

Written evidence submitted by The Rights Lab, University of Nottingham (AFG0004)

Foreign Affairs Committee Call for Evidence on UK Policy Towards Afghanistan:

What are the humanitarian and human rights implications of the Taliban takeover?

1. **Written Evidence** by the Rights Lab at the University of Nottingham. The Rights Lab is the world's largest and leading group of modern slavery scholars. Rights Lab academics contributed sections of this evidence submission: Professor Kevin Bales CMG, Professor Doreen Boyd, Dr. Chloe Brown, Professor James Cockayne, Dr. Lauren Eglen, Dr. Erika Jimenez, Professor Todd Landman, Dr. Helen McCabe, Dr. Katarina Schwarz, and Professor Zoe Trodd. Content for this submission of evidence derives from the report 'Afghanistan Prospects and Challenges: A Policy Report,' led by Professor Todd Landman, to be published on or about 1 November 2021 by the University of Nottingham. This evidence submission reflects the research expertise of the contributors to this forthcoming report.
2. **Executive Summary:** The re-establishment of the Islamic Emirate of Afghanistan ushers in serious questions about humanitarianism and human rights. Afghanistan also remains one of the poorest countries in the world with significant humanitarian challenges that have been exacerbated by the withdrawal and the uncertain nature of foreign aid, foreign direct investment, trade, and access to basic needs. The country has a high prevalence of internal and external migration that helps to fuel its high prevalence of various forms of modern slavery, including forced marriage, forced labour, child soldiers, and human trafficking. International concerns over the future governance of Afghanistan should include a focus on modern slavery, an issue that cuts across the rule of law, economic development, social care, human rights (particularly of women and girls), terrorism, and regional stability.
3. **Modern Slavery in Afghanistan:**
 - a. Modern slavery is widespread across Afghanistan. Trafficking mainly occurs internally and to a lesser degree across borders, with Afghans of different ages and genders exploited in diverse sectors.¹ More specifically, over 60 percent of women and child trafficking takes place within Afghanistan, while cross-border trafficking accounts for 40 percent of cases.² The security and cultural context in Afghanistan generally has made it difficult to understand the actual situation of modern slavery in the country, as many of the practices are hidden from view,³ while entrenched cultures prevent victims from reporting cases of abuse or exploitation. A study by Walk Free indicates that Afghanistan is among the top 10 countries for modern slavery prevalence globally, estimating 749,000 people enslaved in its 2018 Global Slavery Index.⁴
 - b. The majority of trafficking victims in Afghanistan are children compelled to work in brick kilns, carpet making factories, domestic servitude, commercial sex, salt mining, transnational drug smuggling, and truck driving, among other sectors.⁵ Narratives from survivors suggest how they have conceived of their enslavement and trafficking experiences as rooted in of poverty, conflict, and gender oppression.⁶
 - c. Many Afghan boys are forced to perform *bacha bazi*, or boy play, where men including members of the military and police force, tribal leaders, warlords, and mafia heads, exploit them to provide social and sexual entertainment. These boys are often used as dancers at parties and ceremonies, where they may be sexually exploited.⁷ Restrictions around female mobility and visibility often makes men and boys more vulnerable to labour exploitation than women and girls in Afghanistan.
 - d. Afghan culture largely forbids women from working outside of the home after reaching puberty, although some women are still trafficked for labour exploitation, where they work in more obscure settings or at night. The emerging restrictions on women's mobility

and participation in government, education, and work will exacerbate these conditions further.

