

Communities Discriminated on Work and Descent in Africa and Status of Modern Slavery

REGIONAL REPORT 2023

The Inclusivity Project and
Global Forum of Communities
Discriminated on Work and Descent



African Network on
Discrimination based on Work,
Descent and Contemporary
Forms of Slavery



The Inclusivity Project

The Inclusivity Project (TIP) is a non-profit organization founded to advocate for the rights of communities discriminated on work and descent (CDWD) and raise awareness on their issue. TIP works towards Capacity Building, Collaboration, and Research to support CDWD communities by enhancing the Social, Economic, and Political Integration and increasing their visibility at the National, Regional and Global platforms. TIP works on the sustainable development goals (SDGs), especially on the monitoring and follow-up/review, and providing data and evidence for the nation-state for effective and inclusive programme implementation.

<https://www.theinclusivityproject.org/>

Global Forum of Communities Discriminated on Work and Descent

Global Forum of Communities Discriminated on Work and Descent (GFoD), founded in 2021 is a platform to voice the rights and entitlements of the communities in Africa, Asia, Europe, Latin America and North America discriminated on work and descent. GFoD aims for full realization of the Universal Declaration of Human Rights of the Communities Discriminated on Work and Descent and to ensure access to sustainable development goals (SDGs).

<https://www.globalforumcdwd.org/>

<https://www.globalforumcdwd.org/>

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Regional Report 2023

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e wish to express our gratitude to many people without whose support this status report would not have been possible. The research and compilation of this report would not have been possible without the support of activists, academicians and organisations which have been extensively working for the rights of Communities discriminated on Work and Descent (CDWD) in Africa and organisations raising their voices.

We would further like to acknowledge the efforts of Ms. Penda Mbow, Ms. Hannah Forster, Mr. Ibrahima Kane, Dr. Ebrima Sall, and Mr. Paul Divakar Namala who have been the guiding force in ensuring that the voices of CDWD are heard at the regional as well as the global level. We would also like to take the opportunity to acknowledge the me the opportunity to be a part of this global movement in unifying the voices of the Communities Discriminated on Work and Descent worldwide.

First and foremost, we would like to thank Lead Researcher and Author, Ms. Reena Tete who has given her precious time and efforts in researching and compiling this document. She has played an integral role in the development of this report, making it a comprehensive and valuable resource for understanding the status of CDWD in Africa.

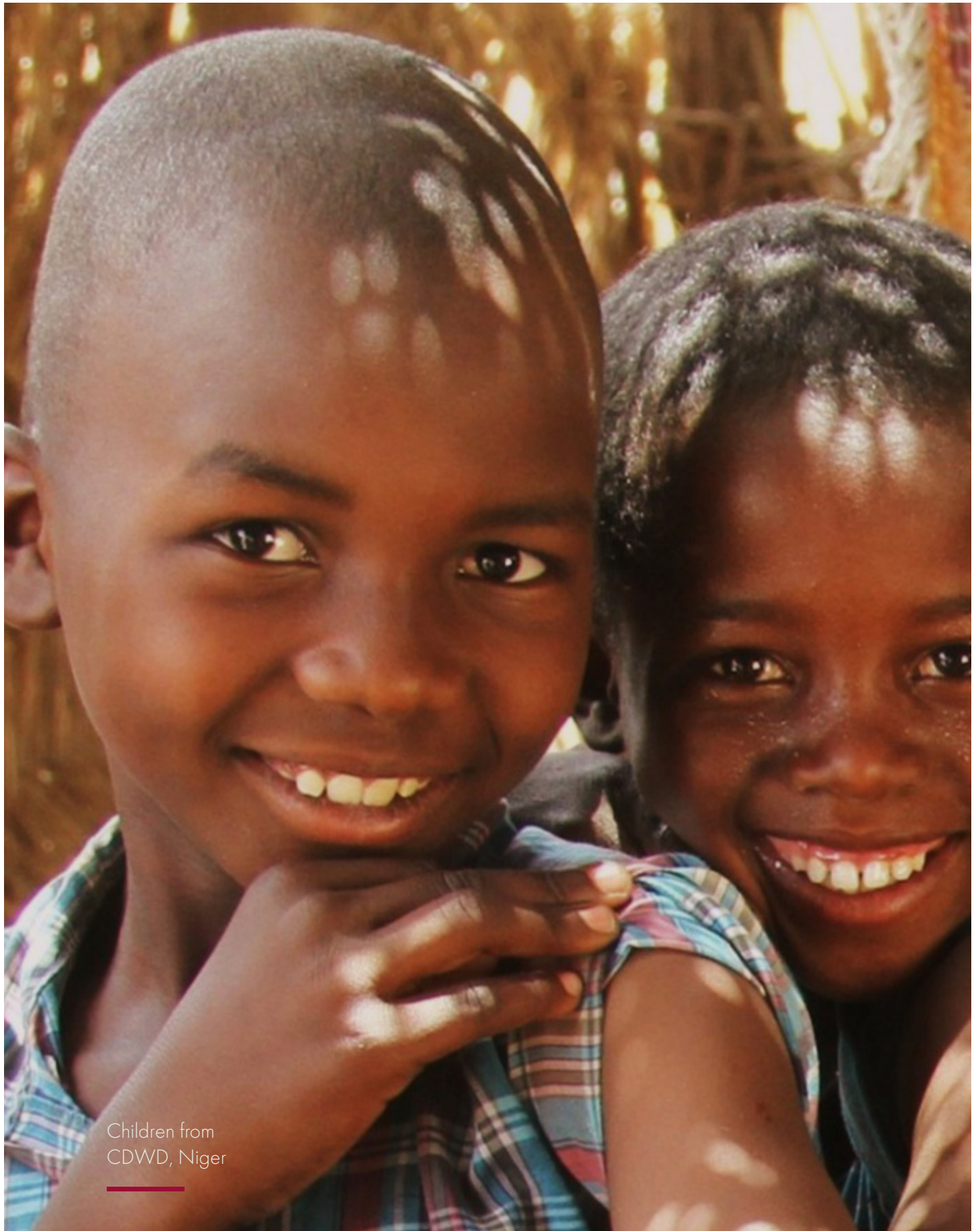
Our deepest appreciation goes to Father Aloysius and Naveen Gautam for conceptualising the study and providing unwavering support and willingness to be the sounding board throughout this journey.

