



ADDRESSING VULNERABILITY TO TRAFFICKING IN PERSONS

INTRODUCTION

Evidence collected in the past decades clearly illustrates that there are a variety of factors that intersect to enhance the risks of being targeted and recruited by traffickers. These range from extreme poverty, marginalization due to social identity, financial exclusion, irregular migration status, low educational background to mental and physical disabilities, and/or dysfunctional family environments, among others.¹ With 70 percent of the total number of detected victims in 2018 being women and girls, and as much as one third of all total cases being children, gender- and age-related factors in contexts of inequality, violence and discrimination play a role in contributing to vulnerability to trafficking in persons (TIP).² Further, environmental disasters and impacts of climate change, armed conflicts, displacements, economic recessions, health, humanitarian and other crises also notably contribute to increasing the vulnerability of individuals to trafficking, especially where these are connected to the erosion of the rule of law or a sharp increase in

unemployment rates or where social safety nets are disrupted.³

Against this background, it is apparent that understanding vulnerability is relevant in responding to and preventing the crime of trafficking in persons.

The abuse of an individual's position of vulnerability is one of the means used by traffickers to perpetrate their illicit acts, as stipulated in the **Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children** (2000) to the United Nations Convention on Transnational Organized Crime.

It is important to note from the outset that anyone can become a victim of trafficking, regardless of whether the individual may experience any vulnerability. Nevertheless, evidence shows that vulnerability factors characterize most trafficking cases.

Understanding the factors that can thus heighten exposure to TIP can improve the ability to identify (potential) victims of trafficking and develop strategies to prevent and respond more effectively to this crime.

¹ UNODC (2020), Global Report on Trafficking in Persons, p.10: https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTIP_2020_15jan_web.pdf

² Ibid., p.9.

³ ICMPD (2016), Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: <https://respect.international/wp-content/uploads/2021/07/Targeting-Vulnerabilities-The-Impact-of-the-Syrian-War-and-Refugee-Situation-on-Trafficking-in-Persons-Briefing-Paper.pdf>.

[content/uploads/2021/07/Targeting-Vulnerabilities-The-Impact-of-the-Syrian-War-and-Refugee-Situation-on-Trafficking-in-Persons-Briefing-Paper.pdf](https://icat.un.org/sites/g/files/tmzbdl461/files/publications/a_nalytical_review_paper_final-2.pdf). See also ICAT (2020), 20th Anniversary of the Trafficking in Persons Protocol. An Analytical Review: https://icat.un.org/sites/g/files/tmzbdl461/files/publications/a_nalytical_review_paper_final-2.pdf.



The purpose of this ICAT brief is therefore to shed light on the concept of vulnerability and the different dimensions and factors that make a person vulnerable to trafficking in persons, while providing recommendations to relevant stakeholders in addressing those factors and mitigating the related risks.

DEFINING “VULNERABILITY”

Different attempts have been made to define the concept of vulnerability.

Vulnerability has been defined by the United Nations as “a condition resulting from how individuals negatively experience the complex interaction of social, cultural, economic, political and environmental factors that create the context for their communities”.⁴

Yet, in the context of trafficking in persons, this paper will refer to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”.⁵

UNDERSTANDING VULNERABILITY TO TRAFFICKING IN PERSONS

In order to fully understand, prevent and combat trafficking in persons, it is also necessary to distinguish the concepts of vulnerability and risk, which are sometimes

used interchangeably in both literature and policy.

As noted above, vulnerability is commonly associated to individual characteristics and situations that - in specific contexts – will increase the risk or threat of a person to be trafficked. *Risk* is on the contrary often referring to the threats that a person or a particular group may be exposed to, with an explicit *external* focus on the presence of such threats in certain contexts or situations. It is important to recognise that it is the intersection of vulnerability factors that increases the risk of TIP (see **Figure 1**). Therefore, to reduce the risk of TIP, vulnerability must be understood and addressed.

