by Al-Shabaab. The women were deceived with false promises of a job but instead kept captive and exploited in marriage and sexual slavery.¹⁷³

This armed conflict has also displaced a large part of the population, thereby creating steady flows of refugees. Refugee camps in neighbouring countries and informal settlements within the country are marred with vulnerabilities, particularly related to the limited available job options. Traffickers take advantage of people's desperation and deceive them into travelling abroad, ensuring that, en route, many end up in situations of trafficking in persons.¹⁷⁴

Mali

In Mali, conflict between the government and different armed groups hampers development, safety and protection, and creates space for traffickers and armed groups to exploit individuals. The forced displacement of civilians

and limited economic opportunities strain everyday lives in the country.¹⁷⁵

Children in Mali have been trafficked by various armed groups, such as *Ansar Eddine*, the *Mouvement national pour la libération de l'Azawad* (MNLA), and the *Mouvement pour l'unification et le jihad en Afrique de l'Ouest* (MUJAO).¹⁷⁶ During the period from January 2014 to June 2017, the United Nations verified 284 cases of recruitment of children, including 16 teenage girls. The children were used as combatants or in supportive roles, such as fetching firewood or cooking.¹⁷⁷

During the occupation by the anti-government forces in the northern part of the country from 2012 to 2013, trafficking was reportedly rampant. Armed groups used trafficking in persons as a strategy to spread fear, and various forms of conflict-related sexual violence were reported.¹⁷⁸ Ethnic minorities were deliberately targeted for trafficking into sexual slavery and for forced marriage.¹⁷⁹ The International Criminal Court is, at the time of writing, prosecuting a leader of an armed group on charges of, among others, sexual slavery.¹⁸⁰

Philippines

Some parts of the Philippines have been affected by struggles between armed groups and government forces. The conflict and resulting displacement have led to increased risks of trafficking for some segments of the population.

Some armed groups have trafficked children in connection with the armed conflict on the southern island of Mindanao.¹⁸¹ In 2017, one report documented 17 verified incidents of recruitment of 71 children.¹⁸² The children were mostly exploited as "human shields", while a few were used in supportive roles. It appears that child trafficking has mirrored the intensity of the armed conflict and the detection of cases has gradually decreased in recent years.¹⁸³

171 United Nations Security Council, *Report of the Secretary-General on Somalia*, S/2017/1109, para 1; United Nations Security Council, *Report of the Secretary-General on conflict related sexual violence*, S/2017/249, paras 54-57.

172 United Nations General Assembly and United Nations Security Council, *Report of the Secretary-General on children and armed conflict*, A/72/865-S/2018/465, paras 143-150.

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183 *Ibid*.

ANNEX

ANNEX I: METHODOLOGY

The present booklet is the result of a combination of primary data collection from experts operating in field locations, examination of case narratives from international criminal tribunals, a comprehensive review and assessment of available data, and information from international organizations and peer reviewed academic journals.

Expert interviews with peacekeeping personnel in the field

UNODC Research staff have conducted interviews with experts with the aim of collecting first-hand information on how trafficking appears in conflict zones. The interviews were coordinated with the United Nations Police Division (UNPOL) and focused on the experience and perceptions of professional peacekeeping staff and experts working in the field or with relevance for trafficking in persons and armed conflict. The persons interviewed all work in armed conflicts on the agenda of the Security Council as part of peacekeeping, political, or support missions of the United Nations. Further, a few interviews were conducted with personnel of the United Nations High Commissioner for Refugees (UNHCR) and one interview with United Nations Action for Cooperation Against Trafficking in Persons (UN-ACT).

The interviews focused on the main elements of trafficking in persons: *act*, *means* and *purpose*. Special attention was granted to forms of exploitation which were considered particularly pronounced within conflict areas such as sexual slavery and recruitment of children into armed groups and how trafficking in persons have been used by armed groups. The interview questions are presented in Annex II.

In total, 12 in-depth interviews were conducted, following a semi-structured interview procedure. Each interview was captured in a written note that summarized the content of the conversations. The note was circulated to the respondents to ensure accuracy. All interview notes have been archived by UNODC and shared with the respondents.

Examinations of international criminal case law from the International Criminal Court and the ad hoc tribunals

This report includes information from the case narratives of select court cases of the International Criminal Court and the ad hoc criminal tribunals. Judgements and other

documents of the courts were reviewed in order to gain detailed insights into how crimes and atrocities unfold in their contextual settings and how certain war crimes include features resembling trafficking in persons.

