



## Submission to the Special Rapporteur on trafficking in persons, especially women and children

Submitted by the Commonwealth Human Rights Initiative,  
Vanuatu Human Rights Coalition and Homes of Hope Fiji

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### Introduction

The **Commonwealth Human Rights Initiative (CHRI)**, **Vanuatu Human Rights Coalition**, and **Homes of Hope Fiji** welcome this opportunity to respond to a call for inputs from the Special Rapporteur on trafficking in persons, especially women and children, to inform her upcoming report on trafficking of persons in the context of climate change, to be presented at the 77th Session of the General Assembly in October 2022.

This submission is based on CHRI's position as Secretariat to the **Commonwealth 8.7 Network**,<sup>1</sup> a global network of over 70 civil society organisations from across the globe united by a shared vision to eradicate contemporary forms of slavery and human trafficking, as well as the direct experience and expertise of the Vanuatu Human Rights Coalition and Homes of Hope Fiji, members of the 8.7 Network. This submission reflects local experiences of climate change and its impact on human trafficking in the Pacific. It underscores how women and girls are particularly vulnerable to climate-induced trafficking, highlights good practices, and proposes recommendations to ensure States comply with their human rights obligations.

### Response to intersection of climate change and trafficking in persons

#### *i. The climate change - human trafficking nexus*

Of the over 40.3 million people that are living in contemporary forms of slavery globally,<sup>2</sup> around 50,000 are victims of trafficking in persons.<sup>3</sup> Of this last figure, around one third are children, five out of ten are

<sup>1</sup> See generally, <https://www.commonwealth-87.org/>.

<sup>2</sup> International Labour Organization (2017), "Global estimates of modern slavery: Forced labour and forced marriage International Labour Office", p.9. Available at: [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf).

<sup>3</sup> UNODC, "Human Trafficking Facts". Available at: <https://www.unodc.org/unodc/en/human-trafficking/faqs.html>

women, two out of ten are girls,<sup>4</sup> and a significant number are migrants.<sup>5</sup> Climate change is a key driver of human trafficking:<sup>6</sup> by increasing levels of poverty and inequality, and by forcing the displacement of people, it exacerbates vulnerability of exploitation.<sup>7</sup> Twenty-five out of 54 Commonwealth member States are small island developing states (SIDs) - accounting for 66% of the total SIDs globally- which are particularly vulnerable to the effects of climate change.<sup>8</sup> In the Pacific region, SIDs are being hit hard by the effects of climate change,<sup>9</sup> and contemporary forms of slavery, such as forced labour and forced marriage, are already pervasive.<sup>10</sup> The former UN Special Rapporteur on contemporary forms of slavery noted: ‘In the Asia-Pacific region, already the region with the highest estimated absolute prevalence of contemporary forms of slavery and forced labour, the interlinkage between vulnerability to exploitation and climate change may become more apparent.’<sup>11</sup> For instance, the Tropical Cyclone Yasa<sup>12</sup> and Tropical Cyclone Ana,<sup>13</sup> which hit Fiji in December 2020 and January 2021, respectively, destroyed entire villages and crops, forcibly displacing people, and putting them at risk of trafficking.<sup>14</sup>

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<sup>4</sup> UNODC (2020), “Global Report on Trafficking in Persons”, p.9. Available at:

[https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf)

<sup>5</sup> Statistics vary in accordance to the region: 65 % in Western and Southern Europe, 60 % in the Middle East, 55 % in East Asia and the Pacific, 50% in Central and South-Eastern Europe, and 25 % in North America, according to: UNODC (2020), “Global Report on Trafficking in Persons”, p.9. Available at:

[https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf)

<sup>6</sup> Anti-Slavery International (2021), “Climate-induced migration and modern slavery”, p.14. Available at:

[https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021\\_low\\_res.pdf](https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021_low_res.pdf); UN

Special Rapporteur on contemporary forms of slavery, including its causes and consequences, “Current and emerging forms of slavery”, A/HRC/42/44, 25 July 2019, para. 15; IOM (2016), “The Climate Change – Human Trafficking Nexus”, p.3. Available at:

[https://publications.iom.int/system/files/pdf/mecc\\_infosheet\\_climate\\_change\\_nexus.pdf](https://publications.iom.int/system/files/pdf/mecc_infosheet_climate_change_nexus.pdf).

