



Deposited via The University of York.

White Rose Research Online URL for this paper:

<https://eprints.whiterose.ac.uk/id/eprint/214925/>

---

**Monograph:**

Obokata, Tom (2023) Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences. Research Report. United Nations

---

**Reuse**

Items deposited in White Rose Research Online are protected by copyright, with all rights reserved unless indicated otherwise. They may be downloaded and/or printed for private study, or other acts as permitted by national copyright laws. The publisher or other rights holders may allow further reproduction and re-use of the full text version. This is indicated by the licence information on the White Rose Research Online record for the item.

**Takedown**

If you consider content in White Rose Research Online to be in breach of UK law, please notify us by emailing [eprints@whiterose.ac.uk](mailto:eprints@whiterose.ac.uk) including the URL of the record and the reason for the withdrawal request.



---

**Human Rights Council****Fifty-fourth session**

11 September–6 October 2023

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development****Homelessness as a cause and consequence of contemporary  
forms of slavery****Report of the Special Rapporteur on contemporary forms of slavery,  
including its causes and consequences, Tomoya Obokata***Summary*

In the present report, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, identifies key causes of homelessness and assesses the specific manifestations of contemporary forms of slavery among persons experiencing homelessness. He analyses homelessness as a consequence of contemporary forms of slavery and identifies challenges in protecting persons experiencing homelessness from contemporary forms of slavery. The Special Rapporteur highlights a variety of initiatives to tackle homelessness and contemporary forms of slavery and sets out his conclusions drawn and his practical recommendations to States, civil society organizations, public and private housing providers and businesses and employers.



## I. Introduction

1. There is generally limited research on the interrelation between homelessness and contemporary forms of slavery. In the present report, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, intends to explore the extent to which persons experiencing homelessness are vulnerable to contemporary forms of slavery and what structural and other factors put them at risk. The Special Rapporteur identifies challenges in protecting persons experiencing homelessness from contemporary forms of slavery and highlights some promising measures and initiatives adopted by States and private actors with the objective of preventing persons experiencing homelessness from being pushed into contemporary forms of slavery.

2. To inform his research, the Special Rapporteur issued a call for input to a wide range of stakeholders, including States Members of the United Nations, national human rights institutions, civil society organizations, United Nations entities and regional human rights bodies. He wishes to thank all entities that responded and welcomes the engagement demonstrated in this process.<sup>1</sup> The Special Rapporteur also drew on information gathered from desk research and consultations with multiple stakeholders.

3. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences consulted with the Special Rapporteur on the right to adequate housing in the development of the present report, and the latter endorses its main findings and recommendations.

## II. Activities of the Special Rapporteur

4. Between September 2022 and the time of preparing the present report, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, undertook a number of activities and in particular strengthened engagement with the business community. The following is an overview of the activities undertaken during the reporting period.

5. In September 2022, after presenting his report on contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minority communities to the Human Rights Council, the Special Rapporteur participated in an online side event sponsored jointly by Anti-Slavery International, the United Nations voluntary trust fund on contemporary forms of slavery and Minority Rights Group International. He also attended the United Nations Responsible Business and Human Rights Forum, Asia-Pacific, held in Bangkok in June 2023.

6. In October 2022, the Special Rapporteur presented a thematic report on contemporary forms of slavery in the informal economy to the seventy-seventh session of the General Assembly.

7. In November 2022, the Special Rapporteur attended the Convening Africa 2022 conference, organized by Finance Against Slavery and Trafficking and the Anti-Money-Laundering Task Force of South Africa, which was focused on the role of the Government and the United Nations in addressing finance and contemporary forms of slavery and trafficking in persons. He also participated in the conference of the United Kingdom Sustainable Investment and Financial Association, held in November 2022, and held a meeting with the World Benchmarking Alliance.

8. In December 2022, the Special Rapporteur attended a public event organized by the United Nations voluntary trust fund on contemporary forms of slavery on the occasion of the International Day for the Abolition of Slavery (2 December) and a launch event of the Forced Labour Observatory of the International Labour Organization (ILO), which provides

---

<sup>1</sup> All submissions received are available at <https://www.ohchr.org/en/calls-for-input/2023/call-input-homelessness-cause-and-consequence-contemporary-forms-slavery>.

comprehensive global and country information on forced labour. He was also invited to take part in an event on forced labour as part of the Oslo Peace Day.

9. In January 2023, the Special Rapporteur participated in a briefing by the Office of the United Nations High Commissioner for Refugees and the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela on the linkages between refugees, migrants and organized crime in the region, including forced labour and trafficking issues.

10. In February 2023, the Special Rapporteur held a virtual visit with the acting Director of the Office to Monitor and Combat Trafficking in Persons of the State Department of the United States of America and attended a conference on responsible business organized by Chatham House.

11. In March 2023, the Special Rapporteur spoke at the annual Human Rights in Asia Conference on the human rights impacts of the fashion industry in Asia organized by the Human Rights Centre of the University of Essex.

12. In April 2023, the Special Rapporteur spoke at a stakeholder event organized jointly by ILO, King's College London and UK Aid on the theme "What works (and does not work) in reducing vulnerability to forced labour and human trafficking of migrant women workers?"

13. In May 2023, the Special Rapporteur undertook an academic visit to Sydney and Melbourne, Australia.

14. He participated in various meetings and events with local politicians and members of civil society, the business and investor community and academia. In that context, he met with representatives of Investors against Slavery and Trafficking Asia and the Pacific and the United Nations Global Compact network in Australia and attended a conference organized by the Responsible Investment Association Australasia as a keynote speaker.

15. In June 2023, Special Rapporteur attended the Global Summit of the Consumer Goods Forum, held in Kyoto, Japan, by participating in a round table on human rights due diligence.

16. The Special Rapporteur continued the engagement with the Inter-Agency Coordination Group against Trafficking in Persons and regular meetings were held with ILO and other United Nations agencies.

17. In terms of country visits, the Special Rapporteur visited Costa Rica, from 16 to 25 November 2022, and Canada, from 23 August to 6 September 2023. In addition, multiple country visit requests and reminders were issued.

18. The Special Rapporteur also held regular meetings with the Migration and Modern Slavery Envoy of the United Kingdom of Great Britain and Northern Ireland and with other relevant anti-slavery stakeholders.

19. The Special Rapporteur also issued various statements and communications addressed to States and private companies, most of them jointly with other special procedure mandate holders.

### **III. International human rights standards on homelessness**

20. There is no internationally agreed definition of homelessness. It is understood differently across the globe, with a variety of definitions advanced by governmental and non-governmental stakeholders.<sup>2</sup> However, the Special Rapporteur regards it as important not to adopt a narrow understanding of homelessness focusing solely on the fact of a person's lack of housing or living on streets. Other situations, such as living in various forms of temporary or emergency accommodations, informal settlements and unstable, unsafe or unsuitable living arrangements, also deserve attention. This broader understanding is in line with that of the Secretary-General,<sup>3</sup> the Special Rapporteur on adequate housing as a component of the

<sup>2</sup> A/HRC/31/54, sect. II.A.