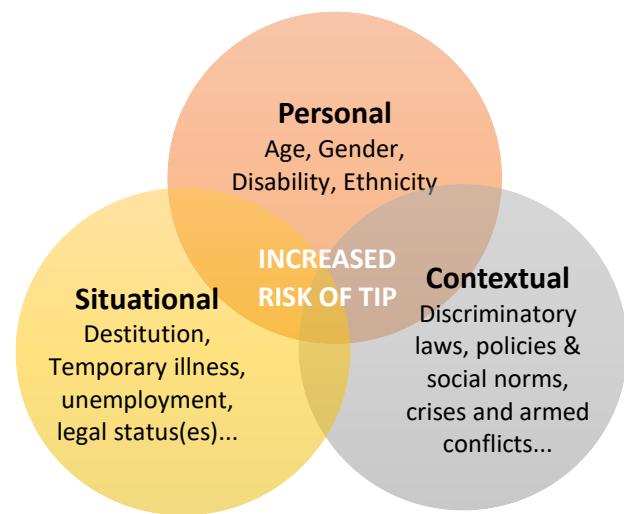


Figure 1: Intersection of vulnerability factors to increase risk of TIP

Vulnerability was defined above as encompassing different factors: **personal**,

⁴ UNODC & UN.GIFT (2008), An Introduction to Human Trafficking: Vulnerability, Impact and Action, Background paper, p.8: https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf.

⁵ UNODC (2013), Abuse of a position of vulnerability and other “means” within the definition of trafficking in persons: Issue Paper, p.13: https://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Issue_Paper_-_Abuse_of_a_Position_of_Vulnerability.pdf.



situational, and **contextual**⁶ (which interact and may increase risk of trafficking for certain individuals, groups and/or communities). How these factors interact is best illustrated by the real story of a survivor:

Zita was the second child in a family of nine, growing up in a rural village in northern Philippines. The burden of taking care of her younger siblings fell on her as the oldest daughter, whilst her parents worked as farmers. She briefly attended school and dreamed of one day becoming a teacher. However, her parents could not afford the costs to continue her education past the elementary level, so she was forced to find employment in Manila at the age of 13 to help her family survive. At the insistence of her father, Zita entered into marriage at 19 years old and had four children. The pressure to work and provide for her family increasingly fell on her shoulders, in her roles as a daughter, wife, and mother. When an opportunity to work in Europe came, Zita saw a chance to finally get the life she had dreamed of for herself and for her children, as she had seen other women earn a good living from work abroad.

Zita paid \$10,000 to what she had thought was a legitimate employment service, and was shocked to learn about the danger she was expected to endure on her journey from Manila to Paris. Parts of her journey were often on foot and in other dangerous circumstances. She also later learned that this journey was taken illegally, as she did not in fact have a legal work permit.

Zita's trafficker quickly found her employment, but her employers expected Zita to work from early morning to late at night, with no breaks or days off, including working on the weekends.

Her employers took her passport, making promises that they would apply for a legal work permit so Zita would then be able to visit her family in the Philippines. However, this never happened, and when Zita asked about it, her male employer became violent.

By this time, Zita was also expected to provide for her sick father as well as her children who were back in the Philippines. The increased family dependence on her income made it difficult for Zita to escape, and this was coupled with her lacking language skills, which limited her knowledge of her labour rights. However, four years later, help did come in the form of the building's caretaker, who was a migrant woman from Spain. She noticed that Zita would arrive early in the mornings, but she would never see her leaving and correctly assumed that she was being made to work very late. Through hand gestures, the caretaker managed to understand that Zita was being exploited and working without a work permit and could not access her passport. Zita was later referred to the Committee against Modern Slavery (CCEM), who provided her with the initial support to leave, and later to the Democratic Trade Union Confederation (CFDT), who supported her legal case against her employer. Today, Zita works to advance the rights of other migrants working in France by providing them with the very things she lacked, awareness of their rights, access to language classes and legal support. Zita continues to come across many cases of migrant women, mostly from Asia, that have very similar stories to hers.

In this example, Zita was coerced through a range of means, such as deception, isolation, physical and psychological violence and abuse of her position of vulnerability as a migrant

⁶ Innes, H. & Innes, M. (2013), Personal, Situational and Incidental Vulnerabilities to ASB Harm: a follow up study. Cardiff: Universities Police Science Institute and Cardiff University: <https://www.justiceinspectortates.gov.uk/hmicfrs/media/perso>

[nal-situational-and-incidental-vulnerabilities-to-anti-social-behaviour-harm-a-follow-up-study.pdf.](#)



woman, coming from rural and impoverished background, responsible for providing for her family.

Personal vulnerability factors are traits that are inherent to each individual, such as age, sex, gender, ability, disability, ethnicity or sexual orientation. A personal characteristic should not be understood as a vulnerability in itself, but it may become a vulnerability factor when it interacts with other personal, contextual and situational factors, therefore increasing the risk of being trafficked.