<sup>7</sup> IOM (2016), “The Climate Change – Human Trafficking Nexus”, p.3. Available at:

[https://publications.iom.int/system/files/pdf/mecc\\_infosheet\\_climate\\_change\\_nexus.pdf](https://publications.iom.int/system/files/pdf/mecc_infosheet_climate_change_nexus.pdf).

<sup>8</sup> Philip Loft, Research Briefing Number 9339 (2021), “Commonwealth small island developing states and climate change”, p.1. Available at <https://researchbriefings.files.parliament.uk/documents/CBP-9339/CBP-9339.pdf>

<sup>9</sup> John Campbell and Olivia Warrick (2014), “Climate Change And Migration Issues in the Pacific”, p.6. Available at: <https://www.ilo.org/dyn/migpractice/docs/261/Pacific.pdf>

<sup>10</sup> Global Slavery Index (2018), “Asia and the Pacific”, Regional Analysis. Available at:

<https://www.globalslaveryindex.org/2018/findings/regional-analysis/asia-and-the-pacific/#:~:text=When%20considering%20forms%20of%20modern,two%20victims%20per%201%2C000%20people>

<sup>11</sup> UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, “Current and emerging forms of slavery”, A/HRC/42/44, 25 July 2019, para. 15.

<sup>12</sup> Save the children (2020), “Cyclone Yasa strikes another blow to Fiji”. Available at:

<https://www.savethechildren.org.au/our-stories/cyclone-yasa-strikes-another-blow-to-fiji>. [13 July 2021].

<sup>13</sup>The Guardian (2021), “Tropical Cyclone Ana: Fiji suffers second deadly storm in a month”. Available at:

<https://www.theguardian.com/world/2021/feb/01/tropical-cyclone-ana-fiji-suffers-second-deadly-storm-in-a-month> [16 July 2021].

<sup>14</sup> Another example is when Typhoon Haiyan hit the Philippines in 2013, it heavily impacted groups living in poverty, leading to an increase in cases of trafficking. Source: IOM (2016), “The Climate Change – Human Trafficking Nexus”, p.6. Available at:

[https://publications.iom.int/system/files/pdf/mecc\\_infosheet\\_climate\\_change\\_nexus.pdf](https://publications.iom.int/system/files/pdf/mecc_infosheet_climate_change_nexus.pdf)

## *ii. States' Responses and human rights obligations*

Implementing climate action plans that consider climate-related vulnerabilities and human trafficking risk factors is crucial. The Republic of Fiji established its National Climate Change Policy 2018-2030 to, among other goals, reduce climate change related impacts on human well-being.<sup>15</sup> The strategy prioritises issues related to human mobility, as well as the establishment of regional responses to address displacement.<sup>16</sup> In September 2021, Fiji's parliament passed the *Fiji Climate Change Act*, which includes a section on "Climate Displacement and Relocation" that established the Fijian Taskforce on the Relocation and Displacement of Communities Vulnerable to the Impacts of Climate Change,<sup>17</sup> responsible for the relocation and support of at-risk communities. Vanuatu also has a Climate Change and Disaster Risk Reduction Policy for 2016-2030,<sup>18</sup> which includes Strategic Priority 7.6 on Response and Recovery, mandating 'special support for internally displaced populations' and 'a national policy on resettlement and internal displacement.'

As an SDG Target 8.7 Pathfinder country, the Republic of Fiji has prioritised its anti-trafficking response through other means. In 2021, Fiji Launched its National Human Trafficking Strategy and the National Action Plan for Fiji, which provides the overarching National Human Trafficking Policy Framework. In line with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol), Fiji adopted a four-pronged approach response under the four pillars of Prevention, Protection, Prosecution, and working in Partnership with domestic and international partners.<sup>19</sup>

In Vanuatu, the Prime Minister's Office and the International Organisation for Migration (IOM) held a National Consultation on *Climate Change, Disasters and Migration* in September 2021.<sup>20</sup> Various

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<sup>15</sup> Republic of Fiji, "National Climate Change Policy 2018-2030". Available at:

<https://www.economy.gov.fj/images/CCIC/uploads/General/FIJI-National-Climate-Change-Policy-2018-2030-FINAL.pdf>

<sup>16</sup> Strategy 4 stresses that "Human mobility is established as a priority human security and national security issue. Legal frameworks, policies and strategies to manage climate and disaster-induced displacement are used to protect human rights and reduce long term risks (...)"