<sup>3</sup> E/CN.5/2020/3, para. 4.

right to an adequate standard of living, and on the right to non-discrimination in this context<sup>4</sup> and the Committee on the Rights of the Child.<sup>5</sup>

21. Homelessness has long been regarded as contrary to international human rights law. First and foremost, it is a violation of the right to adequate housing under article 11 of the International Covenant on Economic, Social and Cultural Rights.<sup>6</sup> Other rights, such as the rights to life, health, liberty and security, as well as freedom from inhuman or degrading treatment, are also affected simultaneously, emphasizing the indivisibility and interdependence of human rights. Homelessness also serves as a cause of contemporary forms of slavery, in contravention of the existing international standards, including the Slavery Convention of 1926, the ILO Forced Labour Convention, 1930 (No. 29), and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

22. There are clear human rights obligations related to homelessness. States should prevent homelessness before it arises and if it occurs. In this regard, they should provide safe, secure and dignified emergency accommodations and, as soon as possible, provide access to affordable and adequate long-term and permanent housing.<sup>7</sup> The prohibition of evictions which lead to homelessness is also an immediate and absolute obligation.<sup>8</sup> To this end, States should, to the maximum of their available resources, ensure that adequate alternative housing, resettlement or access to land are available for those already affected or likely to be affected by evictions.<sup>9</sup>

23. Aside from housing related obligations, States are to adopt and implement measures to eliminate homelessness as expeditiously as possible, with clear goals and timelines and sufficient consultation with persons experiencing homelessness.<sup>10</sup> As part of this, securing equal and adequate access to education, essential services and decent work is important, as this can prevent persons experiencing homelessness from being victimized in contemporary forms of slavery. An important principle in this regard is non-discrimination. States must implement legislative and other appropriate measures to eliminate discrimination against persons experiencing homelessness.<sup>11</sup> As an example, requiring proof of address, payments or identity documents to gain access to housing and essential public services is to be regarded as discriminatory.<sup>12</sup> It is also important to recognize that such persons often suffer from additional, intersecting forms of discrimination, based on their age, gender identity, sexual orientation, race, ethnicity, migration status and disability, that must also be addressed at the same time.

24. Particular care and attention must be paid to children in street situations, who are among the most vulnerable to contemporary forms of slavery. Their best interests must be taken into consideration at all times in developing and implementing an appropriate strategy to facilitate their reintegration into their families and communities, including through the provision of tailored childcare arrangements and support to their parents, guardians or caregivers.<sup>13</sup> Equal access to education, health care, information and justice should also be guaranteed without discrimination. To this end, relevant professionals and service providers should be properly trained. The Special Rapporteur regards it as necessary that such training

<sup>4</sup> [A/HRC/31/54](#), sect. II.B.

<sup>5</sup> Committee on the Rights of the Child, general comment No. 21 (2017) on children in street situations, para. 4.

<sup>6</sup> See also article 27 of the Convention on the Rights of the Child, article 14 of the Convention on the Elimination of All Forms of Discrimination against Women and article 28 of the Convention on the Rights of Persons with Disabilities.

<sup>7</sup> [A/HRC/43/43](#), para. 33.

<sup>8</sup> Committee on Economic, Social and Cultural Rights, general comment No. 7 (1997) on forced evictions, para. 16.

<sup>9</sup> *López Albán et al. v. Spain* ([E/C.12/66/D/37/2018](#)), para. 9.3; and [A/HRC/4/18](#), paras. 43 and 44.

<sup>10</sup> Committee on Economic, Social and Cultural Rights, general comment No. 4 (1991) on the right to adequate housing, para. 12; and Human Rights Committee, general comment No. 36 (2018) on the right to life, para. 23.

<sup>11</sup> Committee on the Rights of the Child, general comment No. 21 (2017), paras. 22 and 26; and [A/HRC/31/54](#), para. 49.

<sup>12</sup> Committee on the Rights of the Child, general comment No. 21 (2017), para. 26.

<sup>13</sup> Committee on the Rights of the Child, general comment No. 21 (2017), paras. 44–49.

also pay due regard to the risk of contemporary forms of slavery among children in street situations.

#### IV. Profiles of person experiencing homelessness and key causes of homelessness

25. The vulnerabilities surrounding homelessness are extremely similar, if not the same, as those of contemporary forms of slavery. There is no doubt that those who face the risk of becoming homeless are simultaneously vulnerable to labour or sexual exploitation, and vice versa. This becomes apparent in looking at the major causes of homelessness and the profiles of those who are at a heightened risk of becoming homeless. It has been estimated that 150 million people globally are homeless.<sup>14</sup> If one adopts a broader notion of homelessness, that number will be much higher.

26. Anyone can be at risk of being homeless, for many reasons, but there are particularly vulnerable groups, and chief among them are children and young people. While structural (e.g. poverty, inequality, discrimination, lack of affordable housing, evictions, displacement, migration and destruction of homes), as well as personal (e.g. unemployment, substance abuse, physical and intellectual disabilities), causes can result in homelessness for anyone, there are specific factors relevant to children and young people. For example, a lack of access to education, and being subjected to physical and mental abuse, neglect and abandonment and family disintegration may push children and young people into street situations.<sup>15</sup> These are evident, for example, among lesbian, gay, bisexual, transgender, queer and intersex young people, many of whom end up on the streets because they are neglected or abandoned by their families and communities.<sup>16</sup> In addition, adolescents who escape from or age out of care arrangements are at a heightened risk of homelessness.<sup>17</sup>

27. Women are also vulnerable to homelessness. In addition to the structural causes noted above, discriminatory laws and practices in areas of divorce, inheritance and matrimonial property,<sup>18</sup> as well as limited access to decent work among women, significantly increases the risk that they face. In this regard, it has been reported that female-headed households constitute 70 per cent of the world's homeless population.<sup>19</sup> Furthermore, gender-based violence, including domestic violence, often contributes to homelessness among women.<sup>20</sup> Due to a lack of alternatives, women may engage in sex work in order to survive, but various States have chosen to criminalize sex work, instead of providing assistance,<sup>21</sup> further stigmatizing women sex workers. The gendered nature of other forms of exploitation, such as domestic servitude and forced and child marriage, must also be highlighted.

28. Ethnic and other minorities in many States constitute another group at heightened vulnerability to homelessness. It has been reported, for example, that Roma people, people of African descent, Hispanic populations and communities discriminated against on the basis

<sup>14</sup> [A/HRC/43/43](#), para. 2.

<sup>15</sup> Committee on the Rights of the Child, general comment No. 21 (2017), para. 8; and submissions to the Special Rapporteur from the Government of Chad, Human Trafficking Legal Center, Raíces and Pourakhi Nepal.

<sup>16</sup> Committee on the Rights of the Child, general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, para. 33; [CERD/C/USA/CO/10-12](#), para. 39; and submissions from ReportOut and the Centre for Applied Human Rights of the University of York.

<sup>17</sup> Laura Murphy, "Labour and sex trafficking among homeless youth: a ten-city study", Modern Slavery Research Project, Loyola University New Orleans, 2017, pp. 25–26.

<sup>18</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, paras. 43 and 44; and submission from Medica Zenica.

<sup>19</sup> This also includes those living in inadequate housing. [E/CN.5/2020/3](#), para. 12.

<sup>20</sup> Submissions from the Governments of the Philippines and Portugal and the Office of the Ombudsman of Argentina.

<sup>21</sup> Submissions from the Global Alliance against Traffic in Women and Mission d'intervention et de sensibilisation contre la traite des êtres humains.

of work and descent are more likely to experience homelessness.<sup>22</sup> Deep-rooted racial and caste-based discrimination undoubtedly play a part, as many of such people are not able to acquire access to high-quality education, decent work, affordable housing and essential public services.<sup>23</sup> Similarly, migrants, particularly those in irregular situations, face an increased risk of becoming homeless, as they are often not entitled to public housing or other social and financial benefits, such as preferential housing loans, compared with citizens, sometimes due to discriminatory policies and regulations.<sup>24</sup> In addition, some States are taking active steps to criminalize renting homes to migrants in an irregular situation, which is pushing hundreds of thousands of them into homelessness.<sup>25</sup> When housing is provided as part of a work contract, such as for domestic workers, the risk of becoming homeless in case of the termination of employment is particularly high. Inadequate and/or harsh housing or living conditions in certain sectors dominated by migrant workers are an additional risk factor.<sup>26</sup>

