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*A Multidisciplinary Exploration of Human Trafficking Solutions*

# **COVID-19 and MODERN SLAVERY**

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## **Introduction**

Guest Editor

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# **Introduction to the COVID-19 and MODERN SLAVERY Issue**

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Almost 18-months on from the first official case of a novel coronavirus being reported to the World Health Organisation<sup>1</sup>, COVID-19 remains of grave concern, affecting almost every country in the world.<sup>2</sup> As this special edition shows, the global pandemic has had significant consequences for people at risk of human trafficking; those involved in trafficking; those who have survived trafficking; and those seeking to end it. The pandemic is still on-going. On the day of writing, 638,247 new cases were reported in the last 24-hours across the globe, and almost 3.5 million people have died (13,247 in the last 24-hours)<sup>3</sup>. We are a long way from properly understanding the multiplicity of ways in which COVID-19 has, and will continue to, affect human trafficking and the global community's efforts to end it by 2030 in line with the Sustainable Development Goals. This special edition highlights some of these effects, in a range of countries and sectors.

Trafficking – like the pandemic – is a global issue, and the effects of COVID-19 in one country can have significant knock-on effects in a range of others. For instance, as researchers in this special edition show, the economic impact of “lockdowns” and resulting economic downturns in wealthier countries has significant impacts on employment in other countries which rely on exports, as well as on migrant labourers. Similarly, closing borders in one country may result in trafficking routes being re-directed to others, or changing to being domestic rather than transnational. NGOs and researchers working in several countries to further efforts to end trafficking have been impacted by travel bans, “stay-at-home” orders, and curfews, as well as – in many cases – a significant rise in demand for their services. As cases featured in this special edition show, practitioners, researchers, survivors, and people at risk have responded to the pandemic in a range of creative and innovative ways – as, sadly, have traffickers.

As Hanley and Gauci note in their article in this special edition, “early analysis indicates that the COVID-19 pandemic, the emergency public health measures, and the consequent socio-economic context have increased individual vulnerability to human trafficking”. As Thinyane

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<sup>1</sup> <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/novel-coronavirus-2019-ncov>.

<sup>2</sup> To date, American Samoa, Cook Islands, Democratic People's Republic of North Korea, Kiribati, Micronesia, Nauru, Niue, Palau, Pitcairn Islands, Saint Helena, Tokelau, Tonga, Turkmenistan and Tuvalu have reported no cases of COVID-19. <https://covid19.who.int/table>. Last accessed 21.5.21.

<sup>3</sup> <https://covid19.who.int/table>. Last accessed 21.5.21.

and Gallo explain, “[a]n estimated 1.6 billion workers ... had their earning capacity disrupted as a result of COVID-19, potentially pushing them into further precarity and vulnerability to abuse”. Workers have taken on more debt, increasing the risk of debt-bondage and trafficking; school closures and the global economic downturn have put financial pressure on families and increased the risks of child labour; buyers – particularly of personal protective equipment and medicines – have reduced their scrutiny of supply chains, giving employers greater latitude for exploitation; in other areas, workers have been forced to work without pay to maintain the profitability and on-going existence of firms; and the opportunity for auditing and inspections has dramatically decreased. Many of the researchers included in this special edition conclude that existing vulnerabilities have been exacerbated, and new ones have been created. Several also highlight how this has particularly affected women. There have also been significant impacts on those working to end trafficking, and on survivors and those working to support them.

In this special edition, researchers and practitioners share their findings regarding this increased vulnerability to human trafficking, and other forms of labour exploitation, in a range of sectors and settings. Chazal and Raby look at the impact on identification of victims in Australia; Byrne et al explore the impact on workers in India; Hansen et al consider the effects on workers in the Ready-Made Garment Industry in India and Bangladesh; Sahai et al chart the impact on Overseas Labour Recruitment in Bangladesh, while Neizna et al consider migrant workers in Israel. Keaveney et al explore the impact on commercial sexual exploitation in Maharashtra, India, while Ewen takes a more global view of the effect on sex-workers, and Hanley and Gauci provide an excellent overview of all the issues.