Strategy 5 affirms that "Regional responses and safety nets are established to manage cross-border migration and displacement issues. Regional cooperation helps to ensure that national and regional responses adhere to international best practice and that displacement and relocation issues are pre-empted and minimised. (...)"

<sup>17</sup> Republic of Fiji, "Climate Change Bill 2021". Available at: <https://www.parliament.gov.fj/wp-content/uploads/2021/08/Bill-31-Climate-Change-Bill-2021.pdf>; and <https://fijiclimatechangeportal.gov.fj/>

<sup>18</sup> Government of the Republic of Vanuatu, "Vanuatu Climate Change and Disaster Risk Reduction Policy 2016-2030".

Available at: [https://policy.asiapacificenergy.org/sites/default/files/vanuatu\\_cc\\_drr\\_policy\\_minus\\_att4v4.pdf](https://policy.asiapacificenergy.org/sites/default/files/vanuatu_cc_drr_policy_minus_att4v4.pdf)

<sup>19</sup> Republic of Fiji National Action Plan to Combat Human Trafficking 2021-2026, Ministry of Defence, National Security & Policing. More information can be found here: <https://www.state.gov/reports/2021-trafficking-in-persons-report/fiji/#:~:text=In%20January%202021%2C%20the%20Fijian,outlined%20in%20the%20accompanying%20strategy>.

<sup>20</sup> Loop Pacific (2021), "Vanuatu holds national consultation climate change disasters and migration", Available at: <https://www.loopvanuatu.com/vanuatu-news/vanuatu-holds-national-consultation-climate-change-disasters-and-migration-104878>

stakeholders participated, including the Vanuatu Human Rights Coalition, which raised the related issue of climate-induced trafficking in persons, although concrete results have yet to emerge from this consultation.<sup>21</sup>

However, no policy or legislation in either Fiji or Vanuatu explicitly considers the linkages between climate change and human trafficking. Homes of Hope Fiji and the Vanuatu Human Rights Coalition express concern with the lack of dialogue and action by their governments on issues at the climate change and trafficking nexus. The Vanuatu Human Rights Coalition notes the need for policies to specifically prevent cases of climate-induced trafficking, paying particular attention to vulnerable groups. They also note the need to raise awareness, educate about human trafficking, and provide local-level support working with local communities, as many vulnerable groups are unable to access services due to geographical isolation in the wake of natural disasters. Finally, both organisations stress the importance of having accurate and disaggregated data to better understand and respond to this issue.

States must take into account their obligations to address and eradicate human trafficking and protect the rights of victims and survivors.<sup>22</sup> These obligations include exercise due diligence,<sup>23</sup> as well as ‘higher

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<sup>21</sup> Vanuatu Human Rights Coalition expresses that they would like to recommend a policy advancement from this dialogue to better prevent and protect climate and disaster–forced migrant’s rights.

<sup>22</sup> UN Convention on the Elimination of All Forms of Discrimination Against Women, Article 6. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>; UN Convention on the Rights of the Child, Article 35. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>; International Covenant on Civil and Political Rights, Article 8. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>; American Convention on Human Rights, Article 6. Available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>; European Convention on Human Rights, Article 4. Available at: [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf); African Charter on Human and People’s Rights, Article 5. Available at: <https://www.achpr.org/legalinstruments/detail?id=49#:~:text=The%20African%20Charter%20on%20Human, freedoms%20in%20the%20African%20continent>; Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém Do Pará), Article 2. Available at: <https://www.oas.org/juridico/english/treaties/a-61.html>.

<sup>23</sup> As the UN Special Rapporteur on Trafficking in persons has explained: “In that regard, States have a positive obligation to protect individuals from human rights abuses by private actors. Due diligence obligations have been articulated in areas applicable to trafficking in persons, including the right to life, violence against women and sex-based discrimination, alongside a series of specific obligations that pertain to trafficking. Furthermore, that obligation has been recognized in international human rights case law, the clearest example being the decision of the Inter-American Court of Human Rights in *Trabajadores de la Hacienda Brasil Verde v. Brazil*. In 2016, the Court explicitly held that, to comply with the obligations under article 6 of the American Convention on Human Rights, States were obliged to take positive measures, the exact nature and extent of which were to be determined on the basis of the specific protection needs of the right holders. To comply with article 6, States are required to adopt all appropriate measures to end and prevent slavery, which means having an adequate legal framework that is effectively applied. The framework must be comprehensive, address risk factors and enhance the institutional response. In addition, States must adopt preventive measures in specific cases in which particular groups are vulnerable to trafficking.”