29. In addition, displaced persons, including internally displaced persons, refugees and asylum-seekers, inevitably experience homelessness until they have access to a durable alternative and adequate housing solution. They are forced to leave their home and community because of events such as persecution and other gross violations of human rights inflicted by States or other actors, armed conflict, terrorism, natural disasters, the climate crisis and unemployment caused by the coronavirus disease (COVID-19) pandemic.<sup>27</sup> In countries of destination, access to affordable and safe housing, education, decent work and public services is often limited,<sup>28</sup> increasing the risk of homelessness and contemporary forms of slavery. Unaccompanied asylum-seeking children in temporary accommodations are particularly vulnerable, as they can easily be targeted by criminals and others for exploitation.<sup>29</sup> The victims of human trafficking should also be included in this category, as they are coercively and/or deceptively moved internally and externally for sexual and labour exploitation and often find themselves in situations of homelessness.<sup>30</sup>

30. Similarly, indigenous peoples are disproportionately affected by homelessness. This has been observed in several States, including Australia, Cambodia, Canada and New Zealand.<sup>31</sup> In addition to the causes already mentioned, the dispossession of their lands, territories and resources through land grabs, forced eviction or displacement<sup>32</sup> is the key contributing factor to homelessness among indigenous peoples. The Special Rapporteur on the rights of Indigenous Peoples has noted previously that homelessness among members of this group should encompass the entirety of the indigenous experience, including isolation from family, community, land, water, language, culture and identity.<sup>33</sup> Those living in urban

<sup>22</sup> CERD/C/BRA/CO/18-20, para. 24; CERD/C/IRL/CO/5-9, para. 27; CERD/C/USA/CO/10-12, para. 39; and submissions from Rights Lab, the Global Forum of Communities Discriminated on Work and Descent and the European Roma Grassroots Organisations Network.

<sup>23</sup> See A/HRC/41/54/Add.2, A/HRC/42/59/Add.1, A/HRC/44/57/Add.1, A/HRC/45/44/Add.2, A/HRC/51/54/Add.1 and A/HRC/51/54/Add.2.

<sup>24</sup> CERD/C/IRL/CO/5-9, para. 27; CMW/C/CPV/CO/1-3, para. 61; and submissions from the Cepaim Foundation, the Global Alliance against Traffic in Women and Migrant Workers' Action.

<sup>25</sup> See, for example, communication PER 6/2022. All communications mentioned in the present report are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

<sup>26</sup> Submissions from Dr Jesse Hohmann, the European Federation of National Organisations Working with the Homeless, Migrant Workers' Action and Mission d'intervention et de sensibilisation contre la traite des êtres humains; and consultations with stakeholders in Australia.

<sup>27</sup> A/77/494, paras. 36–38; A/HRC/51/6, paras. 52–54; A/77/190, para. 55; A/77/226, paras. 32 and 56; A/74/183, paras. 41–44; A/75/148, para. 4; and submissions from the City of Houston Mayor's Office of Human Trafficking and Domestic Violence and Baylor College of Medicine–Harris Health.

<sup>28</sup> A/HRC/48/52; and submissions from the Fenix Youth Project and Lawyers for Justice in Libya.

<sup>29</sup> Submissions from the Consortium for Street Children, Child Labour: Action-Research-Innovation in South and South-Eastern Asia, the Council of Women's and Infants' Specialty Hospitals and Lorraine van Blerk.

<sup>30</sup> Submission from the Sovereign Military Hospitaller Order of St. John of Jerusalem, of Rhodes and of Malta.

<sup>31</sup> A/76/202, paras. 26 and 31; E/C.12/AUS/CO/5, para. 42; CERD/C/KHM/CO/14-17, para. 27; A/HRC/47/43/Add.1, para. 62; and A/HRC/48/74, para. 53.

<sup>32</sup> A/74/183, paras. 2 and 5.

<sup>33</sup> A/76/202, para. 31.

areas are equally vulnerable, as many depend on rental housing and are therefore at a higher risk of eviction.<sup>34</sup>

31. The risk of homelessness is high among persons with disabilities. Many of them experience poverty and unequal access to education, essential services, decent work and housing, which can result in homelessness and exploitation.<sup>35</sup> In some instances, persons with disabilities are abandoned by their families, and those escaping from violence at home may end up in situations of homelessness, due to a lack of appropriate temporary housing.<sup>36</sup> The Special Rapporteur on the rights of persons with disabilities has expressed concerns that persons with disabilities experiencing homelessness are exposed to the risk of law enforcement actions and deprivation of liberty because survival behaviours, like loitering, begging and sleeping in public spaces, are criminalized in some States.<sup>37</sup>

32. Other groups, such as older persons<sup>38</sup> and formerly incarcerated<sup>39</sup> or otherwise institutionalized individuals, are more likely to become homeless for similar reasons as members of other vulnerable populations. In order to prevent both homelessness and contemporary forms of slavery, it is clear that States must adopt a comprehensive approach that takes these interlinked structural and personal causes into consideration. Furthermore, individually tailored, as opposed to one-size-fits all, support is needed in order to empower in particular members of vulnerable populations, who often experience intersecting forms of inequality and discrimination.

## V. Manifestations of contemporary forms of slavery among persons experiencing homelessness

33. Homelessness undoubtedly serves as a cause of contemporary forms of slavery, as affected individuals can easily be targeted by exploiters, including traffickers. This vulnerability also exists for those who are at risk of being homeless. Due to inadequate access to education, decent work and essential public services, they may feel compelled to accept a situation of labour and/or sexual exploitation in order to avoid homelessness.

34. The Special Rapporteur has learned that many persons experiencing homelessness are coercively and deceptively recruited in the streets, homeless shelters, or parks, at bus stops or even outside of government assistance offices with false promises of lucrative jobs, education or other benefits, while others choose to engage in work which may amount to contemporary forms of slavery due to a lack of alternative income-generating opportunities.<sup>40</sup> It is also widely known that persons experiencing homelessness are trafficked across international borders. Furthermore, children and young people who are placed in childcare systems can be subjected to trafficking and exploitation both during and after exiting such support systems.<sup>41</sup>

35. In the same way as other vulnerable populations to contemporary forms of slavery, criminal actors, including gangs and organized criminal groups, are known to actively recruit persons experiencing homelessness.<sup>42</sup> The Special Rapporteur is concerned by the fact that family members, friends or acquaintances of persons experiencing homelessness, private

<sup>34</sup> [A/76/202](#), para. 22.

<sup>35</sup> [A/HRC/40/54](#), para. 33; [A/HRC/43/41/Add.2](#), para. 54; [CRPD/C/IND/CO/1](#), para. 58; [A/76/408](#), para. 39; and submissions from the Government of Israel, the Mercy Foundation and Terre des Hommes Netherlands.

<sup>36</sup> [E/CN.5/2020/3](#), para. 58; and [A/72/128](#), paras. 20–22.

<sup>37</sup> [A/HRC/40/54](#), para. 33.

<sup>38</sup> [A/66/173](#), para. 9.

<sup>39</sup> [E/C.12/FIN/CO/7](#), para. 38; [E/CN.5/2020/3](#), para. 27; and submissions from the Government of Lithuania, the Helen Bamber Foundation and UNANIMA International.

<sup>40</sup> Submissions from the Consortium for Street Children, Child Labour: Action-Research-Innovation in South and South-Eastern Asia, the Council of Women's and Infants' Specialty Hospitals and Lorraine van Blerk.

<sup>41</sup> [A/77/140](#), para. 28; and submissions from Raíces and UNANIMA International.

<sup>42</sup> Submissions from the United Nations Office on Drugs and Crime (UNODC) and the Centre for Applied Human Rights of the University of York.

businesses, as well as local and religious leaders, are often involved in the recruitment of persons experiencing homelessness, including children and young people in street situations.<sup>43</sup> Such individuals and groups entice them with the promise of jobs, accommodations or other necessities and later coerce or deceive them into situations of sexual or labour exploitation.<sup>44</sup>

36. In terms of the manifestation of exploitation, it has been reported that persons experiencing homelessness, in particular children and young people in street situations, may be recruited for criminal exploitation, including forced drug and weapons trafficking, theft and the smuggling of contraband.<sup>45</sup> Although those who are exploited in criminal activities should clearly be regarded as victims of contemporary forms of slavery, the reality for many of them is that they face law enforcement actions, such as fines and incarceration, and end up with criminal records. This is an additional hurdle in gaining access to affordable housing, education, decent work and public services, significantly increasing the risk of re-victimization.