In Zita's country, gender inequality contributed to the lack of economic and educational opportunities for women and girls. The widespread acceptance of South-East Asian women working as migrant workers in domestic services was also a contributing factor. Indeed, Zita saw examples of women coming from the same background as hers being able to provide for their families. Zita was married at a young age, but also expected to provide for her family, especially her four children, without having access to education and decent work opportunities. Her lack of awareness of her rights and a means to advocate for them led to her acceptance of exploitative working conditions as normal. This was taken advantage of by both the trafficker and the employer, who perpetuated her exploitation including through violence. Therefore, in the individual circumstances and context of this case, Zita's gender and ethnicity (South-East Asian) were important components of her vulnerability to becoming a victim of trafficking.

Situational vulnerability factors relate to temporary challenges that negatively affect the situation of a person in a specific period and in a specific context (unlike personal

vulnerability factors, which are more of a permanent nature).

In Zita's case, the poverty of her family prevented her from completing her education while she also faced pressure to provide for her family, making it harder for her to refuse employment that came with risks of exploitation. At the time she was trafficked, Zita also lacked both sufficient knowledge of her rights and access to relevant information before leaving the Philippines, making her more susceptible to the deception of the trafficker. Zita's irregular migration status, the confiscation of travel and identity documents and the language barrier made it harder for her to escape and seek help, a fact that was abused by her employers in order to continue her exploitation.

Finally, **contextual vulnerability factors** relate to the influence of the external environment as well as structural elements that negatively impact a person's circumstances. These may be the result of a policy, for example not granting the right to work to people with certain types of migration or other legal status, or the promotion of social norms that implicitly fuel racism towards minority groups. Armed conflicts or other type of humanitarian crises including those related to climate change also often act as catalysts for increased vulnerability. More specifically, in crisis situations, these contextual vulnerability factors stem from widespread human, material and economic losses caused by crises; hampered ability of families and communities to provide for their basic needs; limited options to seek domestic or international protection safely and regularly; erosion of the rule of law; and the breakdown of social safety nets and other social protection systems.⁷

⁷ ICAT (2017), Trafficking in Persons in Humanitarian Crises, Issue Brief 2:

<https://icat.un.org/sites/g/files/tmzbdl461/files/publications/icat-ib-02-final.pdf>.



When Zita experienced trafficking in 1994-1999, the anti-trafficking legislation in France did not include forced labour, which came into effect later in 2009.⁸ This made detecting and prosecuting such cases much harder. When Zita later took her employers to civil court with the help of CFDT, she did so for her unpaid work rather than for the crime of trafficking. Zita tried to find the people that recruited and brought her to France, but she could not track them down. Zita did eventually receive remuneration for her unpaid work.

A SOCIO-ECOLOGICAL APPROACH TO ADDRESS TRAFFICKING IN PERSONS

The socio-ecological model⁹ provides an approach to address the complex interplay of personal, situational and contextual factors that put certain individuals at higher risks of trafficking and exploitation (see figure 2).

Applying a socio-ecological approach to the analysis of vulnerability to TIP helps policy makers and duty bearers to understand how strategies should: (a) reduce the vulnerability of *individuals*, (b) work with the *communities* (which may also include relationships) concerned to ensure that their practices or current dynamics do not exacerbate or contribute to vulnerabilities to TIP and, (c) change a number of *system-driven* or structural elements (such as policies) so that

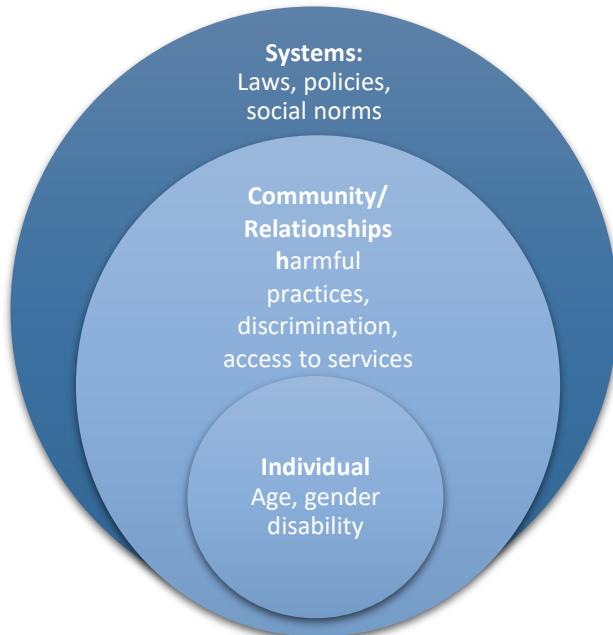


Figure 2: Socio-ecological model for TIP

they do not facilitate but discourage an environment conducive to TIP.

