

CONCEPT NOTE

Contemporary Slavery and Racial Discrimination: Civil Society Support to Survivors during the Global Pandemic

Webinar on the International Day for the Abolition of Slavery
2 December 2020, 12:00 – 13:30

Organizers and Sponsors:

- United Nations Voluntary Trust Fund on Contemporary Forms of Slavery
- Geneva Academy of International Humanitarian Law and Human Rights, the Geneva Human Rights Platform
- United Kingdom of Great Britain and Northern Ireland

Speakers:

- UN High Commissioner for Human Rights, Ms Michelle Bachelet (video message)
- UN Special Rapporteur on Contemporary Forms of Slavery, Mr Tomoya Obokata
- UN Committee on the Elimination of Racial Discrimination, Member, Ms Tina Stavrinaki
- Representatives and beneficiaries of civil society organizations (Brazil, Bosnia and Herzegovina, and Lebanon)

Languages, platform and social media:

- English (interpretation to Arabic, French and Spanish)
- Zoom platform, live streamed on OHCHR Facebook page and Geneva Human Rights Platform YouTube channel
- Part of OHCHR **#FightRacism** campaign

Objectives:

1. Explore the links between contemporary forms of slavery and discrimination due to race, colour, descent, national or ethnic origin and highlight the exacerbated risks faced by racially discriminated groups of becoming victims of contemporary slavery;
2. Bring attention to the disproportionate social and economic impact of COVID-19 on racially discriminated groups subjected to contemporary slavery due to rising poverty and inequality;
3. Raise awareness about the growing needs of slavery survivors during the global pandemic for humanitarian aid, medical care, psychological rehabilitation, social reintegration, income-generating support and legal recourse and identify best practices of civil society organizations to fill gaps in State services.
4. Highlight the essential role of the United Nations Voluntary Trust Fund on contemporary forms of slavery to enable holistic services for victims of slavery, support marginalized communities, empower survivors and bolster civic space.

Programme

Introduction
<p>Welcoming remarks:</p> <ul style="list-style-type: none"> • Mr. Felix Kirchmeier, Executive Director, Geneva Human Rights Platform, Geneva Academy of International Humanitarian Law and Human Rights (co-moderator) • Mr. Danwood Mzikenge Chirwa, Chair, Board of Trustees, UN Voluntary Trust Fund on Contemporary Forms of Slavery • Ms Rita French, United Kingdom Deputy Permanent Representative to the UN in Geneva and International Ambassador for Human Rights (co-moderator)
<p>Video message:</p> <ul style="list-style-type: none"> • Ms. Michelle Bachelet, United Nations High Commissioner for Human Rights
Presentations from civil society and United Nations
<p>Migrant domestic workers: Anti-Racism Movement (Lebanon)</p> <ul style="list-style-type: none"> • Ms Tsigereda Brihanu, former domestic worker, co-founder and Project Manager of Egna Legna • Ms. Rahaf Dandash, Case Worker
<p>Links between contemporary slavery and racial discrimination</p> <ul style="list-style-type: none"> • Ms Tina Stavrinaki, Member, UN Committee on the Elimination of Racial Discrimination
<p>Trafficking of minority women and children: Medica Zenica Association (Bosnia and Herzegovina)</p> <ul style="list-style-type: none"> • Ms Irma Šiljak, Programme Officer
<p>The COVID-19 impact on specific groups subjected to contemporary slavery</p> <ul style="list-style-type: none"> • Mr. Tomoya Obokata, UN Special Rapporteur on Contemporary Forms of Slavery
<p>Forced labour in the textile industry: Centro de Apoio e Pastoral do Migrante (Brazil)</p> <ul style="list-style-type: none"> • Mr. Roque Renato Pattussi, General Coordinator,
<p>The UN Voluntary Fund on Contemporary Forms of Slavery: a vehicle for empowerment:</p> <ul style="list-style-type: none"> • Ms. Vibhawari Kamble, Associate Human Rights Officer and former Fund's Fellow, OHCHR
Discussion and Conclusion
Questions and Answers
Concluding remarks