37. Labour exploitation is occurring in various parts of the world. Forced begging is a common form of exploitation globally, in particular among children and young people in street situations.<sup>46</sup> Domestic servitude among women and girls experiencing homelessness has been reported in Australia, the United Kingdom and East Africa.<sup>47</sup> Other sectors allegedly recruiting persons experiencing homelessness into exploitative working relationships include the agriculture, garment manufacturing and car washing sectors.<sup>48</sup> For children in street situations, the worst forms of child labour raise serious concerns. It has been reported in this regard that children from Burkina Faso and Mali are trafficked into neighbouring countries for forced labour in mining and cocoa production, and a similar picture emerges in South Asia.<sup>49</sup> Instead of earning proper wages, they are forced to work in exchange for accommodations, food or even drugs and alcohol.<sup>50</sup> This increases their dependence on traffickers and exploiters, allowing them to maintain control over the victims for sustained exploitation and abuse.

38. In addition, the sexual exploitation of persons experiencing homelessness remains a serious concern. It has been reported, for example, that many “runaway youth”, in particular among lesbian, gay, bisexual, transgender, queer and intersex populations, have to resort to so-called “survival sex”, which may entail exploitation and abuse, including through deception or the threat and/or use of violence.<sup>51</sup> Young girls in street situations in various African States have also been recruited by criminals for sexual exploitation.<sup>52</sup> However, the sexual exploitation of persons experiencing homelessness is not a problem just for developing States –it has been estimated that in New York, Arizona, Kentucky and Indiana, United

<sup>43</sup> Submissions from the Association Comunità Papa Giovanni XXIII, Medica Zenica and Terre des Hommes Netherlands.

<sup>44</sup> UNANIMA International, “The intersection of family homelessness and human trafficking” (2021); and submissions from the National Human Rights Commission of Nigeria, the Human Trafficking Legal Center and Raíces.

<sup>45</sup> Anti-Slavery International, ECPAT UK and Pacific Links Foundation, “Precarious journeys: mapping vulnerabilities of victims of trafficking from Vietnam to Europe” (2019); and Department of State of the United States, “Trafficking in persons report 2022”.

<sup>46</sup> [CRC/C/GRC/CO/4-6](#), para. 42; [A/HRC/40/51/Add.3](#), para. 23; and submission from UNODC.

<sup>47</sup> Consultation with the Consortium for Street Children and its partners in Africa; and submissions from Terre des Hommes Netherlands and the Mercy Foundation.

<sup>48</sup> Submission from the Association Comunità Papa Giovanni XXIII; and Crisis UK, “No way out and no way home: modern slavery and homelessness in England, Wales and Northern Ireland” (2021).

<sup>49</sup> Submissions from Association Jekawili and the Centre for Applied Human Rights of the University of York.

<sup>50</sup> Consultations with stakeholders in Australia; and submission from the European Federation of National Organisations Working with the Homeless.

<sup>51</sup> [A/HRC/41/39/Add.1](#), para. 7; [A/77/140](#), para. 28; [A/76/144](#), para. 53; and submissions from Consortium for Street Children, Child Labour: Action-Research-Innovation in South and South-Eastern Asia, the Council of Women’s and Infants’ Specialty Hospitals, Lorraine van Blerk and ReportOut.

<sup>52</sup> Submissions from the Government of Chad and the Centre for Applied Human Rights of the University of York.

States, between 25 and 40 per cent of all young people experiencing homelessness have become victims of human trafficking for sexual exploitation.<sup>53</sup>

39. Furthermore, there is a linkage between homelessness and forced, child or sham marriages. While the Special Rapporteur has not seen widespread evidence of girls in street situations being forcibly married, a fear of becoming homeless can sometimes encourage parents to marry off their daughters to receive a bride price in the absence of alternative financial resources. As an example, young girls, many of whom are from the Roma community, in Bosnia and Herzegovina are reportedly sold to other families for financial and other benefits and later experience labour and sexual exploitation.<sup>54</sup> There are also instances of women experiencing homelessness who are lured into sham or fake marriages in exchange for financial and other benefits.<sup>55</sup>

## **VI. Homelessness as a consequence of contemporary forms of slavery**

40. While it is clear that homelessness serves as a cause of contemporary forms of slavery, such practices can also lead to homelessness. In this regard, many of those escaping from labour exploitation,<sup>56</sup> domestic servitude,<sup>57</sup> sexual exploitation,<sup>58</sup> indentured servitude<sup>59</sup> and forced or child marriages<sup>60</sup> often end up being homeless, as they lack access to essential services and social housing. In Lebanon, it has been reported that many migrant domestic workers have been pushed into homelessness after being mistreated by their employers and/or not receiving sufficient protection by their embassies, in particular during the COVID-19 pandemic.<sup>61</sup> It has also emerged that victims of contemporary forms of slavery are abandoned after sexual and labour exploitation.<sup>62</sup> Additional difficulties, such as substance abuse and mental and physical health problems, often prevent persons experiencing homelessness from gaining access to decent work. These undoubtedly increase the risk of re-victimization in contemporary forms of slavery.

## **VII. Challenges in protecting persons experiencing homelessness from contemporary forms of slavery**

41. The linkage between homelessness and contemporary forms of slavery is undeniable, and there are a number of challenges which must be addressed in order to protect persons experiencing homelessness from being subjected to these practices. An overarching obstacle is ongoing discrimination against them by public authorities and the general public. This leads to a number of practical challenges in promoting their social and economic integration into society. Many persons experiencing homelessness are affected by intersecting forms of discrimination, based on race, ethnicity, gender identity, sexual orientation, migration status and other factors.

42. To begin with, discrimination hinders access for persons experiencing homelessness to vital services, including health and social care and housing. In some cases, they are explicitly excluded from some services, such as non-contributory social assistance.<sup>63</sup>

<sup>53</sup> UNANIMA International, "The intersection of family homelessness".

<sup>54</sup> Submission from Medica Zenica.

<sup>55</sup> Submission from UNODC.

<sup>56</sup> Submissions from the European Federation of National Organisations Working with the Homeless and Pourakhi Nepal.

<sup>57</sup> Consultation with the Consortium for Street Children and its partners in Africa; and Toybox, "Slavery and the streets: exploring the links between modern slavery and children in street situations" (2018).

<sup>58</sup> UNANIMA International, "The intersection of family homelessness".

<sup>59</sup> See GTM 6/2021 and the related OTH 206/2021.

<sup>60</sup> Committee on the Rights of the Child, General Comment No. 21 (2017), para.8; and consultations with stakeholders in Australia.

<sup>61</sup> See LBN 1/2020; and submissions from Egna Legna Besidet and Migrant Workers' Action.

<sup>62</sup> Submission from Lawyers for Justice in Libya.

<sup>63</sup> A/HRC/44/40/Add.2, para. 22.