Referring back to the case of Zita described above, the following interventions could have been undertaken at the individual, community, and systems levels to reduce her vulnerabilities and, therefore, her risk of being trafficked:

Individual: Each individual situation is different and has unique circumstances that create risks to trafficking. In Zita's case, it would have been important to alleviate her poverty and support her in completing her education. Yet, no such interventions took place and the limited options to provide for her family made her more vulnerable to trafficking. Examples of interventions include providing economic opportunities for poor rural families and providing legal advice and information about

⁸ US State Department, Office to Combat and Monitor Trafficking in Persons, 2020 Trafficking in Persons Report: France: <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>.

⁹ The socio-ecological model was first introduced as a conceptual model for understanding human development in the 1970s and later formalized as a theory in the 1980s. See: Bronfenbrenner U. (1977), Toward an experimental ecology of human development, American Psychologist, 32(7), 513-531. <https://doi.org/10.1037/0003-066X.32.7.513>



their rights to potential candidates for labour migration in targeted areas in the Philippines.

Community: Create greater public awareness of the strategies used by traffickers is a relevant intervention at the community level. In Zita's case, it was common for girls to leave school early to support their families and working in exploitative conditions was normalised. Furthermore, there were examples of women engaging in such work who were able to make a good enough living for their families. Research has shown that awareness raising is most effective when it is survivor-led and complemented with other interventions that increase opportunities.¹⁰ It is crucial to understand how to provide individuals, communities and groups who are at risk of being trafficked with viable alternatives to the potential risky opportunities that may be at their disposal. Awareness also needs to be raised in the country of destination. The caretaker who first noticed Zita in France was the reason why Zita was able to escape. Efforts should also be made to raise the awareness of those who may unwittingly buy the services of people who may have been trafficked to go through reputable agencies and raise awareness of the penalties for those who engage in exploitation and abuse.

System: The systemic drivers and structural elements that contributed to creating the conditions for Zita's trafficking were also based on discriminatory norms and migration policies

that made it harder to recruit foreign workers legally, which her traffickers exploited (and profited from with relative impunity). Zita was isolated due to her irregular migration status, as well as the confiscation of her documents and the language barrier. Moreover, she was unaware that what she was enduring was exploitation and in violation of her rights. In this case, stronger policies to detect trafficking in foreign domestic work¹¹ could have created a more enabling environment for her to access support, information, services, and be identified as a victim. It should also be noted that despite these challenges, organisations working on supporting victims of trafficking were able to eventually support Zita. It is important that these organisations continue to be supported so they can reach victims and also improve systems that may unintentionally contribute to trafficking. Finally, it is also important to address systemic issues that contribute to the lack of opportunities for young women and men and strive to understand the underlying cultural and societal norms that push people into situations where they are exploited.

Holistic initiatives combining approaches aiming at strengthening the resilience of individuals and communities, as well as addressing systemic issues are more likely to yield positive results for the benefit of persons and communities at risk, as well as the society at large (see **figure 3**).

¹⁰ Hynes et al. (2018), Vulnerability to Human Trafficking: Study of Viet Nam, Albania and Nigeria and the UK, p.11: <https://www.antislaverycommissioner.co.uk/media/1263/vulnerability-to-human-trafficking-albania.pdf>.

¹¹ US State Department, 2021 Trafficking in Persons Report: France: <https://www.state.gov/wp-content/uploads/2021/09/TIPR-GPA-upload-07222021.pdf>.