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Last but not the least, we would like to acknowledge the struggle of CDWD in Africa.

GFoD Team



Children from
CDWD, Niger

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Foreword

Prof. Penda Mbow

Former Minister of Culture of Senegal, Professor, Department of History, Cheikh Anta Diop University of Dakar; Personal Minister Representative of the Head of State to La Francophonie, Senegal

In a world that constantly aspires towards inclusivity, diversity, and equity, it is disheartening to acknowledge that discrimination based on work and descent continues to persist across the globe and especially the African Region. This report, on the status of the Communities discriminated on work and descent (referred as CDWD) in Africa stands as a testament to the fact that there is much work yet to be done in order to dismantle these systemic injustices. The concept of purity and pollution is something which forms the base of all such discrimination, oppression and vulnerabilities attached to the identity of CDWD.

Throughout Africa, communities affected by discrimination on the basis of work and descent have faced enduring challenges that not only hinder their personal and collective progress but also undermine the principles of fairness and equality upon which our societies are built. This report, dedicated to the examination of these issues, seeks to shed light on the experiences of these marginalized communities, fostering a deeper understanding of their struggles, and calling for concerted action to rectify the injustices they face.

The discrimination faced by these communities takes many forms, from social exclusion and limited access to education and employment opportunities to economic disparities, cultural stigmatization and lack of political representation. Denial of justice is yet another major challenge which CDWD face due to their identity.

Through extensive research, engagement, and data collection, this report aims to be a catalyst for change. It aspires to be more than a mere compilation of facts and figures; it is a call to action. In the following pages, you will find not only the stories and experiences of the affected communities but also recommendations and strategies for eradicating discrimination on the basis of work and descent.

The need for change is clear, and the responsibility falls on all of us to join hands in addressing these deeply rooted issues. By embracing diversity and combating discrimination, we can ensure that all individuals, regardless of their work or descent, have the opportunity to realize their full potential and contribute to the betterment of our societies. This report is a testament to our commitment to this important mission and I would like to congratulate the team of Global Forum of Communities discriminated on Work and descent especially the rights experts from Africa who have put in their efforts to collect evidences for this report.

May the findings within these pages ignite a spark of empathy, solidarity, and determination within all of us to ensure that no one is left behind.



Foreword

Hannanh Forster

Director of the African Center for Democracy and
Human Rights Studies (ACDHRS)

In the vast and diverse tapestry of Africa, we find a continent rich in culture, history, and potential. Yet, beneath this tapestry lies a deeply troubling issue that threatens to obscure the brilliance of its people and the promise of its future. Discrimination based on Work and Descent (DWD) remains a persistent and painful challenge for many communities across Africa. It is within this context that we present this report on the Status of Communities Discriminated on Work and Descent in Africa.

This regional report is the result of extensive research, collaboration, and the unwavering commitment of individuals and organisations devoted to the ideals of justice, equality, and human rights. Discrimination based on Work and Descent (DWD) affects numerous communities throughout Africa, imposing barriers that obstruct social, economic, and political progress for countless individuals.

While Africa's rich history and diverse cultures contribute to its unique identity, it is essential to acknowledge that these discriminatory practices are far from being a historical relic. Instead, they persist as contemporary obstacles to development, contributing to disparities in education, employment, healthcare, and the fundamental human rights that every individual should enjoy. As we delve into the findings of this report, we must remember that knowledge is the first step towards change. Congratulations GFoD team (Global Forum of Communities Discriminated on Work and Descent), who have put in a lot of effort in order to compile and consolidate the information, perspective, and data in the regional report of Africa. By confronting the stark reality of Discrimination based on Work and Descent (DWD), we can collectively strive to dismantle the barriers that have held back far too many for far too long. It is our hope that this report will serve as a catalyst for dialogue, understanding, and the pursuit of a more inclusive and equitable Africa, where every individual is free to realize their full potential without fear of discrimination or prejudice.