Families experiencing homelessness and children in street situations in Europe have also reported mistreatment or discrimination by health-care professionals.<sup>64</sup> A related point is a shortage of adequate emergency or temporary accommodations that meet international human rights standards and of long-term, affordable housing.<sup>65</sup> Groups in vulnerable situations, such as migrants, minorities, including Roma people, and lesbian, gay, bisexual, transgender, queer and intersex people, are said to be affected by housing exclusion more than others.<sup>66</sup> In addition, many are also not aware of available services, as they lack access to accurate and adequate up-to-date information on public services<sup>67</sup> or have limited capacity to claim the social assistance to which they are eligible.<sup>68</sup>

43. Even where such services are available, there are practical issues which must be addressed. It has been reported, for example, that services provided to persons experiencing homelessness, including children in street situations, are often not of a high standard or quality. In this regard, many publicly and privately run shelters and social protection centres are constantly understaffed and underresourced, and some assistance, such as cash transfers or income support, are regarded as insufficient.<sup>69</sup> Health care for persons experiencing homelessness is also often of a poor quality, and payments are required to receive medical services in various parts of the world, creating a significant obstacle in access to health care.<sup>70</sup>

44. Another challenge is the financial exclusion of persons experiencing homelessness. Many such persons do not have access to bank accounts, credits and other financial products and services, due to the requirements for a postal address and identity documents, as well as the high fees charged by financial institutions, effectively preventing them from receiving cash and other benefits.<sup>71</sup> A lack of knowledge about financial systems and their entitlements undoubtedly serves as another obstacle. An added dimension is the digitalization of public services and financial transactions spreading across the world. This puts persons experiencing homelessness in a disadvantaged position, as many are excluded from digital technology. A recent study in the United Kingdom, for example, found that access to the Internet is limited for many persons experiencing homelessness for various reasons, despite the fact that many of them possess smartphones.<sup>72</sup>

45. It is also difficult for persons experiencing homelessness to find decent work, which significantly increases the risk of labour and sexual exploitation. A lack of education or qualifications, as well as other factors, such as mental or physical impairments and substance abuse, may discourage employers from hiring them.<sup>73</sup> Even if they are able to find

<sup>64</sup> European Commission, “Homeless children and young people: a review of interventions supporting access to healthcare services” (2021).

<sup>65</sup> Submissions from the Office of the Ombudsman of Argentina, the Cepaim Foundation, Polaris and Pourakhi Nepal; and Economic Commission for Europe, “Housing for migrants and refugees in the UNECE region: challenges and practices” (2021).

<sup>66</sup> Submissions from the Association Comunità Papa Giovanni XXIII, the Mercy Foundation, the Global Forum of Communities Discriminated on Work and Descent and European Roma Grassroots Organisations Network.

<sup>67</sup> Submission from the Government of Lithuania and consultations with stakeholders in Australia.

<sup>68</sup> For in-depth discussions surrounding social protection, see [A/HRC/50/38](#).

<sup>69</sup> Anti-Slavery International, ECPAT UK International and Pacific Links Foundation, “Precarious journeys”; Crisis and Against Violence and Abuse, “Interim report: evaluation of project TILI” (2021); Star Zólyomi et al., “Mapping trends and policies to tackle homelessness in Europe: a holistic approach to measuring homelessness based on practices of ten European Union countries”, European Centre for Social Welfare Policy and Research, (2021).

<sup>70</sup> European Commission, “Homeless children and young people”; and Jonathan Hopkins and Manjulaa Narasimhan, “Access to self-care interventions can improve health outcomes for people experiencing homelessness”, *British Medical Journal*, vol. 376, No. 8331.

<sup>71</sup> Consultations with stakeholders in Australia; submission from Polaris; and European Federation of National Organisations Working with the Homeless, “Homeless services provide solutions to ensure homeless people are financially included in increasingly cashless societies” (January 2022).

<sup>72</sup> Vanessa Heaslip et al., “How do people who are homeless find out about local health and social care services: a mixed method study” *International Journal of Environmental Research and Public Health* (2022).

<sup>73</sup> Homelessness Policy Research Institute of the University of Southern California, “Homelessness and employment”, literature review, (April 2020).

employment, persons experiencing homelessness are predominantly represented in the informal economy.<sup>74</sup> While not all forms of informal work are exploitative, indicators of forced labour and exploitation are often evident in various informal sectors, as many of them are poorly regulated by States.<sup>75</sup> It is clear that the provision of stable and long-term employment opportunities in the formal economy to persons experiencing homelessness is needed.

46. Limited access to public services and decent work is often the result of a lack of participation by persons experiencing homelessness in decision-making processes. This may lead to the promotion of one-size-fits-all approaches, which do not take individual needs and circumstances into consideration. It is inappropriate, for example, to place all children in street situations into foster care and other similar arrangements, if doing so exacerbates their vulnerabilities to contemporary forms of slavery. In this regard, according to recent research conducted in over 30 European States, a large number of lesbian, gay, bisexual, transgender, queer and intersex youth in situations of homelessness felt that tailored policies and support for them were very weak or non-existent.<sup>76</sup> Listening to the experiences and concerns of persons in situations of homelessness is essential in devising appropriate short-, medium- and long-term solutions that are suitable and acceptable to them.

47. The criminalization of conduct associated with homelessness, such as sleeping in public and loitering, is another manifestation of discrimination against persons experiencing homelessness, including children in street situations, by law enforcement authorities in various parts of the world. Many face penalties, such as fines or even incarceration, as a result.<sup>77</sup> In Malaysia, for example, the Destitute Persons Act reportedly has been used to detain persons experiencing homelessness without trial.<sup>78</sup> Those who are forced to commit offences, such as drug trafficking and theft, also face the full force of the law. Intersecting forms of discrimination are also evident, as it has been suggested that criminalization more frequently affects ethnic minorities and lesbian, gay, bisexual, transgender, queer and intersex people.<sup>79</sup> The possession of criminal records by persons experiencing homelessness inevitably makes it much harder to promote their social and economic integration.

48. Moreover, a lack of sufficient knowledge on the linkage between homelessness and contemporary forms of slavery among private and public service providers poses another challenge. This stems from a lack of reliable data or information on the subject matter. Without a full understanding of the particular vulnerabilities and victimization surrounding persons experiencing homelessness, including children in street situations, States and non-governmental actors are not able to develop and implement appropriate and effective strategies, including tailored assistance, which sufficiently reflects gender and other dimensions. There is therefore an urgent need to enhance the knowledge base through research, awareness-raising and training among the relevant stakeholders in both the homelessness and anti-slavery sectors.

## VIII. Initiatives to tackle homelessness and contemporary forms of slavery

49. The Special Rapporteur wishes to acknowledge that a wide variety of initiatives have been adopted by States and private actors, which can address the ongoing challenges of preventing persons experiencing homelessness from being victimized in contemporary forms of slavery. The provision of emergency or temporary accommodations as immediate

<sup>74</sup> E/CN.5/2020/3, para. 11.

<sup>75</sup> See A/77/163.

<sup>76</sup> J. Shelton, et al., "Perceptions: addressing LGBTI youth homelessness in Europe and Central Asia, findings from a survey of LGBTI organisations", ILGA-Europe, True Colors United and Silberman Center for Sexuality and Gender at Hunter College (2021).

<sup>77</sup> A/HRC/48/55, para. 25; A/HRC/41/33, para. 52; and submissions from Egna Legna Besidet and Freedom Network USA.

<sup>78</sup> A/HRC/44/40/Add.1, para. 50.