SOCIO-ECOLOGICAL MODEL	EXAMPLES OF INTERVENTIONS TO ADDRESS VULNERABILITY FACTORS
INDIVIDUAL	Personal: Include victims and survivors and those most vulnerable to TIP in designing anti-trafficking strategies and policies aiming at reducing the risk(s) to TIP.
	Situational: Address the vulnerability which certain situations such as unemployment, domestic violence and abuse create for individuals, to reduce the risk to TIP.
	Contextual: Identify laws, policies, practices and social norms that discriminate against certain people and increase vulnerability.
COMMUNITY	Personal: Identify communities who are most at risk of TIP due to personal vulnerabilities (age, gender, ethnicity, disability etc.) and create the conditions in the communities that reduce the risk to TIP.
	Situational: Protect communities experiencing situational vulnerabilities such as unemployment, displacement, etc., that would increase the risk of TIP.
	Contextual: Ensure access to services where local protection services discriminate the community; Provide educational and income generation, programmes in support of disadvantaged communities. Address social norms that create an enabling environment for TIP.
SYSTEM	Personal: Ensure equal opportunities and equity in access to social and health services, education, finance, employment and justice.
	Situational: Ensure that migration, labour market and security policies and practices do not create a conducive environment for TIP.
	Contextual: Broad public policies and strengthening of social norms that enhance tolerance, equality, inclusive societies, justice, peace and good governance.

Figure 3: Examples of interventions to address vulnerability factors applying the socio-ecological model

RECOMMENDATIONS

As this paper demonstrates, prevention of and effective responses to trafficking, require a comprehensive understanding of risk and vulnerability and should integrate relevant measures to address them in a holistic manner. Before undertaking any anti-trafficking action to address vulnerability, however, the context must be analysed to understand the legal, policy and institutional framework and capacity, the factual circumstances, and the

issues and trends that intersect and shape the various types of vulnerability.

Below is a non-exhaustive list of recommendations that can help relevant stakeholders achieve this:

PROTECTING INDIVIDUALS

- *Ensure that counter-trafficking strategies and services* are driven and informed by the active and effective participation of victims and survivors of trafficking.



- *Give special attention to gender- and child-sensitive approaches*, including safeguarding children's best interests in cases involving children vulnerable to trafficking, while providing victims with adequate health and social assistance, as well as access to justice. This includes assigning a guardian for unaccompanied children and the presumption of childhood where age is disputed.
- *Support vulnerable individuals and groups* that are at risk of TIP to create opportunities to mitigate such risks, including by providing viable options to address or cope with their current circumstances, in cooperation with civil society organizations, including victim- and survivor-driven (i.e., leaving a violent home, dealing with an illness or disability, reducing poverty, facilitating school enrolment for street-involved children or unaccompanied and separated children, facilitating access to formal financial services, etc.).
- *Establish high standards of cybersecurity and safety in technological products that children use*, including educational programmes to minimize exposure to the risk of trafficking and improve detection of such cases, in partnership with tech companies.

STRENGTHENING COMMUNITIES

- *Assess which communities are most at risk of trafficking*, engage community members and trafficking victims and survivors to share their perspective on what needs to be done in their communities to prevent TIP, and support these initiatives. For example, develop

¹² Human Rights Council, Report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/41/46): <https://documents-dds-un.org/doc/UNDOC/GEN/G19/112/06/PDF/G1911206.pdf?OpenElement>

processes of identification involving victims/survivors, support programmes that address violence against women and children, community stabilisation, financial exclusion/poverty reduction, climate change, conflict and peacebuilding, etc., with a clear focus on reducing vulnerability to TIP.

- *Work with local civil society organizations, including victim- and survivor-driven*, to understand what pervasive social norms and culturally accepted practices exist that contribute to creating the conditions to making groups and individuals more vulnerable to trafficking, and empower them to challenge and change those norms based on what works in local contexts.
- *Recognize that the social inclusion and reintegration of trafficked persons into societies, be it in countries of origin, transit or destination, constitutes an integral part of States' obligations under the due diligence standard and the right to effective remedy.¹²* This should include ensuring trafficked survivors are able to access education, sustainable employment and financial reintegration as part of their recovery and to reduce revictimization.
- *Work to change harmful social norms* that perpetuate negative gender, racial, religious stereotypes or discriminate against certain groups or minorities.

IMPROVING SYSTEMS

- *Strengthen legislation, policies and monitoring systems* in sectors where TIP is more prevalent such as agriculture, mining, manufacturing, low-skilled labour industries, domestic work, etc., so there

[ny.un.org/doc/UNDOC/GEN/G19/112/06/PDF/G1911206.pdf?OpenElement](https://documents-dds-un.org/doc/UNDOC/GEN/G19/112/06/PDF/G1911206.pdf?OpenElement)



are less opportunities and ability to profit from TIP.