Background

Introduction

More than 40 million people are trapped in modern slavery today, including 24.9 million in forced labour.¹ Many victims of contemporary forms of slavery are subject to discrimination due to race, colour, descent, nationality or ethnic origin. The 2001 Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) played a crucial role in acknowledging² the historical implications of racism on slavery. Furthermore, the Sub-Commission on the Promotion and Protection of Human Rights, passed a resolution requesting WCAR to focus on linking contemporary forms of slavery and racial and other discrimination based on descent.³ The complex linkage remains crucial for understanding and tackling slavery that persist today. The COVID-19 pandemic and its socio-economic impact is exacerbating these intersecting vulnerabilities.

On 2 December 2020, the International Day for the Abolition of Slavery, the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the Geneva Human rights Platform of the Geneva Academy of International Humanitarian Law and Human Rights will host a webinar to highlight the intersectionality between contemporary forms of slavery and racial discrimination. The event will bring together the lived experience of civil society practitioners combatting slavery on the ground with the global perspective and normative framework of leading UN experts. The webinar aims to bring attention to racial discrimination as one of the root causes and drivers towards slavery-like practices and to identify appropriate measures to respond to the rising needs of victims of slavery and racial discrimination in the context of the global pandemic.

Contemporary slavery and racial discrimination

Slavery victims are often from minority, indigenous and other marginalized groups, subjected to some form of racial discrimination⁴. The most recent Report of the Special Rapporteur on contemporary forms of slavery about the impact of COVID-19 slavery⁵ indicated that groups affected by intersecting forms of discrimination are more susceptible to fall into slavery.

¹ International Labour Organization, Forced labour, modern slavery and human trafficking, available at <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

² World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, 2001 pg 31-38, available at: <https://www.un.org/WCAR/durban.pdf>

³ Economic and social council, Report of the sub-commission on the promotion and protection of human rights on its fifty-third session, 20021, pg. 38, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G01/161/35/PDF/G0116135.pdf?OpenElement>

⁴ Racial discrimination is defined in accordance with CERD convention as: “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.” International Convention on the Elimination of All Forms of Racial Discrimination (CERD), Article 1. Available at <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>

⁵ Report of the Special Rapporteur on contemporary forms of slavery: Impact of the coronavirus disease pandemic on contemporary forms of slavery and slavery-like practices, A/HRC/45/8, available at: <https://undocs.org/A/HRC/45/8>



For example, the vast majority of people in debt bondage in South Asia belong to minority groups and are targeted due to their social origin. In Latin America, indigenous peoples are disproportionately affected by forced labour and debt bondage. In some African countries where descent-based slavery is practised, slavery status is ascribed at birth along ethnic or sometimes racial lines. In Europe, child marriage and child labour are often connected with Roma ethnic minorities. The vast majority of people trafficked to North America, Europe, the Middle East and other regions are migrant workers belonging to traditionally discriminated backgrounds in their countries.⁶

Decent-based slavery continues to persist in the world today in number of countries. These old forms of slavery are embedded in traditional beliefs and customs as a result of long-standing discrimination against the most vulnerable groups in societies.⁷ A disadvantaged social position and lack of access to economic resources forces victims of traditional slavery from generation to generation into forced and bonded labour, servitude, worst forms of child labour, and forced prostitution.