Source: UN Special Rapporteur on Trafficking in Persons, especially women and children, UN Doc. A/75/169, 17 July 2020, para. 4&5.

standards' than the Palermo Protocol in regard to victims' needs.<sup>24</sup> Accordingly, States must implement effective prevention measures to ensure that individuals do not become victims of trafficking as a consequence of climate change disasters, including providing resettlement, relocation, and other services.<sup>25</sup> Additionally, States must 'prevent risk factors'<sup>26</sup> and 'adopt preventive measures in the specific cases in which it is evident that determined groups of people can be victims of human trafficking or slavery.'<sup>27</sup> This implies not only a commitment from States to prevent human-caused climate change and fulfilment of other obligations emerging from the UN Framework Convention on Climate Change (UNFCCC),<sup>28</sup> but also their commitment to implement policies addressing the specific vulnerabilities of potential climate-change related trafficking victims.

### Intersectionality and Non-Discrimination: vulnerabilities of women and girls

Women and girls suffer discrimination, violence, and unequal access to education and employment, all factors which contribute to their heightened risk of trafficking,<sup>29</sup> including in cases of climate-induced trafficking.<sup>30</sup>

The United Nations High Commissioner for Human Rights recognised in her January 2022 report that 80% of displaced persons due to climate change are women and girls.<sup>31</sup> The CEDAW Committee also affirmed that, during natural disasters, women and girls' vulnerabilities to trafficking are exacerbated.<sup>32</sup> Furthermore, research demonstrates the aggravated effects that climate-related disasters have on pre-

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<sup>24</sup> Briddick, Catherine y Stoyanova, Vladislava, "Human Trafficking and Refugees", in Costello, Cathryn et. al. (eds), *The Oxford Handbook of International Refugee Law*, United Kingdom, OUP, 2021, p. 566.

<sup>25</sup> Anti-Slavery International (2021), "Climate-induced migration and modern slavery", p.32. Available at: [https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021\\_low\\_res.pdf](https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021_low_res.pdf),

<sup>26</sup> Inter-American Court of Human Rights (2016), *Trabajadores de la Hacienda Brasil Verde vs. Brasil*, Series C No. 318, para. 320. Available at: [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_318\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_318_ing.pdf)

<sup>27</sup> *Idem*.

<sup>28</sup> UN Framework Convention on Climate Change, Article 2. Available at:

[https://unfccc.int/files/essential\\_background/background\\_publications\\_htmlpdf/application/pdf/conveng.pdf](https://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf)

<sup>29</sup> Chuang, Janie, "Article 6" in Christine Chinkin et. al. (eds) "The UN Convention on the Elimination of all Forms of Discrimination Against Women: A Commentary", United Kingdom, OUP, 2012, p. 172.

<sup>30</sup> IOM (2016), "The Climate Change – Human Trafficking Nexus", p.4. Available at:

[https://publications.iom.int/system/files/pdf/mecc\\_infosheet\\_climate\\_change\\_nexus.pdf](https://publications.iom.int/system/files/pdf/mecc_infosheet_climate_change_nexus.pdf); Ritu Bharadwaj et. al.

(2021), "Climate-induced migration and modern slavery", p. 8. Available at:

<https://pubs.iied.org/sites/default/files/pdfs/2021-09/20441G.pdf>

<sup>31</sup> Report of the United Nations High Commissioner for Human Rights, "Comprehensive approach to promoting, protecting and respecting women's and girls' full enjoyment of human rights in humanitarian situations", UN Doc A/HRC/49/37, 10 January 2022, para 3. Available at: [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/003/23/PDF/G2200323.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G22/003/23/PDF/G2200323.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/003/23/PDF/G2200323.pdf?OpenElement); United Nations Development Programme (2017), "Gender and Climate Change: Overview of Linkages Between Gender and Climate Change".