- *Strengthen capacities of criminal justice actors* to better identify victims and prosecute traffickers, including by providing training on bias and stigma and supporting them in the adoption of child-friendly and gender-sensitive approaches, as well as the identification of emerging TIP challenges, such as online TIP and exploitation.
- *Improve the ability of stakeholders to detect victims of trafficking*, including labour inspectors, immigration officials and police, and strengthen coordination with other relevant actors, such as service providers, in order to breakdown the silos and provide a cohesive and well-connected referral mechanism that is age- and gender-sensitive.
- *Establish or enhance programs and mechanisms that contribute to the identification, referral and protection of victims and potential victims of trafficking in mixed movements*, including recognition and referral of those with international protection needs. This includes anti-trafficking responses to humanitarian actions and ensuring responses are victim centred and age- and gender-sensitive.
- *Strengthen laws and policies to improve accessibility to formal travel documents and migrant employment regulation processes* (including recruitment fees) and ensure that migrants are less likely to be exploited through any linked visas or other travel processes that make them dependent on an employer/sponsor.
- *Regulate business conduct with respect to trafficking in global value chains*, including by advancing on the adoption of an international treaty on business and human rights, and by making use of existing international, regional and national legislation mandating human rights due diligence and sustainable finance disclosure rules.
- *Identify discriminatory and prejudicial legislation, policies and social norms* that inherently disadvantage women and children, the LGBTQI+ community, migrant and refugee populations, ethnic and racial minorities and other disenfranchised groups, and rectify these laws, policies and social norms so that they do not further put these groups at risk of TIP.
- *Strengthen child protection systems to prevent and respond to trafficking in children*, assisting all children who are victims of abuse and exploitation without requiring them to meet rigidly defined conditions to qualify as being trafficked. Child victims of trafficking require additional, specific and child-friendly assistance that should be incorporated into child protection systems.
- *Provide increased resources to non-governmental organizations and other service providers* who support, represent or are led by trafficking victims and survivors.
- *Strengthen data collection and analysis on human trafficking*, including through the disaggregation of demographic data, as well as more in-depth context-specific research on the vulnerabilities to trafficking, with a particular focus on:
 - Documenting the good practices that work in different contexts; and;
 - Analysing the relationship between vulnerability and exposure to risks of trafficking and taking into account intersectionality.



KEY RESOURCES

UNODC, Issue Paper on Abuse of a position of vulnerability and other ‘means’ within the definition of trafficking in persons, 2012.

UNODC, Evidential Issues in Trafficking in Persons - Case Digest, 2017

OSCE, Applying Gender-Sensitive Approaches in Combating Trafficking in Human, 2021

ICAT, 20th Anniversary of the Trafficking in Persons Protocol: An Analytical Review, 2020

ICMPD, Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons, 2016

IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse, 2020

Bronfenbrenner U., Toward an experimental ecology of human development. American Psychologist, 1977

Innes, H. & Innes, M., Personal, Situational and Incidental Vulnerabilities to ASB Harm: a follow up study, Cardiff: Universities Police Science Institute and Cardiff University, 2013

Global Fund to End Modern Day Slavery and FAST, Could financial inclusion be the key to reducing vulnerability to modern slavery?, 2022

UN Women, Policy Brief - From Evidence to Action: Tackling Gender Based violence against migrant women and girls, 2021

UN Women & ILO, Risks of Violence against Women in the Labour Migration Cycle and Services that Need to be in Place throughout the Migration Cycle, 2021

UN Women, Research paper on Women migrant workers' journey through the margins: Labour, Migration and Trafficking, 2016

This Issue Brief has been developed in consultation with the International Survivors of Trafficking Advisory Council (ISTAC), whose views and perspectives have proven invaluable to inform the content of this document. The case study provided in this brief refers to the story of Ms. Zita Cabais, survivor of trafficking in persons and member of ISTAC.

WHAT IS ICAT?

The Inter-Agency Coordination Group against Trafficking of Persons (ICAT) is a policy forum mandated by the General Assembly to improve coordination among United Nations agencies and other relevant international organisations to facilitate a holistic and comprehensive approach to preventing and combating trafficking of persons. ICAT was formally established in March 2007, pursuant to General Assembly resolution 61/180. ICAT consists of 31 organizations and entities as of May 2022.

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