Chazal and Raby note that reliance on police to identify victims of trafficking in Australia, and refer them to relevant statutory bodies meant that when police resources were diverted into the large-scale COVID-19 emergency response, police had much less capacity, resulting in under-identification of victims. (Which is already a significant problem in anti-trafficking efforts.) Relatedly, McGaughey looks at the extent to which the pandemic has provided a “get out of jail free” card to Australian companies regarding their obligations under the Modern Slavery Act, arguing that modern slavery risks have increased due to COVID-19 and its impact on supply-chains (and the urgent demand it caused for supplies of personal protective equipment), and that firms have widely reported reduced capacity to fully execute planned modern slavery risk assessments, training, and audit activities. Firms re-directed efforts from modern slavery mitigation to COVID-19 mitigation; responses to inquiries from suppliers who had been flagged as being a modern slavery risk were delayed or not made at all due to the pandemic; and planned training and audits were postponed. This means people at risk, who might have been spotted by measures undertaken by Australian organisations, have most likely not been spotted, even as their risks increased because of COVID-19, and future efforts to end modern slavery are being retarded, even as the problem has been exacerbated due to the global pandemic. More broadly, Hanley and Gauci highlight the weaknesses the pandemic has revealed in existing legal frameworks for tackling trafficking and supporting survivors. They note that National Referral Mechanisms and law enforcement investigations have often “buckled” under the strain, showing they were not designed to cope with emergency situations, and remind us that they may not have been fit for purpose even before the pandemic. They urge states to encourage greater cooperation between relevant bodies, secure robust funding and resource allocation

which will not be diverted in the case of future exogenous shocks, and to commit to prioritise anti-trafficking efforts, even in terms of national – and international – crisis.

Hansen et al note the rapidity with which firms moved to mitigate their financial liability for losses caused by COVID-19, leaving many garment-workers unemployed, not even paid for their most-recent labour, and extremely vulnerable to trafficking. Global supply chains, particularly those which involve informal factories, mean suppliers have very few options for enforcing payment from buyers; and workers have even less power to compel payment they are owed, or insist on their rights regarding severance or sick pay. Moreover, the cost of living has increased due to COVID-19 – not least the need to buy hand sanitiser, personal protective equipment like masks, pay for medicines and health treatment, and secure supplies of soap and water. (Byrne et al report similar findings in India.) Furthermore, workers who have been employed have been at increased risk of infection due to unsafe working conditions, and face further exploitation in the form of working longer hours for no, or little, extra pay. This is compromising workers' mental and physical health. Precarity, and the lack of work, means those who are working are putting up with unsafe conditions, harassment, lower wages and longer hours.

Relatedly, Ewen highlights the risks faced by sex-workers across the globe, even in countries where their work is not criminalised, through the closure of likely places of work, the move to working “online”, unsafe working environments (which sex-workers may have little power to improve) leading to increased likelihood of infection by COVID-19, and taking loans from criminal gangs. Keaveney et al have some similar findings from India: demand for in-person sex has dropped, but demand for virtual sex has grown, though they think this change will be short-lived. However, web- and app-based mechanisms for recruitment, solicitation, and payments for in-person sex are likely to continue to increase, and the locus of in-person sexual engagements may move from centralised red-light districts to less visible locations. Both trends will make it more difficult to identify, investigate and shut-down commercial sexual exploitation. Vulnerability to commercial sexual exploitation has increased dramatically, an increase which is likely to continue post-pandemic. Price-deflation puts people at further risk of exploitation and physical harm in future. Byrne et al note the drop in demand for sex-work experienced by some sex-workers in Bangalore during the pandemic (with resultant repercussions on income, and therefore on vulnerability to exploitation and trafficking among other issues).