Publicly available information

Publicly available information has also been reviewed, including reports and publications from the United Nations. Other sources include peer reviewed academic articles, reports from other international organizations and other open source information. Throughout the review, sources which underwent internal and external verification and review processes have been emphasized.

ANNEX II: INTERVIEW QUESTIONS

1. Can you briefly tell us what you do, and for how many years you have been posted at the present duty station?
2. Over the last 5 years have you encountered any cases of trafficking in persons in connection with armed conflict, and can you describe these?
3. Could you estimate how many cases of trafficking in persons there has been over the last 5 years, and have you noticed if the number is increasing or decreasing?
4. What are trafficking victims exposed to, and have you seen examples of any of the following:
 - (a) Forms of forced labour such as carrying equipment and material in armed groups or working in mines or extractives industries.
 - (b) Child soldiering and portering in armed groups
 - (c) Sexual exploitation and sexual slavery
 - (d) Other?
5. Do you know how victims end up in trafficking and if perpetrators, for instance, use coercion, take advantage of people in vulnerable situations, or deceive persons into something they did not originally wanted to do?
6. Are you aware of the profile of human traffickers, considering age, gender, ethnicity and nationality?
7. Specifically, can you describe how human traffickers get hold of victims and how they transport these?
8. Are you aware of recruitment or abduction of children, men or women into armed groups, and can you provide any examples?

9. From a professional point of view, which segment of the population do you consider the most vulnerable to trafficking, considering age, gender, ethnicity and nationality?
10. Do you know if victims later become traffickers themselves, and if so, how does that happen?
11. Do you find armed groups use trafficking as a deliberate strategy, can you explain how, and has that changed over the last 5 years?
12. Based on your professional experience, which contextual factors do you see influence trafficking practices and how?
13. How do you – as part of your work - react or respond on reported incidences of trafficking?

ANNEX III: LIST OF EXPERTS INTERVIEWED

- Officer in United Nations Assistance Mission in Afghanistan, 10 April 2018, 14.00-15.00, Vienna local time. Interview over skype.
- Officer in United Nations Mission for Justice Support in Haiti, Organized Crimes Unit, 9 April 2018, 15.00-16.00, Vienna local time. Interview over skype.
- Officer in United Nations High Commissioner for Refugees, 13 March 2018, 14.00-15.00, Vienna local time. Interview over skype.
- Officer in United Nations High Commissioner for Refugees, 8 March 2018, 14.00-15.00, Vienna local time. Interview over skype.
- Officer in United Nations Peacekeeping Force in Cyprus, 21 February 2018, 14.00-15.00, Vienna local time. Interview over skype.
- Officer in United Nations Mission in Liberia, 1 March, 15.30-16.00, Liberia local time. Interview over skype.
- Officer in United Nations Support Mission in Libya, UNSMIL, 26 March 2018, 15.00-16.00, Vienna local time. Interview over skype.
- Officer in United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic, 23 March 2018, 15.00-16.00, Vienna local time. Interview over skype.
- Officer in United Nations Organization Stabilisation Mission in the DR Congo, 3 March 2018. Written reply in response to questionnaire, which included sharing of documents and records by the Mission and UNODC.
- Officer in United Nations Action for Cooperation Against Trafficking in Persons, Bangkok, UN Compound, 13 December 2017, In-person interview.
- Officer in United Nations High Commissioner for Refugees, Bangkok, 14 December 2017. In-person interview.
- Officer in United Nations Integrated Peacebuilding Office in Guinea-Bissau, 21 February 2018, 10.00-11.00, Vienna local time. Interview over skype.



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In December 2016, the Security Council requested the Secretary-General to take steps to improve the collection of data, monitoring and analysis of trafficking in persons in the context of armed conflict. In response, UNODC has dedicated one of the two booklets of the *Global Report on Trafficking in Persons 2018* to provide special insight on this issue. The analysis is based on a desk review of available literature, court cases from the international criminal courts and tribunals and expert interviews with deployed United Nations peacekeeping personnel. The result is an overview of trafficking in persons directly and indirectly linked to armed conflict.

This booklet and the *Global Report* is also available at the Report webpage: www.unodc.org/glotip.



ISBN 978-92-1-130361-2



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