I extend my gratitude to all those who contributed to this report, as well as to the communities who have shared their experiences and stories. It is through such collective efforts that we can work towards a more just and equitable future for Africa and its people.



Foreword

Ibrahima Kane

Special adviser to the Executive Director of the Open Society Foundation-Africa in charge of the Africa Union Advocacy.

In the vibrant canvas of Africa's rich cultural and social landscape, we find a diverse array of communities that have for too long been marginalized and discriminated against based on the deeply ingrained concept of Work and Descent. We must confront the painful reality that certain communities within our midst face discrimination and exclusion solely on the basis of their perceived societal roles and ancestral origins. The concept of purity and pollution is ingrained in societal thoughts and the same is impacting the CDWD at mass level.

The discrimination faced by communities discriminated on Work and Descent(also known as CDWD) is an issue of profound importance and complexity. It is not merely a historical relic but a deeply entrenched social problem that persists to this day. We must acknowledge the unjust systems that perpetuate these disparities and, more importantly, work collectively to dismantle them.

This report, published by Global forum of Communities discriminated on work and descent, is a culmination of extensive research and insights from rights experts who have dedicated their lives to understanding and addressing this issue. It offers a comprehensive analysis of the unique challenges faced by these communities, their historical context, and the contemporary manifestations of discrimination and modern forms of slavery . Moreover, it presents a call to action for individuals, governments, civil society, and international organizations to unite in the pursuit of justice and equality.

I hope that this report will serve as a catalyst for meaningful change and inspire all those who read it to join the movement for a more inclusive and equitable Africa. The fight against discrimination based on Work and Descent is not just a moral imperative; it is essential for building a brighter and more prosperous future for all Africans. The path ahead is challenging, but it is also filled with hope and the potential for transformation. As we embark on this journey together, let us be guided by the principles of justice, empathy, and unity. It is our collective responsibility to ensure that no one in Africa is left behind due to their Work or Descent.



Foreword

Dr. Ebrima Sall

Executive Director of TrustAfrica; former Executive Secretary, Council for the Development of Social Science Research in Africa (CODESRIA)

Discrimination based on work and descent has persisted as a deeply rooted issue in Africa, shaping the lives of millions and impeding the progress of our societies. It is with great concern and a profound sense of responsibility that we present this report on the Communities Discriminated on Work and Descent in Africa. This report sheds light on the ongoing challenges faced by individuals and communities who are subjected to discrimination on the basis of their work and social status.

Africa is a continent celebrated for its cultures, languages, and traditions, yet it is also home to some of the most entrenched systems of discrimination. Communities marginalized due to their traditional occupations, caste-like systems, or descent-based practices often find themselves trapped in a cycle of poverty, exclusion, and social injustice. This report underscores the urgent need to address these issues in a comprehensive and empathetic manner. The fundamental principles of equality, justice, and human rights must be upheld without exception. Discrimination based on work and descent not only violates these principles but also hinders the full realization of the United Nations Sustainable Development Goals. By shining a spotlight on these issues, we aim to ignite a collective effort to eradicate such discrimination, paving the way for a more inclusive and equitable Africa.

Through extensive research and testimonies, this report presents a comprehensive overview of the challenges faced by these marginalized communities, examining the social, economic, and cultural dimensions of their experiences.

We must acknowledge the efforts of the team of Global Forum Of Communities Discriminated on Work and Descent in doing extensive research that can inform advocacy and provide evidence for transformative policy, and consolidating the same in form of this report.. In furtherance of the same, by studying the stories and experiences of those who have faced discrimination, we can begin to formulate strategies and policies that will empower communities and individuals to break free from the shackles of discrimination.

The journey towards a more inclusive and just Africa may be long and challenging, but it is a journey that we must embark upon with unwavering determination. This report is a call to action and a testament to our shared commitment to a future where no one is left behind. Together, we can create a more equitable and harmonious Africa for all its diverse communities.



Preface

Paul Divakar Namala

Convenor,
Global Forum of Communities Discriminated on Work and Descent

A

frica is distinguished by its diversity, which includes a wide range of cultures, languages, and traditions. However, discrimination based on work and descent transcends national boundaries and runs through all of this diversity.

Africa has a long-standing history of slavery and slavery practices since well before European colonisation. The aftermath of domestic and transnational slavery reverberates generation after generation in various forms and intensities. In modern-day Africa, slavery and slavery-like practices persist in many countries, including, Benin, Burkina Faso, Cameroon, Chad, Democratic Republic of Congo (DRC), Ethiopia, Gambia, Ghana, Kenya, Madagascar, Mali, Mauritania, Niger, Nigeria, Senegal, Somalia, and Togo, among many other countries.