Socio-economic impact of COVID-19 on slavery

The global pandemic has aggravated these long-standing structural inequalities. Groups in vulnerable situations are more exposed to the virus itself and to its economic fallout. Slavery victims already contending with restricted freedom of movement and exploitation are now facing additional risks. Self-isolation, physical distancing and hygiene are not an option in overcrowded slums, factories and on the streets. Access to health care is scarce, as public health officials and social workers prioritise COVID response and organizations running shelters and schools struggle to operate as emergency legislation erodes civic space in some countries. The surge of global unemployment is increasing the supply of vulnerable populations in search of economic opportunity. Increased poverty, food shortage, mass unemployment, high debt and cuts in public services create opportunities for traffickers offering rapid ‘underground’ work in construction or agriculture. School closures around the world will likely increase the worst forms of child labour and forced marriage; families with their livelihoods destroyed may be pressed into bonded labour for survival. As the economic fallout of the pandemic deepens, the global community can anticipate that millions more may fall prey to modern slavery.

The Committee on the Elimination of Racial Discrimination (CERD) observed that the implementation of measures taken to contain the spread of the COVID-19 may disproportionately have a negative effect on the enjoyment of human rights by specific groups that face structural racial discrimination and its gender-related dimension. This includes the right to work and to favourable conditions of work, social security, and an adequate standard of living, among others.⁸ Persons belonging to racial and ethnic groups are among the main groups at risk, due to their lower socio-economic status, unequal access to adequate medical care, and entrenched exclusion and discrimination, making them particularly vulnerable to COVID-19.⁹

⁶ Anti-Slavery International, *Discrimination and slavery in the 21st century*, 2008, Pg 9-25, available at: <http://www.antislavery.org/wp-content/uploads/2017/01/arresteddevelopment.pdf>.

⁷ Report of the Special Rapporteur on contemporary forms of slavery, “promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”, A/HRC/9/20, pg 6, available at: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/9/20

⁸ OHCHR, *Racial Discrimination in the context of the COVID.19 pandemic*. Available at https://www.ohchr.org/Documents/Issues/Racism/COVID-19_and_Racial_Discrimination.pdf

⁹ *ibid*



The UN Special Rapporteur on Contemporary Forms of Slavery also reported that the multifaceted social and economic impacts of the pandemic have caused a deterioration to the precarious situation of slavery survivors. He further noted an exacerbated risk of specific groups to be subjected to slavery and related practices due to the “close interconnection between the rising levels of poverty, the unprecedented unemployment rates and deepening inequalities and the vulnerability to exploitation and abuse.”¹⁰

Civil society organizations supported by the UN Slavery Fund also indicated¹¹ that the pandemic has fuelled further incitement of hatred and violence, particularly towards victims of sexual exploitation and migrant workers and that the later were being stigmatized as carriers of the virus. They also noted that certain measures to contain COVID-19 had a negative impact on labour conditions for certain groups, particularly migrant workers, domestic workers, and minority groups.

The role of civil society and the UN Voluntary Trust Fund on Contemporary Forms of Slavery

In this context, civil society organizations around the world are combatting slavery and racism and assisting survivors subjected to such violations who need a helping hand to recover. They play an important role in advocating the rights of the victims and addressing the root causes of the issue both at national and international level. Civil society organizations are often filling essential gaps in State services, providing basic sustenance, secure social bonds and the foundations of an autonomous life in freedom. They help empower survivors by providing them access to vocational training so that they may re-gain self-sufficiency and their livelihoods.

The role of the UN Voluntary Trust Fund on Contemporary Forms of Slavery to support these organizations is essential. In the time of these additional challenges posed by the pandemic, the Fund’s support to victims of slavery is crucial. The Fund enables civil society to provide direct assistance in form of psychosocial care, medical treatment, educational support and legal representation to survivors. It also provides humanitarian support including food, shelter houses, hygiene kits and other essential goods that are crucial in these times. The Fund has over the years produced a tangible impact for survivors and has empowered many of them and other actors in their fight against contemporary forms of slavery. Since its establishment by the General Assembly in 1991 (resolution 46/122), the Fund has awarded more than \$8 million USD via more than 730 grants in 104 countries. Only this year, 15,000 survivors of contemporary forms of slavery in 33 countries are benefitting from 37 grants awarded by the UN Slavery Fund.