<sup>79</sup> Submissions from A Way Home America, Aiden Anthony, the National Homelessness Law Center, True Colors United and Freedom Network USA.

protection is common in all regions of the world.<sup>80</sup> It is particularly encouraging that an increasing number of public and private shelters have started paying attention to the vulnerabilities surrounding contemporary forms of slavery among persons experiencing homelessness. In Houston, Texas, United States, for example, shelters run by the Coalition for the Homeless carefully screen for indications of contemporary forms of slavery and provide additional services in cooperation with the local authorities.<sup>81</sup> Similar arrangements exist in the United Kingdom, with the participation of civil society organizations, such as Women's Aid, Bawso and Hestia, and in the Americas, through the work of Covenant House.<sup>82</sup>

50. However, persons experiencing homelessness must be able to gain access to long-term affordable housing, which provides not only safety and security, but also a sense of belonging to their family and community, in order to promote their successful social and economic integration. This has been promoted by a large number of States. The "housing first" initiative is a good example. Originally launched in New York by the charity Pathways to Housing,<sup>83</sup> this initiative prioritizes the provision of permanent housing to persons experiencing homelessness and has been adopted in various regions of the world.<sup>84</sup> As an example, Finland launched a national programme to end long-term homelessness, in 2008, which increased the amount of long-term housing, leading to a reduction in homelessness to a great extent.<sup>85</sup>

51. Many States have also been promoting access to affordable housing to those who are vulnerable to homelessness. Australia has allocated \$A 1.6 billion to states and territories to improve access to affordable housing where priority consideration is given to women affected by domestic violence, children and young people, indigenous peoples and older persons.<sup>86</sup> In various cities in Germany, Italy, Netherlands (Kingdom of the), Spain, the United Kingdom and the United States, empty buildings and offices have been transformed into affordable housing for refugees and asylum-seekers with close cooperation from civil society organizations, private property owners and businesses.<sup>87</sup> In India, the Pradhan Mantri Awas Yojana programme has been providing affordable housing to women as a form of empowerment. Furthermore, Norway has a specific housing policy on formerly incarcerated individuals,<sup>88</sup> who are also vulnerable to homelessness.

52. In addition, several States have taken steps to prevent evictions. Domestic law in Denmark prohibits eviction in cases where children or persons with disabilities are in households, and Austria and Hungary prevent property owners from evicting people during the winter months.<sup>89</sup> In some States, a prohibition of arbitrary eviction is provided for in constitutions.<sup>90</sup> It is also worth highlighting that Argentina, Colombia, Israel, New Zealand, the United Kingdom and the United States specifically prevented evictions or provided rental

<sup>80</sup> Organisation for Economic Co-operation and Development (OECD), "Policy brief on affordable housing: better data and policies to fight homelessness in the OECD" (2020).

<sup>81</sup> Submission from the City of Houston Mayor's Office of Human Trafficking and Domestic Violence and the Baylor College of Medicine-Harris Health.

<sup>82</sup> Crisis and Against Violence and Abuse, "Interim report"; and see <https://www.covenanthouse.org/latinamerica>.

<sup>83</sup> See <https://www.pathwayshousingfirst.org/>.

<sup>84</sup> Submission from the Government of Israel; and OECD, "National strategies for combating homelessness" report on indicator HC3.2 (2021).

<sup>85</sup> OECD, "Policy brief on affordable housing".

<sup>86</sup> National Housing and Homeless Agreement between the Commonwealth of Australia and the States and Territories of New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory (2018).

<sup>87</sup> Submission from the Cepaim Foundation; and Economic Commission for Europe, "Housing for migrants and refugees".

<sup>88</sup> Ministry of Local Government and Modernization of Norway, National strategy for social housing policy, 2021–2024.

<sup>89</sup> Eszta Zólyomi et al., "Mapping trends".

<sup>90</sup> Constitution of Fiji of 2013, section 39; Constitution of Nepal of 2015, article 37; Constitution of the Philippines of 1987, section 10; and Constitution of South Africa of 1996, section 26.

and homeowner assistance during the COVID-19 pandemic.<sup>91</sup> These cases clearly demonstrate that it is possible to reduce evictions into homelessness significantly, with sufficient political will.

53. The provision of temporary accommodations or long-term housing must be followed by the effective social and economic inclusion or integration of persons experiencing homelessness. Improving their employability through education, training and skills development is essential in this regard, and many stakeholders already have been proactive in this area. In Georgia, the rehabilitation and integration of children in street situations has been implemented through the provision of shelters and foster care and the enrolment of such children in school,<sup>92</sup> and the Government of Nigeria, in cooperation with local authorities, has established Almajiri integrated model schools to provide educational opportunities for children in street situations.<sup>93</sup> In Japan, self-reliance support centres for people experiencing homelessness across the country provide employment support, including the provision of vacancy information, guidance on job seeking, skills training and placements,<sup>94</sup> and similar arrangements exist in Cambodia<sup>95</sup> and the Republic of Korea.<sup>96</sup>

54. The role of civil society organizations should be highlighted, as they often fill the gaps left by States. Between 2021 and 2022, the charity organization Toybox, in cooperation with local grass-roots organizations, has facilitated access to education and vocational training for a number of children and young people in street situations in States such as Bolivia (Plurinational State of), India, Guatemala, Nepal, Kenya and Sierra Leone.<sup>97</sup> In Türkiye, the Hayata Sarıl Association was established to provide free meals to persons experiencing homelessness, as well as legal, medical and vocational training.<sup>98</sup> Positive examples have also been reported in other countries, including Bosnia and Herzegovina, Chile, Greece, Italy, Hungary, Luxembourg, Kenya, Nigeria, Portugal and the United Republic of Tanzania.<sup>99</sup>

55. In addition to education and training, some positive examples exist for helping persons experiencing homelessness acquire access to employment, such as the individual placement and support model. Originally developed in the United States for those with intellectual disabilities, but the individual placement and support model has increasingly been expanded for use in assisting other vulnerable groups, such as persons experiencing homelessness, to find long-term employment.<sup>100</sup> The benefit of such a programme is that it does not stigmatize those who may be suffering from physical or mental illness, disabilities or substance abuse. The individual placement and support model has been promoted in many States, including Australia, Belgium, Canada, China, Italy, Japan, New Zealand, Spain and the United Kingdom.<sup>101</sup>

56. Social enterprises, the charity and civil society sector and publicly funded programmes provide employment opportunities for persons experiencing homelessness.<sup>102</sup>

<sup>91</sup> Submission from Freedom Network USA; and OECD, “Housing amid COVID-19: policy responses and challenges”, 22 July 2020.

<sup>92</sup> CERD/C/GEO/9-10, paras. 186–188.

<sup>93</sup> Submission from Nigeria National Human Rights Commission.

<sup>94</sup> Act to Provide Special Measures for the Support of the Self-Reliance of the Homeless, 2002.

<sup>95</sup> CRC/C/KHM/4-6, para. 122.

<sup>96</sup> Act on Support for Welfare and Self-Reliance of the Homeless, 2011.

<sup>97</sup> Toybox, “Annual report and financial statements for the year ended 30 June 2022”.

<sup>98</sup> See <https://borgenproject.org/homeless-people-in-istanbul/>.

<sup>99</sup> Submissions from the Governments of Luxembourg and Portugal, the National Human Rights Commission of Nigeria, Medica Zenica, the European Federation of National Organisations Working with the Homeless and Terre des Hommes Netherlands.

<sup>100</sup> James LePage et al., “Individual placement and support supported employment for justice involved homeless and unemployed veterans” *Medical Care*, vol. 59, No. 4.

<sup>101</sup> Substance Abuse and Mental Health Services Administration of the United States, “Individual placement and support model supported employment for people experiencing homelessness” (2015).

<sup>102</sup> Joanne Bretherton and Nicolas Pleace, “Is work an answer for homelessness? Evaluating an employment programme for homeless adults” *European Journal of Homelessness*, vol. 13, No. 1; Aslan Tanekenov, “Social enterprise in the UK homeless sector: lessons for Kazakhstan”, *Cogent Social Science*, vol. 2, No. 1; and Central Institute of Economic Management, “Social enterprise in Vietnam: concepts, contexts and policies” (2012).

As an example, social enterprise cafes, which provide jobs to persons experiencing homelessness, in addition to food and drinks, is increasingly becoming popular globally.<sup>103</sup> This is sometimes done through “social impact bonds”, which consist of funding from private investors and are aimed at assisting programmes to address pressing social problems, including homelessness, through the creation of employment, among other initiatives.<sup>104</sup> While they are encouraging initiatives, it is important to ensure that they provide long-term and sustainable, as opposed to temporary, job security for persons experiencing homelessness.