The identity and relationship of caste and descent of particular communities within the ethnic groups of Africa plays a crucial role in the persistence of slavery and slavery-like discrimination in the African region. The study attempts to profile communities that continue to be trapped in centuries old slavery and slavery-like practice. The study also explores the different ways in which the communities experience atrocities and discrimination.

We acknowledge the resilience and agency demonstrated by the marginalised communities as they challenge systemic discrimination and strive for their rights. Grassroots movements, civil society organisations, and international solidarity play a pivotal role in amplifying their voices and advocating for justice.

In recent years, significant efforts have been made at local, national, and international levels to address the rights of communities discriminated on work and descent (CDWD). Awareness initiatives and legal frameworks have all been crucial in promoting change. However, affirmative policies, implementation flaws, societal biases, and enduring structural disparities still prevent true progress from being made.

The study provides a platform for initiating informed dialogue, evidence-based decision-making, and collaborative efforts aimed at fostering positive transformation. We hope that the study will provide insights for further research and analyses. We also hope it will contribute to the journey of realising the full spectrum of rights for communities discriminated by slavery and slavery-like practices in the Africa region.

A Haratin man from
Niger



Glossary & Abbreviations

Communities Discriminated on Work and Descent (CDWD) are the peoples directly affected by Discrimination based on Work and Descent. The communities discriminated against on the basis of work and descent continue to face extreme forms of isolation and discrimination, which acts as an obstacle to their attainment of civil, political, economic, cultural and social rights. This form of stigma has led to their segregation and enforced endogamy, as well as socio-economic, cultural and political discrimination.

Hratin are the former black slaves who continue to be victimised in the centuries old descent-based slavery practice in Mauritania. The report notes that correct spelling and pronunciation of the community name is crucial to the identity-assertion of the **Hratin**. The correct spelling and pronunciation may thus be noted as –

Hratin – plural form; **Hartania** is feminine, plural; **Hartani** is feminine, singular (as per the Regional Experts of Global Forum of Communities Discriminated on Work and Descent (GFoD), Mauritania).

| | | |
|---|--------------|--|
| ■ | CEDAW | Committee on the Elimination of Discrimination Against Women |
| ■ | CERD | Committee on the Elimination of Racial Discrimination |
| ■ | CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of their Families |
| ■ | GFOD | Global Forum of Communities Discriminated on Work and Descent |
| ■ | HRC | Human Rights Council |
| ■ | ILO | International Labour Organisation |
| ■ | IOM | International Organisation for Migration |
| ■ | NGO | Non-Governmental Organisation |
| ■ | UNCT | United Nations Country Team |
| ■ | UPR | Universal Periodic Review |

About this Report

Discrimination based on Work and Descent (DWD) is the UN terminology used for communities who are traditionally and intergenerationally discriminated based on their identity, social-hierarchical positions, the work associated with their positions, and their lineage and descendants. Due to such a complex exclusion system, these communities are globally known as Communities Discriminated on Work and Descent (CDWD). This form of discrimination is forcing the CDWD into modern form of slavery and slavery-like practices

Slavery, slavery like practices and emanating discrimination continue to be widespread in many countries of contemporary Africa. About 7 million people are living in modern slavery today. Hundreds of thousands of them can trace back their modern forms of slavery and discrimination - to the caste-based slavery of the past, and the discrimination associated with the slavery of their ancestors.

The present study titled '*Communities Discriminated on Work and Descent (CDWD) in Africa and Status of Modern Slavery – A Regional Report, 2023*', explores the role of caste-identity of communities in slavery and slavery-like practices.

It integrates evidence pointing to the identity of "caste" within ethnic groups as one of the predominant characteristics of modern slavery. Other intersectional factors such as class, gender, and religion have also been influenced by caste realities. The report focuses on communities and people who continue to be trapped in slavery, slavery like practices, and discrimination based on work and descent. It gives a profile of ethnic groups across different countries of Africa, the caste-affected groups within them, and their human rights concerns through lenses of slavery and slavery practices.

The study also gives a country-wise brief on caste-based hierarchies, and present-day concerns. It further discusses the impact of slavery and slavery practices in the region's development through the SDG indicators. The national and international response to discrimination based on work and descent is also discussed further.

Methodology: The study collates evidence gathered through desk research of existing studies, news articles, court cases, and judgments. The study also draws upon the insights of Rights Experts of the Global Forum of Discrimination on Work and Descent (GFoD) who have authored country-level studies of Mali, Cameroon, Mauritania, Niger and Gambia, as part of the study-series on CDWD and Modern Slavery. The estimates of Modern Slavery presented in the study are derived from various secondary research sources, including UN agencies, academic research, CSO submissions to the UN Human Rights mechanisms, country reports submitted to UN mechanisms, and various news reports.

The report focuses on communities and people who continue to be trapped in slavery, slavery like practices, and discrimination based on work and descent.