4. Drivers for Modern Slavery Prevalence in Afghanistan:

- a.** Inflation and downward pressure on both business and household incomes loom. Food insecurity may follow. This economic crisis will increase vulnerability to modern slavery.
 - i.** The removal of international support to the country's budget risks a sudden shock with major macroeconomic and microeconomic repercussions. Afghanistan is already one of the poorest countries in the world. 90 percent of the country lives on less than USD 2 dollars per day. Half the country's population lives below the poverty line. The country is poor in part because it does not produce large volumes of valuable goods or material that it can sell abroad. As a result, Afghanistan has traditionally run a trade deficit. For the last two decades, this has amounted to around 25 to 30 per cent of GDP, around USD 6 billion. International donors have made up the budget gap, often by flying in foreign currency in bulk, to purchase imports.
 - ii.** With the US-led coalition withdrawing from Afghanistan, the World Bank, IMF and foreign governments are suddenly stopping their disbursements. International sanctions on the Taliban prevent foreign government and international organizations from providing financial aid. They are also the basis for freezes on around USD 9.4 billion in Afghan government assets held overseas, including USD 7 billion held at the US Federal Reserve. Without access to these funds, Afghanistan will soon run out of the foreign currency it needs to purchase imports. A fifth of the country's imports are oil and petroleum products; basic necessities for any economy and central to food distribution in Afghanistan, where food makes up another tenth of all imports. Around 14 million Afghans are already food insecure. 2 million children are already malnourished. A sudden stop to food and petrol imports will make things much worse. A sudden import crunch would place massive upward pressure on domestic food prices, threaten household budgets, and risk food shortages. Save the Children reports that the price of flour rose around 40 percent in August 2021 in some parts of the country.
 - iii.** Covid-19 is having a devastating impact on Afghans and the national economy. A World Bank report has recently noted that the country's economy is rapidly contracting, given disruptions to local businesses, regional trade, and remittance flows.⁸ Declining incomes and increasing prices of commodities are particularly increasing hardship for the most poor, with poverty rates expected to have increased to 72 percent during 2020. Pressures on household budgets will likely reduce school attendance rates and increase child labour.
- b.** Afghanistan has a large number of migrants and emigrants, who are particularly vulnerable to human trafficking.
 - i.** During the last four decades, Afghanistan has witnessed an unprecedented scale of population movements, mainly due to war and conflicts between rival powers and their proxies. As of mid-2019, there were 149,000 international migrants in Afghanistan, while the total number of Afghan emigrants in foreign countries was 5.1 million.⁹
 - ii.** Aside from conflict-induced migration, research by the International Organisation for Migration (IOM) has noted that Afghans are forced to migrate either internally or to countries such as Iran and Pakistan, because of natural disasters, poverty, and human trafficking.¹⁰
 - iii.** Demand for emigration, both regular and irregular, will now increase, creating demand for people smuggling services, placing emigrants at risk of trafficking.
- c.** Anti-slavery commitments are likely to be ignored.
 - i.** Various Afghan governments since 1963 and before the 2021 withdrawal had ratified a large number of international anti-slavery treaties, ranging from the

1926 Slavery Convention to the 2011 Domestic Workers Convention. Between 2001 and 2020, the US State Department Office to Monitor and Combat Trafficking in Persons (TIP) ratings of Afghanistan have varied from ‘not meeting minimum standards’ without significant progress (2001, 2020), on the ‘watch list’ (2010-2013, 2016), and/or ‘not meeting the minimum standards’ but making progress (2002-2009, 2014-2105, 2017-2018).¹¹

- ii. Since the Taliban regime does not support or adhere to international law, these commitments are likely to be undermined, ignored, and/or discarded by the new government.

5. Conflict and Modern Slavery Risks:

- a. Afghanistan has experienced decades of political instability and insecurity amid successive wars and violent conflicts, creating further vulnerability to modern slavery.
- b. There is a strong relationship between conflict and modern slavery across the world. Augmenting data that forms part of the Uppsala Conflict Data Programme (UCDP) shows that conflicts around the world, including those involving terrorist groups such as ISIS,¹² involve instances of sex trafficking and forced marriage, forced labour, child soldiers, and human trafficking.¹³ Across all conflicts in 177 countries between 1989 and 2016, there have been different types and proportions of enslavement, including 87 percent involving child soldiers, 32 percent sexual exploitation/forced marriage, 21 percent forced labour, and 14 percent human trafficking. The case of Afghanistan is no different.¹⁴
- c. In Afghanistan between 1989 and 2016, the use of child soldiers took place in *every* conflict identified. Moreover, in every conflict identified, both sides (Afghanistan and a variety of non-state actors) simultaneously used child soldiers. For example, when the government of Afghanistan was forcing children into combat roles in 2011, the Taliban was doing so as well. Whilst cases are often underreported, child soldiering is thought to be more prevalent in northern and north-eastern parts of the country. Families are often coerced into volunteering their children to join armed groups. There has been an increase in the number of children recruited and used by armed groups, including pro-government groups and insurgent groups, such as the Taliban and ISIS-K. During Covid-19, insurgent groups have targeted children due to school closures. While the recruitment of children by pro-government armed groups will end, there may well be a continued increase in the number of children used by the Taliban and ISIS-K armed groups. The use of child soldiers is illegal in Afghanistan, which in 2003 ratified the UN protocol on the Involvement of Children in Armed Conflict (2002); however, the recruitment of children as soldiers has been an issue throughout the armed conflict and will remain an issue after the Taliban coup.¹⁵
- d. The use of sex trafficking and forced marriage also took place in 100 percent of the cases of conflict examined. The breakdown of cases, however, is not as uniform as with child soldiers. The Afghan Government was the only actor engaged in acts of sex trafficking and forced marriage about 21 percent of the time, compared to the Taliban, which engaged in such acts more than 50 percent of the time. Meanwhile, both the government and the Taliban committed acts of sex trafficking and forced marriage about 25 percent of the time.¹⁶ Since 2017, data from the joint Home Office/FCDO Forced Marriage Unit (FMU) shows that 80 percent of cases they handled involving Afghanistan have female victims, and 20 percent male. In line with other data from the FMU, around 80 percent of victims are in the UK when they contact the FMU and 20 percent abroad.¹⁷ The NGO Girls Not Brides estimate that 4 percent of girls in Afghanistan are married before the age of 15, and 28 percent by the age of 18, with 7 percent of Afghan boys also married by age 18.¹⁸ Future prospects very much depend on security in Afghanistan, and in line with FCDO advice, travelling to Afghanistan carries additional risk of forced marriage and is likely to limit inbound mobility. Female participation in the workforce, and in education, will also drop in Afghanistan—which is known to increase vulnerability to trafficking and forced marriage.