57. The ability to acquire access to income support and social security is also essential in preventing contemporary forms of slavery, when persons experiencing homelessness are not able to find temporary or long-term employment. States around the world have taken different approaches to securing such access. In Canada, the housing agency of British Columbia runs a homeless outreach programme that provides tailored income support and other services to indigenous peoples.<sup>105</sup> In Brazil, persons with disabilities who are experiencing homelessness, or those who are over the age of 64, can receive income support under a continuous cash benefit programme, which is a form of non-contributory pension scheme,<sup>106</sup> an approach also adopted by Bangladesh for homeless older persons.<sup>107</sup> Cash transfers for persons experiencing homelessness, including children in street situations, are provided in Chile, Indonesia, Kenya and the Philippines,<sup>108</sup> and wider non-contributory income support and unemployment benefits are available in various European States, such as Austria, Finland, Germany, Hungary, Ireland, Netherlands (Kingdom of the), Portugal, Spain and Sweden.<sup>109</sup>

58. Equally important is access to health or medical care. An increasing number of States are becoming more proactive in reaching out to persons experiencing homelessness to ensure that they receive the appropriate treatment. In this regard, mobile clinics continue to play an important role in improving access to physical and mental health care for persons experiencing homelessness in various parts of the world,<sup>110</sup> and the integration of health-care professionals into local housing providers has also been promoted in States, such as Australia and Canada.<sup>111</sup> Many harm reduction programmes for substance abuse, which are aimed at mitigating the negative consequences associated with drug use without requiring abstinence, are regularly utilized by persons experiencing homelessness across Europe,<sup>112</sup> and non-

<sup>103</sup> See, for example, <https://www.social-bite.co.uk/>; <https://havenproject.net/>; <https://coastaledencafe.com/>; and <https://gangstarcafe.com/>.

<sup>104</sup> Huan Wang and Xiaoguang Xu, “Evidence-based analysis of social impact bonds for homelessness: a scoping review” *Frontiers in Psychology*, vol. 13; and Veronica Coram, et al., “Evaluation of the aspire social impact bond: final report”, Centre for Social Impact, Flinders University and Centre for Social Impact of the University of Western Australia (August 2022).

<sup>105</sup> See <https://www.hofduncan.org/bc-housing-aboriginal-homeless-outr-1>.

<sup>106</sup> Organic Law for Social Assistance, 1993; and [E/CN.5/2020/3](#), para. 65.

<sup>107</sup> International Policy Centre for Inclusive Growth and United Nations Children’s Fund (UNICEF), “Social protection in Asia and the Pacific: inventory of non-contributory programmes” (2019).

<sup>108</sup> Submission from the Government of the Philippines; International Policy Centre for Inclusive Growth and UNICEF, “Social protection in Asia and the Pacific”; Bernardo Atuesta and Tamara Van Hemelryck, “Emergency social protection against the impact of the pandemic in Latin America and the Caribbean: evidence and lessons learned for universal, comprehensive, sustainable and resilient social protection systems” (Economic Commission for Latin America and the Caribbean, 2023); and L. Embleton et al., “Characterizing street-connected children and youths’ social and health inequities in Kenya: a qualitative study”, *International Journal of Equality in Health*, vol. 19.

<sup>109</sup> Eszter Zólyomi et al., “Mapping trends”.

<sup>110</sup> Médecins Sans Frontières, “International activity report 2021”; and European Observatory on Homelessness, “Homeless services in Europe” (2018).

<sup>111</sup> Australian Alliance to End Homelessness, “Leaving no one behind: a national policy for health, equity, housing and homelessness” (16 January 2020).

<sup>112</sup> European Monitoring Centre for Drugs and Drug Addiction, “Homelessness and drugs: health and social responses” (8 December 2022).

contributory health insurance or a medical payment exemption is available to persons experiencing homelessness in Costa Rica, Morocco and the Republic of Korea.<sup>113</sup>

59. There are also positive examples of additional assistance and support provided by States, as well as non-State actors, globally. The provision of birth registration and identity documents for persons experiencing homelessness, including children and young people in street situations, is one such example. In States, including Cameroon, Canada, China, Egypt, France, Italy, Mexico, Namibia, Peru and Thailand, children in street situations can obtain retroactive or replacement birth registration documents.<sup>114</sup> Civil society organizations have also been playing a role in helping both children and adults to obtain legal identity documents.<sup>115</sup> This is quite important, as it allows persons experiencing homelessness to acquire access to essential public services, education and decent work.

60. The financial inclusion of persons experiencing homelessness is another important area. In the European Union member States, people without addresses are entitled to open a bank account, by virtue of directive 2014/92/EU (Payment Accounts Directive), which can be used to receive salaries, pensions and other support.<sup>116</sup> Some civil society and other non-governmental actors have also been instrumental in working with financial institutions to secure bank accounts, lines of credit and other forms of financing, such as in Denmark, Lebanon and the United Kingdom.<sup>117</sup> Furthermore, digital inclusion or access to digital technology among persons experiencing homelessness has been facilitated through the provision of smartphones, tablets and other devices and of access to the Internet in Czechia, France and Romania, in partnership with civil society organizations and technology companies.<sup>118</sup> While acknowledging those and other important initiatives, the Special Rapporteur is of the view that stronger public-private partnerships are essential, and he calls upon stakeholders from all relevant sectors to promote closer communication and collaboration, so that persons experiencing homelessness can be reintegrated into society effectively without discrimination or stigma. This would make an important contribution to the prevention of contemporary forms of slavery affecting persons experiencing homelessness.

## IX. Conclusions

**61. It is clear that homelessness can significantly increase the risk of contemporary forms of slavery. Persons experiencing homelessness, including children and young people in street situations, are recruited and exploited in a variety of economic sectors, not only by criminal actors, but also by family members, friends and employers. Sexual exploitation also remains a serious concern. Groups in particularly vulnerable situations, such as children and young people, women, minorities, indigenous peoples, migrants, displaced persons and lesbian, gay, bisexual, transgender, queer and intersex people, are disproportionately affected by homelessness and contemporary forms of slavery. In addition, homelessness can be a consequence of contemporary forms of slavery, as victims escaping from abusive employers often find themselves without a home, which may lead to their revictimization.**

<sup>113</sup> International Labour Organization, “Extending social health protection: accelerating progress towards universal health coverage in Asia and the Pacific” (7 December 2021); and Koen Voorend and Daniel Alvarado, “Barriers to healthcare access for immigrants in Costa Rica and Uruguay”, *Journal of International Migration and Integration*, vol. 24, No. 2.

<sup>114</sup> See <https://www.streetchildren.org/legal-atlas/map/>.

<sup>115</sup> Toybox, “Annual report”.

<sup>116</sup> For an analysis of this directive, see European Commission, “Study on EU payment accounts market” (26 January 2021).

<sup>117</sup> European Federation of National Organisations Working with the Homeless, “Homeless services”; and Habitat for Humanity, “Country profile: Lebanon”, available at <https://www.habitat.org/where-we-build/lebanon>.

<sup>118</sup> European Federation of National Organisations Working with the Homeless, “Digital inclusion for homeless people for homeless service providers: an analysis of benefits, challenges and solutions”, policy paper, (July 2021).

62. The social and economic integration of persons experiencing homelessness, in particular securing access to adequate, affordable, safe and secure housing that ensures privacy and security of tenure for them, is essential in preventing their exploitation in contemporary forms of slavery. However, a number of challenges remain in this regard. Ongoing discrimination has led to practical difficulties in acquiring access to education, affordable housing, decent work and essential services. Many of those experiencing homelessness also suffer from additional intersecting forms of discrimination based on gender, sexual orientation, nationality, ethnicity, migration status and other grounds that serve as strong barriers to their effective integration. In addition, structural and personal causes for homelessness must be tackled more systematically.

63. The Special Rapporteur acknowledges that States have been implementing a number of important initiatives to protect and empower persons experiencing homelessness, ranging from the provision of temporary and long-term housing and access to education and essential services to the creation of employment opportunities, as well as financial and digital inclusion. The important role of civil society and charity organizations should be acknowledged, as they have been instrumental in filling protection gaps left by States.