SUMMARY & RECOMENDATIONS



AFRICA

COMMUNITIES DISCRIMINATED ON WORK AND DESCENT

Caste systems exist in pockets in some African countries. Stigma is often attached to this problem, and as a consequence “low caste” communities in Africa suffer various forms of social exclusion and discrimination, particularly with regard to employment, political representation and inter-caste marriages. This form of discrimination is termed discrimination based on work and descent.

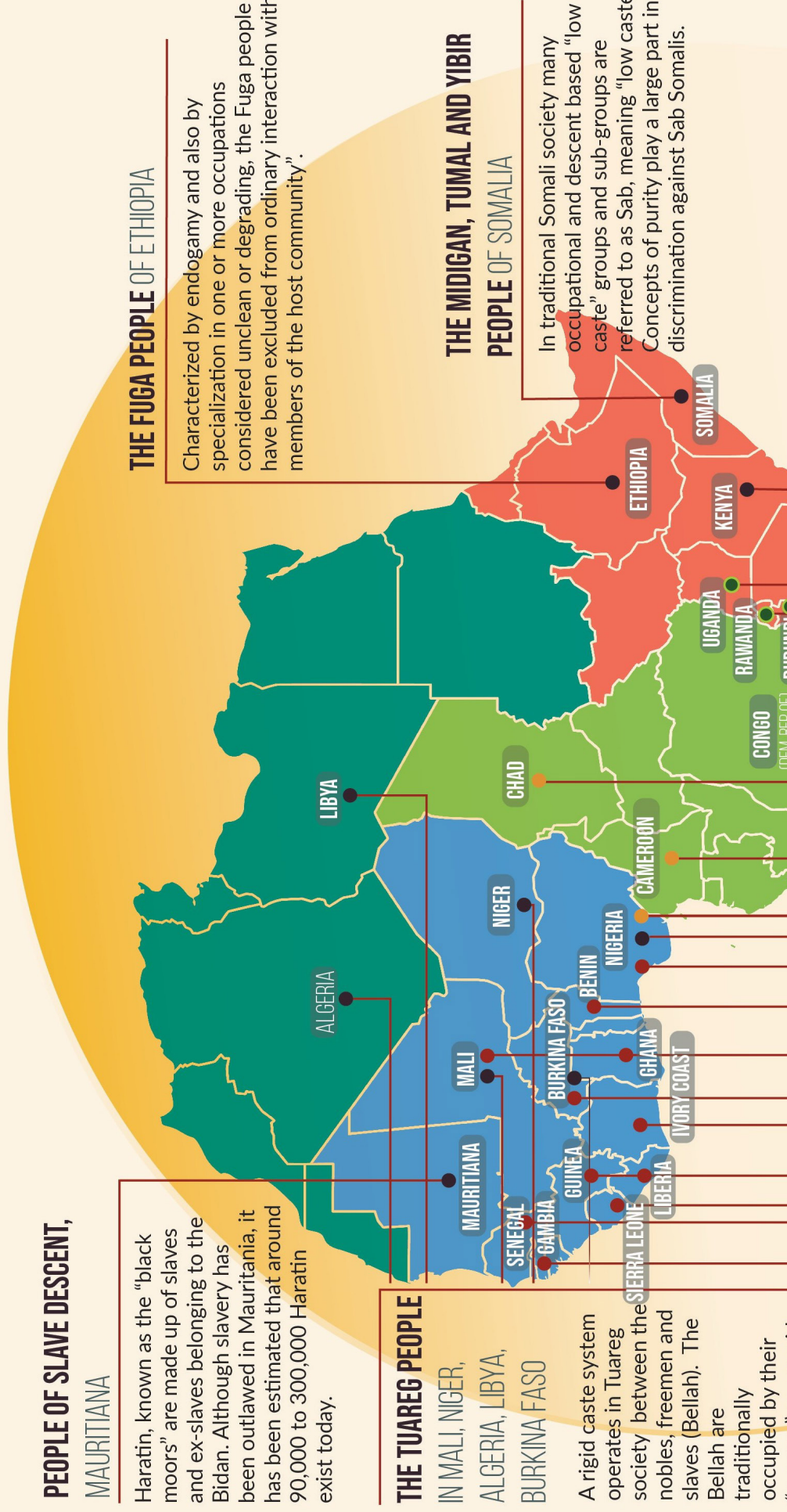
PEOPLE OF SLAVE DESCENT, MAURITANIA

Haratin, known as the “black moors” are made up of slaves and ex-slaves belonging to the Bidan. Although slavery has been outlawed in Mauritania, it has been estimated that around 90,000 to 300,000 Haratin exist today.

THE TUAREG PEOPLE

IN MALI, NIGER,
ALGERIA, LIBYA,
BURKINA FASO

A rigid caste system operates in Tuareg society between the nobles, freemen and slaves (Bellah). The Bellah are traditionally occupied by their



traditionally occupied by their “owners” as unpaid manual labourers, producing goods such as salt, which the “owners” then trade.