Sahai et al consider the impact on Overseas Labour Migration from Bangladesh, particularly to countries in the Gulf Cooperative Council. The pandemic has increased migrant workers' vulnerability to forced labour, human trafficking and modern slavery, as well as to COVID-related health risks. Workers are less able to switch jobs or negotiate working conditions, leading many to be vulnerable to in-work exploitation. Many are unable to return home, given debt, unemployment, and restrictions on travel. Workers who are laid off, or forced to go part-time, therefore, have very few options for increasing employment, or repatriation, meaning they face destitution and are increasingly vulnerable to trafficking and other forms of exploitation. Female domestic workers, in particular, are also facing stringent limitations on their liberty, increased hours, and health risks associated with caring for those who are infected with COVID-19 (often without proper personal protective equipment). They face physical and psychological harm if they refuse to work longer, and in more dangerous conditions. The

economic situation in Bangladesh which COVID-19 has caused, however, means even those who do manage to return are also vulnerable to health-risks, discrimination, and to exploitation including trafficking. This is particularly the case for returning female migrant workers, many of whom are stigmatised because of the assumption they must have been sex-workers when abroad.

Niezna et al highlight similar issues for non-citizen workers in Israel, particularly those working in care, construction, and agriculture. For instance, migrant care workers – who are already excluded from labour legislation around limits on working hours and overtime pay – have been forced to remain in their employers' homes even on their ostensible day(s) off because of “stay-at-home” restrictions, with their employers empowered by the government to “inspect” who they met, and what they did, on any “days off” outside their place of work. Workers in construction faced similar limitations on their freedom of movement and ability to leave their place of work, even out of working hours. They, and agricultural workers, were often therefore unable to leave poor-quality accommodation, increasing their health-risks. All three groups, however, appear to have continued to be able to work, unlike asylum seekers, who have faced mass unemployment and have no recourse to government support. This has left many asylum seekers in Israel destitute, which as well as being bad in itself, leaves them more vulnerable to exploitation and trafficking.

Byrne et al also highlight similar issues for garment- and domestic-workers in India, many of whom have moved to large cities from rural locations for work, and found themselves facing destitution as a result of unemployment, far from home with few to no support networks. People were also struggling to meet the cost of health-care (for COVID-19, and other issues), and risking ill-health through an inability to buy food, fuel, medicines or protective clothing, and to access clean water. Women, and particularly pregnant women, faced discrimination and increased risks of unemployment, leading to further health-risks as they could no longer afford vital pre- and post-natal care. Workers – again, mainly women – also faced age-discrimination (based on the view that older people were more likely to contract COVID-19). Participants reported increased violence in their homes; “quarrels” and “tension”; marriages and relationships breaking down; and other negative effects on mental health. As well as being bad in their own right, all of these issues can lead to people moving into areas of work where their vulnerability to trafficking is increased.

Ewen also considers the impact of traffickers, arguing that they exploit economic hardship, which COVID-19 (directly and indirectly) has caused a great deal of. This is particularly the case for sex-workers (the focus of her study) where their usual places of employment (e.g. hotels, bars, nightclubs) have been closed or affected by curfews as part of public-health measures; and/or where they have been deliberately denied access to government funds (or not included in government schemes for financial support during COVID-19, even where sex-work is legal). This has made people more vulnerable to predation by traffickers (and, we might add, particularly in online spaces, other criminals, such as blackmailers and identity-thieves). Responses to COVID-19 may also have increased the demand for some forms of sex-work (particularly on-line), creating new areas for traffickers to exploit in a variety of ways.