¹⁰ Report by Special Rapporteur on contemporary forms of slavery, “Impact of the coronavirus disease pandemic on contemporary forms of slavery and slavery-like practices”, A/HRC/45/8, available at: <https://undocs.org/en/A/HRC/45/8>

¹¹ UN Slavery Fund survey of its 37 grantees, conducted in May 2020.

Biographies:

Organizers and co-moderators

Ms Rita French was appointed the United Kingdom Deputy Permanent Representative to the UN in Geneva and International Ambassador for Human Rights in May 2019. She began her career in the Civil Service as an economist at HM Revenue and Customs, held policy roles at HM Treasury and worked on a joint review with the Department for Transport. She also worked in the private office of the then Chancellor of the Exchequer as his speech writer. Ambassador French was Principal Private Secretary to the Secretary of State for Culture involved in the London 2012 Olympics. In her last role, Rita was Director for Media and was Senior Responsible Officer for the BBC and Ofcom. She coordinated the government's response to the Leveson phone-hacking inquiry and delivered an ambitious change programme for Department for Digital, Culture, Media and Sport.

Mr. Felix Kirchmeier is the Executive Director of the Geneva Human Rights Platform, Geneva Academy of International Humanitarian Law and Human Rights. In his current role, he oversees the conceptualization, development and implementation of policy research at the Geneva Academy. Before taking up his current position, he worked at Friedrich-Ebert-Stiftung where he served as Senior Programme Officer for Human Rights and Development and Focal Point for international human rights projects. There he organized conferences on the development of human rights law and coordinated training on international human rights mechanisms in Geneva and in the field. Mr. Kirchmeier holds a master's degree in Political Science from the University of Freiburg.

Mr. Danwood Mzikenge Chirwa, from Malawi, is the current Chair of the Board of Trustees of the UN Voluntary Trust Fund on Contemporary Forms of Slavery and has been a member since 2017. He is a professor in public law at, and a former Head of, the Department of Public Law at the University of Cape Town. He has also worked with a variety of international and African non-governmental organizations. Mr. Chirwa is the former Secretary-General of the African Network of Constitutional Lawyers, and has served as a member of board of directors for a number of organisations including the Open Democracy Advice Centre, the Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN), and the Socio-Economic Rights Institute of South Africa (SERI). He is the author of various publications on international law, in particular children rights.

Video message

Ms. Michelle Bachelet Jeria took up her functions as the United Nations High Commissioner for Human Rights in September 2018. Ms. Bachelet was previously elected President of Chile on two occasions (2006 – 2010 and 2014 – 2018). She was the first female president of Chile. She served as Health Minister (2000-2002), as well as Chile's and Latin America's first female Defence Minister (2002 – 2004). During her presidential tenures, she promoted the rights of all but particularly those of the most vulnerable. Since the early 1990s, Ms. Bachelet has worked closely with many international organizations. Among other achievements, in 2011, she was named the first Director of UN Women. Michelle Bachelet has a Medical Degree in Surgery, with a specialization in Pediatrics and Public Health.



United Nations

Ms. Vibhawari Kamble has served as Associate Human Rights Officer at the Office of the High Commissioner for Human Rights (OHCHR), in the Secretariat of the UN Voluntary Fund on Contemporary Forms of Slavery and the UN Voluntary Fund for Victims of Torture, since 2018. In 2014, she was selected for the Fund's Fellowship Programme, becoming the first Dalit woman to work at the OHCHR in Geneva. Prior to joining the Office and since 2009, she worked with several civil society organizations advocating for the rights of excluded communities in India, in particular Dalits. Her work included campaigning to eradicate caste-based occupations, such as manual scavenging, at the national and international levels. She coordinated a national march that covered 200 districts of 18 States of India and led to the liberation of 50,000 women from manual scavenging practices. Ms. Kamble holds a Master's degree in Social Work from Tata Institute of Social Science, Mumbai, India.