- e. Human trafficking occurs when state and non-state actors buy and sell human beings for financial profit. Unlike the use of child soldiers and acts of sex trafficking and forced marriage, instances of human trafficking did not take place in every conflict in Afghanistan. The Taliban were often the lone offender, 71 percent of the time, while the government was the sole offender in about 21 percent of cases. There were no overlapping instances of both the government and the Taliban engaging in such acts at the same time. Traffickers frequently entice whole families to engage in bonded labour. In particular, carpet making across the country, as well as brickmaking in eastern regions is prevalent, according to the 2021 TIP report. During the pandemic, there have been indications that Farah and Helmand provinces are regions that have some of the highest rates of child labour in Afghanistan. Over the past year, families have sent boys to work in opium production in Iran and other provinces, most notably in Herat province, which borders Iran. Girls increasingly supplement household income by working. Girls engaged in child labour was notably higher in Maidan Wardak, Kunduz, Helmand and Sar-e-Pul provinces. Due to greater reliance on taking loans during the Covid-19 crisis, risks of bonded labour have increased. Increased rates of child labour may well be set to continue in the coming months as the aftershocks of the pandemic play out in tandem with the collapse of the former Government and the withdrawal. Families may continue to send children to work in neighbouring countries such as Iran or Pakistan, which may place them at additional risks of exploitation.
- f. A final form of contemporary slavery includes the use of forced labour. Compared to other forms of enslavement, the use of forced labour was comparatively scarce during conflicts in Afghanistan, taking place about 21 percent of the time, and only when the Taliban was the offender. Child labour is considered by humanitarian groups to be one of the most pressing concerns in Afghanistan. Attacks on schools and on children pursuing an education have continued during the pandemic and may escalate in the months and years to come. During the pandemic, children living in Non-State Armed Group-controlled areas were at heightened risk of not attending school and engaging in child labour instead. This trend may well continue as a result of the Taliban's seizure of power of the vast majority of the country.

6. Future Policy on Modern Slavery:

- a. Afghanistan formally has a legal framework in place to combat modern slavery and human trafficking owing to its increasing participation in international legal instruments that provide *de jure* protection for individuals; however, the *de facto* reality on the ground and the many drivers for modern slavery suggest that there are huge challenges ahead. There are currently weak international mechanisms in place to address this implementation gap, but new trade sanctions articulated by strong trading countries and blocs (such as the EU) could be used to extend to Afghanistan.
- b. A second and more distant approach is to monitor the status of different sectors in Afghanistan known for high prevalence of modern slavery to build a robust evidence base for continued advocacy. Satellite Earth Observation (EO) imagery offers a remote and timely intelligence source to track the new Afghanistan landscape under Taliban control. In the past, the Taliban has relied on various forms of extortion or criminal activities as funding sources, including opium production and mineral resource extraction. Poppies and coal have been recognised by Anti-Slavery International as products of child and forced labour in Afghanistan.¹⁹ Satellite EO data can be used to detect and monitor both sectors spatially and temporally. The Rights Lab has ongoing work that applies satellite radar interferometry providing data on brick kilns in South Asia, illegal fishing in Bangladesh, and cobalt mining activities in the DRC.²⁰ This work has transferable technology and skills, which could be applied to analyse past and future mining, poppy harvesting, and other production processes in Afghanistan.