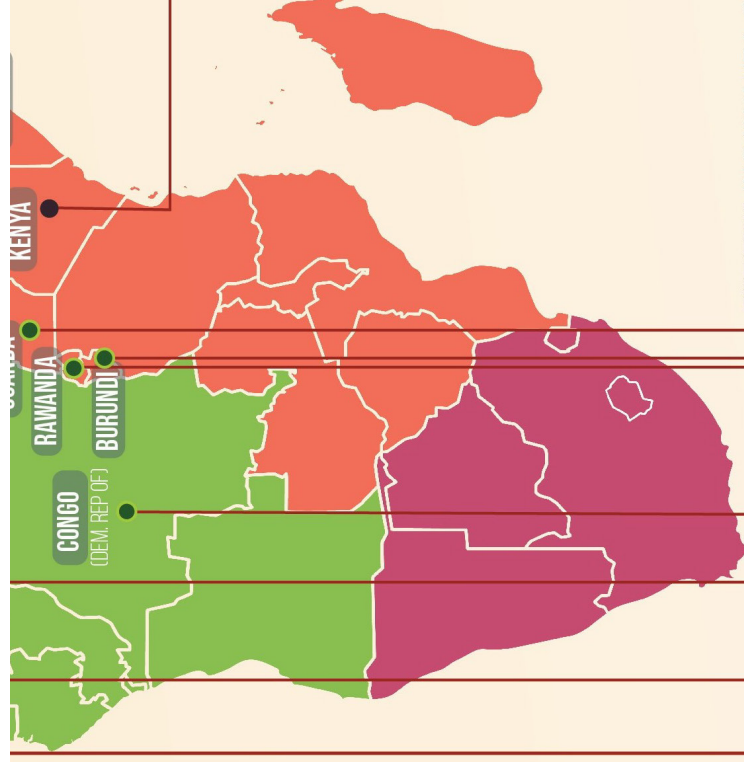
THE FULANI, MANDINKA, AND WOLOF PEOPLE IN

SENEGAL, MALI, GAMBIA, GUINEA, SIERRA LEONE, LIBERIA, IVORY COAST, BENIN, GHANA, BURKINA FASO AND NIGERIA

Mande-speaking areas of West Africa have social hierarchies based on caste, generally broken down into blacksmiths (often paired with female potters), bards and leatherworkers. They are considered as dirty or impure and there are enforced restrictions on inter-group sexual intercourse and marriage, sharing of food and entering of compounds. Among the Wolof of Senegal, the concept of caste is founded on occupational groups. Accordingly Wolof society is divided into the Geer (freeborn/nobles), jaam (slaves and slave descendants) and the ñeeño (people of caste)

THE OSU IN NIGERIA

The “Osu” system in Nigeria occupies a unique space in descent-based discrimination in Africa. Osu people were historically “owned” by deities amongst communities in Igbo-land, South-East Nigeria. They were dedicated and “sacrificed” to these gods as well as being forced to live on the outskirts of villages to be the target of any bad luck that might occur. Being an Osu is a position that is ascribed at birth, based on descent.



THE WATTA IN KENYA

The Watta community of Kenya live among the Boran, and have traditionally been hunter-gatherers. The dominant Boran are generally herders and have traditionally treated the Watta as “unwanted, low caste, worthless and downtrodden”. This form of stigma has led to their segregation, enforced endogamy, as well as socio-economic and political discrimination.

THE TWA IN RAWANDA, BURUNDI, D.R. OF CONGO, AND UGANDA

The Twa, find their position at the very bottom of any social hierarchy. The concept of pollution is widely recognised as regulating the social distance between the Twa and the other members of societies where they live, with access to public wells and ownership of land and valuables being forbidden.

WORK AND DESCENT BASED DISCRIMINATION IN NIGERIA, CAMEROON, CHAD

About 13 of the 30 ethnic groups in this region, mainly blacksmiths and potters, face discrimination based on their work; endogamy is practised, occupation and social status is ascribed from birth and concepts of pollution and impurity regulate contact between the caste and non-caste people, restricting commensality and creating conditions of discrimination. Contact with the caste peoples is seen as polluting and marriage is forbidden.

Summary and Recommendations

D

iscrimination based on work and descent and exclusion of communities on the grounds of caste or analogous status is a global phenomenon affecting over 270 million people worldwide. While the highest numbers of affected communities concentrate in South Asia, they can also be found in other regions including Africa, the Middle East, the Pacific region, as well as in diaspora communities.

CDWD face social, cultural, economic, and political exclusion, segregation, and alienation. The perpetuation of discrimination is continued through the influx of systemic violence and atrocities against these communities. Globally segregated, however, these communities have common characteristics like caste-like systems, untouchability, modern slavery, gross atrocities and violence, and low development ratings. With untouchability as one of the core concepts associated with CDWD along with endogamy and segregation, members of CDWD are the most marginalized groups when it comes to access to basic rights and entitlement. This further divides people in a social hierarchy based on their occupation. Thus, the communities (CDWD) falls largely at the bottom of this hierarchical pyramid, and are often considered the most impure or polluted.