Available at: <https://reliefweb.int/report/world/gender-and-climate-change-overview-linkages-between-gender-and-climate-change>

<sup>32</sup> CEDAW Committee, General Recommendation No. 38 on trafficking in women and girls in the context of global migration, UN Doc. CEDAW/C/GC/38, 20 November 2020, para. 33. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/324/45/PDF/N2032445.pdf?OpenElement>

existing rates of sexual and gender-based violence (SGBV).<sup>33</sup> In Pacific Island countries and territories, where SGBV rates for women are already high, women are especially vulnerable to increased incidents of violence in the aftermath of natural disasters.<sup>34</sup>

The Vanuatu Human Rights Coalition notes that, in the wake of climate-induced natural disasters, it is common for young girls to be taken while in transit from one island in Vanuatu's archipelago to another, with the promise of land or employment from traffickers, or even wealthy landowners or business owners, only to be sexually exploited. Homes of Hope in Fiji also notes that when women and girls are relocated and removed from their communities due to natural disasters, they not only become vulnerable to exploitation due to poverty, but also social, psychological, and community isolation, in part because 'community' is often connected to ancestral land in Fijian culture. They add that these crises exacerbate existing patriarchal structures within some Indigenous cultures, expanding the control men have over women and girls. These disparities lead to fewer choices for victims and survivors of SGBV, rendering them more vulnerable to human trafficking.

The Vanuatu Human Rights Coalition also notes cases of women and girls being sexually harassed and exploited while in evacuation centers. Similarly, Homes of Hope Fiji finds that, following climate disaster evacuations, many women encounter traffickers at or near emergency shelters.<sup>35</sup> Camp inhabitants may also resort to collusion with traffickers, placing their family members in peril in order to earn money during times of crisis.<sup>36</sup>

Climate change also increases poverty, which disproportionately impacts women and girls.<sup>37</sup> Sudden onset natural disasters can destroy shelters and kill family members, leaving individuals in desperate need of basic necessities. For example, following the volcanic eruption in Vanuatu's Ambae Island in 2018, which resulted in the relocation of some 11,000 residents, NGOs reported that women were at increased risk of forced marriage due to economic pressure facing families after relocation.<sup>38</sup> The Vanuatu Human Rights Coalition provides further evidence on this issue, noting that, because land is limited on Vanuatu's islands, families who are displaced and relocated often 'sell off' one or more of their daughters into marriage or other services in order to acquire land.

Homes of Hope Fiji and the Vanuatu Human Rights Coalition both report how, after natural disasters destroy homes and communities, poor or unemployed women and girls are in particularly vulnerable situations, and are often deceived into relocating to other villages under the promise of decent jobs and

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<sup>33</sup> UN Women Fiji 2014, "Climate change disasters and gender based violence in the Pacific". Available at: <https://www.unclearn.org/wp-content/uploads/library/unwomen701.pdf>

<sup>34</sup> *Ibid*

<sup>35</sup> Homes of Hope (2021), "Are Natural Disasters Linked to Human Trafficking?". Available at: <https://www.hopefiji.org/post/are-natural-disasters-linked-to-forced-sex>

<sup>36</sup> *Ibid*.

<sup>37</sup> UN Women (2016), "Time to Act on Gender, Climate Change and Disaster Risk Reduction", pp. 24-26. Available at: <https://asiapacific.unwomen.org/sites/default/files/Field%20Office%20ESEA/Docs/Publications/2016/11/unw-time-to-act-r2-s.pdf>

<sup>38</sup> IOM 2016, "The Climate Change-Human Trafficking Nexus", p. 4. Available at: <https://respect.international/wp-content/uploads/>.



education when, in reality, they are subjected to sexual exploitation or forced to be house slaves, or live as underpaid babysitters.

## Identifying good practices

There are a few promising practices emerging in the Pacific Island countries and territories to address climate-induced trafficking, that aim to address the vulnerabilities of marginalised groups, raise awareness, and establish partnerships between State actors and civil society organisations (CSOs).