The pandemic has also affected survivors of human trafficking in various ways. Chazal and Raby chronicle the impact on access to support services in Australia; Cordisco-Tsai et al are concerned with the impact on survivors of human trafficking in the Philippines; and Brady et al

report on their work with survivors in Kenya. Chazal and Raby note that public health measures in Australia led to the closure of many service-providers, leaving victims with nowhere to go to report abuse. They also report a dramatic decline in referrals made by the Australian Federal Police to the government-funded Support for Trafficked People Program, and relate this to the change in the focus of police resources, and increased demand on police capacity, during the pandemic. Furthermore, the pandemic negatively impacted the mental and physical health of victims, who were often in precarious positions even before the pandemic regarding physical and financial resources. Service-providers have had to try to provide more services (including emotional support), and have struggled to meet some basic needs (e.g. housing and food) because of pandemic-related restrictions. Cordisco-Tsai et al report on four main areas of concern for survivors: loss of employment, food insecurity, mental health concerns, and an escalation in crisis incidents (including violence in the home, and suicidal thoughts). Worries around meeting basic needs far outweighed their concern about catching COVID-19 itself. These findings highlight the precarious position of many survivors of trafficking, and their continuing vulnerability to exploitation and re-trafficking particularly in times of global (or even local) crisis. Similarly, survivors working with Brady et al in Kenya reported that they had lost their primary source of income during – and because of – the pandemic; significant physical and mental health concerns (including feeling isolated, anxious and depressed); and an increase in responsibilities.

Lastly, the pandemic has affected researchers and practitioners working to end human trafficking, and/or improve our understanding of this crime, its causes, and its effects. Not all these impacts have been negative – and this special edition ends with some consideration of positive findings from research during this pandemic on anti-trafficking efforts. Thinyane and Gallo report on their experiences of remotely gathering data on working conditions in a safe and robust fashion in East Africa and the Asia-Pacific, Brady et al share their findings regarding the possibilities of ethical research done remotely, and Byrne et al explain how they trained practitioners to record the testimony of community narrators through online workshops. Thinyane and Gallo and Brady et al used apps and software on mobile phones, and Byrne et al and Brady et al used online workshops, exploring ways in which those at risk, and survivors, can meaningfully and ethically contribute to anti-trafficking efforts and research even when in-person meetings, and travel, are severely curtailed by a global pandemic.

This special edition brings together researchers and practitioners from, and working in, a wide range of countries across the world, and on a wide range of sectors. Their work shows how many different methods and disciplines are of use in helping us to understand, and effectively combat, human trafficking. Many have worked with in-country partners, often from local NGOs, and these articles highlight the importance of trusted, ethical partnerships between researchers and practitioners “on-the-ground” in order to conduct robust research and learn about efficacious, sustainable ways to end trafficking. Many, of course, have also worked with those at risk, and with survivors (some of whom are at significant risk of re-trafficking due to the pandemic). Much vital work in this area would be impossible without the participation, engagement, and support of those most intimately and directly affected by trafficking, and this introduction affords the opportunity, on behalf of all the research teams whose work is included here, to thank all the stakeholders – most importantly survivors and those at risk – for their support in helping us

better-understand trafficking, and work together to end it. It is imperative that all anti-trafficking researchers continue to ensure we work in equitable, ethical and non-extractive ways.

As many researchers included in this special edition note, the effects of the COVID-19 pandemic may be very long-lasting. Employment sectors, for instance, which have been significantly hit by loss of orders will not necessarily re-open soon; workers who have moved to find work, or returned home because of unemployment, will not easily find the resources to move to where there is work (if there is work) again soon without becoming indebted or financially vulnerable in other ways; people (most frequently women) who have moved into sex-work as their other employment has dried up may not be able to move back into other forms of employment because of social stigma, ill-health caused by their new form of work, and/or pregnancy/parenthood. People who have moved into working in sectors which are illegal (e.g. sex-work in many countries); people who are homeless; and people who have become indebted as a result of COVID-19 and the connected economic downturn, may already be subject to trafficking, with long-term negative consequences. The research spotlighted in this special edition shows both what the increased risks are, and offers some helpful suggestions for all stakeholders as to how to combat them, though this will not be easy.

The pandemic is likely to have set back efforts to end human trafficking, forced labour, and other forms of exploitation by 2030 in line with the Sustainable Development Goals. Efforts will need re-doubling as the world emerges from the pandemic. It is imperative that whatever “new normal” we “return” to post-COVID is *not* one where trafficking and exploitation are “normal”.