Mr. Tomoya Obokata is a Japanese scholar of international law and human rights, specialising in transnational organised crime, human trafficking and modern slavery. He initiated his term as the Special Rapporteur on contemporary forms of slavery, including its causes and consequences in May 2020. He currently serves as Professor of International Law and Human Rights at Keele University, and previously taught at Queen's University Belfast and Dundee University. He has extensive experience includes the UK Parliamentary Joint Committee on Human Rights, the Northern Ireland Assembly All Party Group on Human Trafficking, the United Nations Office of Drugs and Crime, the International Organisation for Migration and the European Union. Mr. Obokata also worked as a legal clerk for the United Nations High Commissioner for Refugees in Japan.

Ms. Tina Stavrinaki from Greece is a researcher and teaching assistant at the Law Department of the University of Cyprus. She has worked as a legal and research officer with the National Human Rights Institution in Greece, the UNHCR and the Marangopoulos Foundation for Human Rights. She co-founded and coordinated until 2019 the Racist Violence Recording Network, a widely recognized best practice in building synergies between human rights institutions, civil society and national authorities to combat racism and hate crimes. In her current postdoctoral research, she examines the development of States' obligations under international human rights law in ensuring justice for victims of hate crimes and hate speech. Since January 2020, she serves as an independent expert the 18-member UN Committee on the Elimination of Racial Discrimination (CERD) for a term of 4 years.

Civil society

Anti-Racism Movement (Lebanon) runs a community centre for migrant domestic workers. The organization assists 35 migrant women originating from the East and West Africa, as well as South Asia, who are subjected to forced labour and domestic servitude under the Kafala (sponsorship) system. With the grant of the UN Slavery Fund, Anti-Racism Movement is providing them with legal representation, social assistance and psychological support.

Ms Tsigereda Brihanu is an activist and a former migrant worker from Ethiopia, who has been working in Lebanon for almost seven years. She received assistance from the Anti-Racism Movement. Ms. Brihanu is the co-founder and the Projects Manager at Eгна Legna, a community-based, feminist activist

organization working on migrant domestic workers' issues and general women's issues in Lebanon and Ethiopia.

Ms Rahaf Dandash is a caseworker at the Anti-Racism Movement, where she is responsible for supporting migrant domestic workers in cases of labour exploitation, violence, abuse, detention, medical needs and racial and sexual harassment. She is a human rights defender with almost three years of experience in the issues of migrant workers and the sponsorship system.

Association Medica Zenica (Bosnia and Herzegovina), based in the region of Zenica, provides comprehensive support and shelter to victims of contemporary forms of slavery and potential victims of trafficking in human beings who come from families in vulnerable circumstances and marginalized groups, including the Roma community. With the grant of the UN Slavery Fund, the organization assists 12 survivors of trafficking through legal support and counselling, provision of shelter, occupational therapies and vocational training.

Ms Irma Šiljak, has a background in English language and Literature and is a UN Gender Equality Fellow. She has been engaged with the Medica Zenica Association for 12 years. As a program officer, she works on the implementation of the organization's project to assist survivors of contemporary slavery and trafficking. She also conducts educational trainings with children, youth and adult professionals on the topics of human rights, gender equality and international standards for the protection of survivors.

The Centro de Apoio e Pastoral do Migrante (Brazil) is providing legal and humanitarian assistance and vocational training to migrants, coming largely from Latin American and African countries, who are subjected to forced labour mainly in the textile industry. With the grant of the UN Slavery Fund, the organization assists 80 beneficiaries. In addition, the organization maps conditions in garment factories and runs awareness activities on the rights of migrants subjected to forced labour.

Mr Roque Renato Pattussi has been working for more than 35 years in the area of migration and discrimination. Since 2002 his work at CAMI focuses on forced labour and human trafficking, particularly working with Bolivian migrants in São Paulo, who are subjected to forced labour in the textile industry. He has extensive experience in advocacy at the national level on the rights of migrants subjected to forced labour. He studied theology and philosophy.