In Vanuatu, Action Aid supports the Women I Tok Tok Tugeta (WTTT) Network, building the resilience of women against climate change disasters and empowering women with disabilities to lead humanitarian actions.<sup>39</sup> Action Aid Vanuatu also started the *Women-Led Climate Resilience and Adaptation* project to ‘build the capacity of women leaders to address gendered impacts of climate change and recurrent disasters and support the safety, security and dignity of women.’<sup>40 41</sup>

Home of Hope Fiji notes that the government undertook robust consultations with civil society and survivors throughout the process of developing its National Action Plan to address violence against women and girls. For example, Homes of Hope, along with the IOM and Fiji’s Ministry of Defense, convened a dialogue on the development of a National Referral Mechanism for survivors of human trafficking,<sup>42</sup> part of a larger ‘Civil Society Task Force’ established by Homes of Hope, whereby an expert group of civil society stakeholders are consulted on issues such as victim identification and the establishment of a National Referral Mechanism.<sup>43</sup> Similarly, the Vanuatu Climate Action Network (VCAN)

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<sup>39</sup> Relief Web (2021), “Women leaders prepare for and respond to emergencies in Vanuatu”. Available at: <https://reliefweb.int/report/vanuatu/women-leaders-prepare-and-respond-emergencies-vanuatu>

<sup>40</sup> Action Aid, “*Women led Climate resilience and adaptation*”. Available at: <http://actionaid.org.au/wp-content/uploads/2018/09/Project-Summary-GAP-Vanuatu.pdf>. Other sources: <https://actionaid.org.au/vanuatu/>; <https://www.facebook.com/actionaidvanuatu>

<sup>41</sup> There are also other programmes that empower women in Vanuatu. For example, Care International builds resilience against climate change disasters and empowering women and girls (Care International, “Vanuatu”, Available at: <https://www.care-international.org/where-we-work/vanuatu>). Furthermore, there is also the Vanuatu Young Women For Change, a Girls - Led NGO focused on empowering young girls by raising awareness on the impacts of climate change and natural disasters that are severely affecting the lives of vulnerable young women and girls. (Available at: <https://www.facebook.com/flawablongvanuatu>). While ActionAid Vanuatu and the Vanuatu Young Women For Change empower women and girls to take charge of their resilience, Save the Children, World Vision, and Care Vanuatu work with communities to build community climate change and disaster resilience.

<sup>42</sup> Fiji Government (2021), “*Human Trafficking Workshop Concludes 16 Days of Activism Against Gender-Based Violence*”, Available at: <https://www.fiji.gov.fj/Media-Centre/News/HUMAN-TRAFFICKING-WORKSHOP-CONCLUDES-16-DAYS-OF-AC>

<sup>43</sup> The Fiji Times (2022), “Dialogue on national referral mechanism for human trafficking”. Available at: <https://www.fijitimes.com.fj/dialogue-on-national-referral-mechanism-for-human-trafficking/>

and other CSOs in that country are directly involved in contributing to parts of the government's climate change and disaster risk reduction policy.<sup>44</sup>

## Recommendations

- **Strengthen awareness and understanding of the definition of human trafficking**

The Vanuatu Human Rights Coalition notes that there is a lack of awareness by authorities about what human trafficking is, including misunderstandings about whether domestic trafficking is included in the definition. It is necessary to emphasise that the definition of human trafficking under the Palermo Protocol does not require victims to have crossed borders, as it is possible to be trafficked internally.<sup>45</sup>

It would also be useful to explicitly recognise those displaced by climate change as a vulnerable group in domestic legislation. This will allow for this group to be considered within the conditions of 'abuse of position of vulnerability' in the framework of the definition of human trafficking as set out in Article 3 of the UN Palermo Protocol.

- **Address root causes of human trafficking, with a particular focus on protecting the rights of women and girls**

Despite documented evidence that climate change and disaster impacts are gendered, the Pacific Island region's progress towards gender equality and empowerment of women in the context of natural disasters is lagging.<sup>46</sup> Given that women and girls are extremely vulnerable to climate-induced trafficking, it is critical that they are empowered, and have equal access to economic, social, and cultural rights. This would lead to not only a reduction in risk and vulnerabilities overall, but also risk of trafficking/re-trafficking.