Africa has a long-standing history of slavery and slavery practices through domestic slavery, which intensified extensively through the trans-Saharan, Indian Ocean and the trans-Atlantic slave trade. Today, hundreds of thousands of formerly enslaved people in and from Africa can trace back their modern forms of slavery and discrimination - to the caste-based slavery of the past, and the discrimination associated with the caste-based slavery of their ancestors.

Yet, the role of caste and its practices remains less explored in debates and research, including that by human rights organisations. Professor Penda Mbow succinctly captures this observation in the context of human rights organisations in Senegal, saying that organisations “never carry out investigations to evaluate the impact of hierarchies of order and caste on the lives of individuals and their social relations, on their married lives and, subsequently, on their personal fulfilment.” She further comments that “a good proportion of civil society deliberately maintains total vagueness in regard to the disappearance of order and caste hierarchies”

The study titled *‘Communities Discriminated on Work and Descent (CDWD) in Africa and Status of Modern Slavery – A Regional Report, 2023’*, explores the role of caste-identity of communities in slavery and slavery-like practices.

Key Findings of the Study:

- Slavery and slavery practices remain persistent in contemporary Africa
- Caste identity has a critical role in slavery and slavery like practices
- Existing evidence of engagement of Communities Discriminated on Work and Descent (CDWD) in Slavery and slavery like practices
- Estimates of CDWD in the African region is difficult to obtain making it difficult to estimate the number of CDWD in slavery across Africa
- Persistent discrimination, prohibitions and restrictions experienced by the CDWD hampers their socio-cultural-economic and political advancement
- CDWD identity struggle and assertion
- Factors perpetuating Slavery and slavery practices
- Domestic and International Response to eradicate slavery and slavery-like practices

KEY FINDINGS

1

Persistent Slavery And Slavery Practices In Contemporary Africa

Slavery, slavery like practices and emanating discrimination continue to be prevalent in many African countries, including Benin, Burkina Faso, Cameroon, Chad, Democratic Republic of Congo (DRC), Ethiopia, Gambia, Ghana, Kenya, Madagascar, Mali, Mauritania, Niger, Nigeria, Senegal, Somalia, and Togo, among other countries.

Over 7 million people are living in modern slavery in Africa, which encompasses both – the persistent traditional forms of slavery and new forms of slavery and slavery-like

practices. Among them, more than 3.8 million (54%) are in Forced Labour, while more than 3.2 million (46%) are in Forced Marriages.

The countries with the highest prevalence of modern slavery in Africa are Eritrea, Mauritania, and South Sudan. While many forms of modern slavery in contemporary Africa almost exclusively engages the CDWD, almost all forms significantly engage them.

Countries with the highest prevalence of modern slavery in Africa



- Eritrea
- Mauritania
- South Sudan

Considering the overlaps and the impact on specific groups of women, children and general adults, the study categorises modern slavery in Africa as

- Descent-based slavery, including chattel and passive slavery.
- Slavery which specifically targets women, girls and children
- Slavery which engages forced and exploitative labour,
- Trafficking in persons, and
- Adults and children in armed conflict.

Descent Based Slavery Including Chattel and Passive Slavery:

While "chattel slavery" is the traditional form of bonded-servitude which persists even today, "passive slavery" involves formerly enslaved persons rendering unpaid labour to the former slave-owners out of customary practice.

Modern Slavery Specifically Targeting Women and Girls (descent-based and new):

Sexual slavery in Africa is deeply rooted in cultural and social factors. In Niger and Nigeria, young Tuareg girls born into slavery are sold as "*Wahayu*"- the unofficial fifth wife, to wealthy Hausa individuals. In Ghana, Togo, and Benin, virgin girls become sexual and domestic slaves, given to appease deities in the practice of "*Trokosi*." Prostitution, often tied to caste-based exclusion, leaves many vulnerable to exploitation. Nigeria has "*baby farms*" where women are forcibly impregnated to deliver children for adoption, labour, and exploitation. Togo has "*Devissime markets*" for trafficking young girls, while in Ghana, "*Kayayee*" girls endure exploitative conditions as head porters in city marketplaces. Armed groups like al-Shabaab and Boko Haram abduct girls, subjecting them to forced marriage, sexual servitude, and bearing children for members. These practices primarily affect Chad, Cameroon, Niger, Nigeria, the Democratic Republic of Congo (DRC), Congo, South Sudan, and

Somalia. South Sudan has also seen forced marriages as compensation for inter-ethnic killings, further darkening the landscape of sexual slavery in Africa."

Modern Slavery Specifically Targeting Children (descent-based and new):

In Quranic schools (*Daara*), *Talibe* students are compelled into begging, street vending, and labour by their spiritual teachers to cover their education and meals. This practice is widespread in Benin, Niger, Senegal, Burkina Faso, and other nations. Another concerning tradition is *Vidomegon*, where rural families entrust children to affluent urban households in exchange for education, essentially turning them into young labourers. In Niger, through child rental, parents "rent" their children for forced begging, guiding vision-impaired individuals, or domestic servitude.