64. However, it is clear that more must be done to prevent homelessness, first and foremost, and the exploitation of persons experiencing homelessness in contemporary forms of slavery. As a starting point, all governmental and non-governmental stakeholders should clearly recognize the linkage between the two human rights violations. This is essential for devising and implementing more effective prevention and response strategies. It is vital that persons experiencing homelessness, including children in street situations, are fully included in all decision-making processes affecting them so that individualized or tailored support can be provided and intersecting forms of discrimination, as well as the structural and personal causes of homelessness, are tackled more effectively. There also is a need for a multi-stakeholder approach to tackling the linkage between homelessness and contemporary forms of slavery, with closer cooperation and coordination among public and law enforcement authorities, homelessness prevention and anti-slavery actors, health-care and social care professionals, educators, businesses, public and private property owners and housing providers.

## X. Recommendations

65. The Special Rapporteur recommends that States:

(a) Enhance the understanding of the linkage between homelessness and contemporary forms of slavery, in addition to promoting awareness-raising and training among relevant public service providers and law enforcement officials, and collect and update data on the linkage regularly;

(b) Properly identify trafficked and exploited persons experiencing homelessness as victims of contemporary forms of slavery and extend protection without discrimination;

(c) Develop and implement short-, medium- and long-term rights-based approaches to preventing and eliminating homelessness, including its causes and consequences, and in so doing, adopt a broad and inclusive notion of homelessness in order to widen the scope of protection;

(d) Ensure a clear and coherent synergy between policies and strategies to prevent and eliminate homelessness and those on contemporary forms of slavery in order to maximize the protection of those who are most at risk;

(e) Regularly evaluate laws and policies on homelessness in order to test their appropriateness and effectiveness, in particular with regard to contemporary forms of slavery;

- (f) Prevent and prohibit evictions leading to homelessness through legislative and other means, including by establishing mechanisms to prevent evictions that include local authorities, tenancy tribunals, public and private housing providers, social service providers and civil society organizations;
- (g) Establish support programmes to ensure access to housing for persons released from foster care, childcare institutions, hospitals, military service or prisons or other institutions;
- (h) Provide emergency and temporary housing that meets the existing human rights standards for all persons experiencing homelessness, without discrimination, including those exploited in contemporary forms of slavery;
- (i) Provide tailored support to children and young people, women, single parent families, minorities, indigenous peoples, persons with disabilities and lesbian, gay, bisexual, transgender, queer and intersex people in order to prevent intersecting forms of discrimination in access to emergency and temporary housing;
- (j) Work collaboratively with civil society organizations, private housing providers, businesses and international donors in providing emergency and temporary housing;
- (k) Ensure swift access to long-term affordable, safe and secure housing or land to persons experiencing homelessness, in closer cooperation with public and private housing providers, civil society and other stakeholders, and consider implementing additional measures, such as financial incentives or rent guarantees for housing providers and rental and mortgage subsidies for groups in particularly vulnerable situations;
- (l) Provide equal access to essential services, including health care and social assistance, as well as access to justice and remedies for all persons experiencing homelessness, without discrimination, and consider special measures, including non-contributory schemes, where possible and appropriate;
- (m) Through legislative and other means, eliminate barriers that make it difficult for persons experiencing homelessness to acquire access to public services, such as requirements for identity documents, regular migration status, a fixed address and a bank account;
- (n) Ensure that the provision of public services sufficiently reflects the individual needs and circumstances of persons experiencing homelessness, paying due regard to age, gender, sexual orientation, ethnicity and indigenous, migration, disability and health status, including with regard to substance abuse;
- (o) Proactively provide information about available public services to persons experiencing homelessness, in close cooperation with civil society organizations and other stakeholders;
- (p) Ensure that persons experiencing homelessness and/or those representing their interests actively participate in all decision-making processes that affect their well-being;
- (q) Pay particular attention to children in street situations who may require additional care and support, and depending on the needs of each child, consider such measures as family reunification or community-based care for those without parents or guardians;
- (r) Secure equal access to education and vocational training, as well as medical and psychosocial support, for children in street situations, without discrimination;
- (s) Ensure that parents and families are socially and economically supported in order to prevent their children from being pushed into street situations;
- (t) Provide equal opportunities for decent work to persons experiencing homelessness, in close cooperation with businesses and civil society actors, including

access to the formal economy, through such measures as individual placement and support and financial assistance to social enterprises and other businesses and employers, and consider other temporary special measures, where appropriate;

(u) Ensure that persons experiencing homelessness are sufficiently covered by labour protection laws and regulations and have access to justice and remedies;

(v) Review legislation covering domestic, migrant and agricultural workers to ensure that the cancellation of a work contract does not result in an immediate loss of accommodations or housing, include housing-related protection for tenants facing the early cancellation of a work contract, and encourage the separation of work and housing arrangements in employment contracts to reduce the risk of homelessness and labour exploitation;

(w) Promote the financial and digital inclusion of persons experiencing homelessness, in close cooperation with civil society organizations and financial and technology companies;

(x) Decriminalize conduct associated with being homelessness, such as sleeping, living, cooking or washing in public places, street vending or begging for survival, establish alternatives to incarceration for petty offences and the non-payment of fines, when the offender is unable to pay them, and expunge criminal records of such crimes in relation to persons experiencing homelessness;

(y) Implement the principle of non-punishment for persons experiencing homelessness, including children in street situations, who are forced to engage in criminal activity;

(z) Address the wider structural and other causes of homelessness, such as poverty, inequality, lack of accessible and affordable housing, intersecting forms of discrimination, gender-based violence and substance addiction, by promoting a holistic approach, with all relevant stakeholders, including public service providers, law enforcement officials, health-care and social care professionals, educators, civil society organizations and faith-based groups;

(aa) Raise awareness among the general public, in order to tackle discrimination, stigma and prejudice against persons experiencing homelessness;

(bb) Acknowledge the role played by civil society organizations in preventing persons experiencing homelessness from being exploited in contemporary forms of slavery and proactively support their work.

66. The Special Rapporteur recommends that civil society organizations:

(a) Enhance understanding of the linkage between homelessness and contemporary forms of slavery, through awareness-raising and training, and conduct research and collect data on the linkage regularly;

(b) Maintain efforts in protecting persons experiencing homelessness, including children in street situations;

(c) Develop and implement a clear and coherent synergy between strategies and measures to eliminate homelessness and contemporary forms of slavery;

(d) In particular for homelessness prevention and anti-slavery actors, work in close coordination, in order to address the linkage between homelessness and contemporary forms of slavery more effectively;

(e) Regularly evaluate and report on States' efforts in preventing and eliminating homelessness and contemporary forms of slavery.

67. The Special Rapporteur recommends that public and private housing providers:

(a) Work with local and national authorities and civil society organizations to provide affordable, safe and habitable housing for persons experiencing homelessness and victims of contemporary forms of slavery, without discrimination;

---

(b) Collaborate with national and local authorities and public and private welfare organizations to prevent evictions leading to homelessness.

68. The Special Rapporteur recommends that businesses and employers:

(a) Facilitate access to long-term, secure and decent employment opportunities for persons experiencing homelessness, without discrimination, and work collaboratively with public authorities and civil society organizations in this regard;

(b) Eliminate obstacles, such as requirements for identity documents or a fixed address, to employment;

(c) Ensure flexible working arrangements for persons experiencing homelessness, with due regard paid to their individual circumstances, including their mental and physical health conditions;

(d) Provide opportunities for skills training and personal development during employment for persons experiencing homelessness;

(e) Ensure equal treatment for persons experiencing homelessness, in particular in relation to wages, working hours and access to annual and sick leave;

(f) Promote the financial and digital inclusion of persons experiencing homelessness to ensure their economic and social integration.

---