- **Develop public policies to prevent cases of climate-induced trafficking**

Under international human rights law, States are obliged to prevent cases of human trafficking.<sup>47</sup> In the context of climate-induced trafficking, this implies that States must take positive actions towards

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<sup>44</sup> Fiji Government (2021), "Human Trafficking Workshop Concludes 16 Days of Activism Against Gender-Based Violence", Available at: <https://www.fiji.gov.fj/Media-Centre/News/HUMAN-TRAFFICKING-WORKSHOP-CONCLUDES-16-DAYS-OF-AC>

<sup>45</sup> Piotrowickz, Ryszard, "Trafficking of Human Beings and their human rights in the migration context", en Cholewinski, Ryszard et. al. (eds) *International Migration Law. Developing Paradigms and Key Challenges*, The Hague Asser Press, 2007, p. 275.

<sup>46</sup> UN Women 2016, "Time to Act on Gender, Climate Change and Disaster Risk Reduction", pp. 34. Available at: <https://asiapacific.unwomen.org/sites/default/files/Field%20Office%20ESEAAsia/Docs/Publications/2016/11/unw-time-to-act-r2-s.pdf>

<sup>47</sup> Inter-American Court of Human Rights (2016), *Trabajadores de la Hacienda Brasil Verde vs. Brasil*, Series C No. 318, para. 320. Available at: [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_318\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_318_ing.pdf); ECtHR (2010), *Rantsev v. Cyprus and Russia*, App No. 25965/04, para. 285. Available at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-96549%22%5D%7D>}; OHCHR, "Recommended Principles and



preventing displacement due to climate change in order to mitigate trafficking risks. This could entail creating an action plan that ensures those displaced by climate shocks are adequately relocated and resettled<sup>48</sup> and that migration routes are safe.

Furthermore, States should reassess disaster risk reduction strategies and legislation and ensure they take a gender-sensitive approach. They must take proactive steps to ensure that evacuation centres and informal settlements and facilities therein are safe for women and girls. Finally, prevention of climate-induced trafficking also necessarily includes the regulation of sectors involved in environmental destruction - States should use the development of a green economy as an opportunity to establish new, human rights-complaint employment opportunities, as recommended by the ILO.<sup>49</sup>

- **Improve the collection of data on climate-induced trafficking**

While data collection on human trafficking is being hindered by the ‘clandestine nature’ of the crime,<sup>50</sup> States should ensure they collect and make available updated and disaggregated data on human trafficking.<sup>51</sup> This is particularly important regarding climate-induced trafficking, as it will enable relevant stakeholders to understand the nuances of the crime, identify the most affected groups, and inform the necessary public policies to prevent cases and adequately prosecute and punish traffickers.

- **Strengthen the partnership and cooperation between State actors and CSOs, particularly at the municipal level**

In the Pacific region, civil society organisations are given limited space to participate in shaping policies on climate change and disaster risk reduction, despite being key service providers.<sup>52</sup> However, it is important to promote the interaction and dialogue between the civil society and state actors - such as through task forces - and allow for greater cooperation between CSOs and States in the development and implementation of programmes. This can lead to the identification of the most important challenges to be addressed and policies to be implemented which will be most relevant to communities and individuals.

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Guidelines on Human Rights and Human Trafficking”, Guideline 7. Available at:

<https://www.ohchr.org/sites/default/files/Documents/Publications/Traffickingen.pdf>

<sup>48</sup> Ritu Bharadwaj et. al. (2021), “Climate-induced migration and modern slavery”, p.10. Available at:

<https://pubs.iied.org/sites/default/files/pdfs/2021-09/20441G.pdf>

<sup>49</sup> International Labour Organisation, “Climate Change and Jobs”. Available at:

<https://www.ilo.org/global/topics/green-jobs/areas-of-work/climate-change/>

<sup>50</sup> Chuang, Janie, “Article 6” in Christine Chinkin et. al. (eds) *The UN Convention on the Elimination of all Forms of Discrimination Against Women: A Commentary*, United Kingdom, OUP, 2012, p. 192.

<sup>51</sup> CEDAW Committee, General Recommendation No. 38 on trafficking in women and girls in the context of global migration, UN Doc. CEDAW/C/GC/38, 20 November 2020, para. 74 & 110. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/324/45/PDF/N2032445.pdf?OpenElement>

<sup>52</sup> UN Women (2016), “Time to Act on Gender, Climate Change and Disaster Risk Reduction”, p.47. Available at: <https://asiapacific.unwomen.org/sites/default/files/Field%20Office%20ESEAAsia/Docs/Publications/2016/11/unw-time-to-act-r2-s.pdf>