7. Recommendations:

We recommend a strong counter-trafficking response. There should be recognition of the ongoing prevalence and root causes for modern slavery in Afghanistan, requiring:

- a. Continued advocacy around closing the implementation gap between the *de jure* protection and *de facto* realisation of human rights with respect to modern slavery and human trafficking;
- b. Investment in research to better understand trafficking routes, for examples from Afghanistan to Pakistan or Iran to Turkey and then to Europe/the UK, and in humanitarian and anti-slavery NGOs working to support vulnerable Afghan refugees and migrants;
- c. Monitoring of productive sectors of the Afghanistan economy that have a high probability of modern slavery and human trafficking, using EO and data analytics, in order to reduce the risk of slavery-made goods entering global supply chains.

¹ Samuel Hall Consulting, ‘Old Practice, New Chains, Modern slavery in Afghanistan: A Study of Human Trafficking from 2003-2013’ (2014) 34, available [here](#).

² UNODC, ‘GLOTIP Report: West and South Asia’ (UNODC 2018), available [here](#).

³ See Landman, T. (2020) ‘Measuring Modern Slavery: Law, Human Rights, and New Forms of Data,’ *Human Rights Quarterly*, 42 (2): 303-331.

⁴ Walk Free Foundation, ‘2018 Global Findings’ (2018), available [here](#).

⁵ Ibid.

⁶ See *VOICES: Narratives by Survivors of Modern Slavery*, The Rights Lab, University of Nottingham, available at: <http://www.antislavery.ac.uk>.

⁷ US Department of Labour, ‘2018 Findings on the Worst Forms of Child Labour’ (2018), available [here](#).

⁸ The World Bank Group, ‘Surviving the Storm’ (2020), available [here](#).

⁹ Migration Data Portal, ‘Afghanistan’ (2020), available [here](#).

¹⁰ IOM, ‘Afghanistan: Migration Profile’ (IOM, 2014) 22, available [here](#).

¹¹ Minimum standards for the elimination of trafficking are found in section 108, Victims of Trafficking and Violence Protection Act 2000 (United States), available [here](#).

¹² Al-Dayel, N, Mumford, A. and Bales, K. (2020) ‘Not Yet Dead: The Establishment and Regulation of Slavery by the Islamic State,’ *Studies in Conflict and Terrorism*, DOI: 10.1080/1057610X.2020.1711590.

¹³ See Contemporary Slavery in Armed Conflict (CSAC), available at: <https://www.csac.org.uk/>.

¹⁴ Smith, A., Bales, K., and Datta, M.N. (2021) ‘Contemporary Slavery in Armed Conflict: Introducing the CSAC Dataset, 1989–2016,’ *Journal of Peace Research*, forthcoming.

¹⁵ Yahya was 11 years old when ‘my mother and father sold me...to smugglers who handed me over to the Taliban.’ He explained how the Taliban trained him as a suicide bomber. See ‘Yahya,’ *VOICES*, available at: <http://antislavery.ac.uk/items/show/1856>.

¹⁶ Bibi Aisha was forced to marry a member of the Taliban to settle someone else’s debt: ‘I was a woman who was exchanged for someone else’s wrongdoing. My father-in-law and my husband, they were all with the Taliban.’ See ‘Bibi Aisha,’ *VOICES*, available at: <http://antislavery.ac.uk/items/show/2173>.

¹⁷ See <https://www.gov.uk/government/collections/forced-marriage-unit-statistics/>.

¹⁸ See <https://atlas.girlsnotbrides.org/map/afghanistan>.

¹⁹ Anti-Slavery International (2016) ‘Products of slavery and child labour country map,’ available at: https://www.antislavery.org/wp-content/uploads/2016/11/products_of_slavery_and_child_labour_2016.pdf

²⁰ Boyd, D. et al (2021) ‘Informing Action for United Nations SDG Target 8.7: Examining Modern Slavery from Space,’ *Nature Humanities and Social Science Communications*, 8 (11); Brown, C. et al (2020) ‘Investigating the potential of radar interferometry for monitoring rural artisanal cobalt mines in the Democratic Republic of the Congo,’ *Sustainability*, 12(23), p.9834.

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