Child labour is pervasive across almost all African countries, encompassing domestic work, mining (gold, salt, iron, gypsum), agriculture and plantations (onion, cotton, cocoa, tea), quarries (stone, salt), markets, bus stations, handicrafts, cattle herding, and manufacturing. *Child trafficking* for forced labour and sex trafficking is prevalent in nearly every nation. Shockingly, international terror groups and extremist organisations exploit children as young as 13 for combat and support roles, subjecting women and girls to forced marriages through abduction and exploitation in countries such as the Central African Republic, DRC, Libya, Mali, Nigeria, Somalia, and South Sudan.

Child labour is pervasive across almost all African countries, encompassing domestic work, mining, agriculture and plantations, quarries, markets, bus stations, handicrafts, cattle herding, and manufacturing.

Forced and Exploitative Labour and Trafficking in Persons:

Nearly 3.8 million men, women, and children experience forced labour in Africa, particularly in the mining, agriculture, plantations, fishing, domestic work, entertainment and hotel industry. African job seekers misled by traffickers with false promises are subjected to forced labour abroad, such as in the Gulf States. Human trafficking poses a grave concern in Africa, serving as a significant source region for victims who are trafficked to various parts of the world, including Western Europe and the Middle East.

Additionally, domestic or intra-regional trafficking is prevalent in specific areas, particularly in Sub-Saharan Africa. Women and children constitute a large proportion of the victims in Sub-Saharan Africa, enduring

exploitation in sectors like agriculture, domestic work, forced prostitution, child soldiers, and in forced marriages.

Adults and Children in Armed Conflict:

Anti-Slavery Groups report a resurgence of racially based slave trade, with northern armed militias raiding southern villages for slaves in Sudan. Anecdotal evidence shows the recruitment and kidnapping of Somalis and Kenyans (both adults and children) by the non-state armed group al-Shabaab for combat roles.

Countries deeply impacted by Islamic State of Iraq and Syria (ISIS) -West Africa and Boko Haram, include Chad, Cameroon, Niger, Nigeria, Democratic Republic of Congo, and are known for recruiting or trafficking adults and children for military support or direct combat roles.

Men from
The Gambia working
in a landfill.



2

Caste Identity Has a Critical Role in Slavery And Slavery- Like Practices in Africa:

Slavery and slavery-like practices persist within various ethnic groups across Africa. These ethnic groups are highly stratified into caste-like rungs of - *Nobles, the free-born Commoners and Peasantry (including scholars, clerics and farmers)*, followed by the *Occupational castes or Artisans*, and finally the so-called “*Slaves*” (household and war-slaves). The social stratification displayed within the African ethnic groups is very similar to the caste-structure of South Asia, barring two distinct ways:

- Slavery is embedded in social stratification and is inherited. Children of slaves were and are the property of the so-called “masters”, with no rights of parents over their children, nor any rights over own relationships, and
- Caste stratification including slavery is not ascribed in religion, but passed down generations over past political power/ chieftdom, dominance and perceived supremacy.

Some enslaved-caste groups who continue to be *victimised in slavery* and slavery-like practices include the:

Komo, Maccudo, Rimmaybe, Dimaajo, Baleebe, Jaam, Jongo, Diam, Horso, Bannye and Kogno (or Kono), Ohu, Osu, Bellah, Iklan (Eklan, Ikelan, or Akli), Hratin, Kamadja, Jareer (Somali Bantu), and Andevo among others.

Some of the *Occupational / artisan caste* groups within the ethnic groups of the mentioned countries, who continue to be discriminated based on the occupation of their ancestors include - *Taggo, Numolu, Numoo, Tegga, Tumul (blacksmiths); Garanko/*

Karankolu, Faraboo, Uude, Midgan (leatherworkers); Laube (woodcarvers); Ràbb (weavers), Yibir (craftpersons); Djeli, Jaloo, Nyamakale Géwël Jaaru/ Jalolu, Agguta (griots/ praise singers or troubadours), among others.

Stratified Caste-like rungs within various ethnic groups in Africa

- *The Nobles*
- *The free-born Commoners and Peasantry (incl. scholars, clerics, farmers)*
- *Occupational castes or Artisans*
- *“Slaves” (household and war-slaves)*

Slavery is embedded in social stratification and is inherited. Children of slaves were and are the property of the so-called “masters”, with no rights of parents over their children, nor any rights over own relationships



Gambian woman

Barring the instances when nobility and commoners captured in war were sold off as slaves as a form of punishment, it was generally the so-called “lower-caste” people whose status in the social hierarchy was that of “slaves”.

3

Existing Evidence Of Engagement Of CDWD in Slavery and Slavery-like Practices:

In the context of slavery in Africa, historically it has been the “caste” status of a particular group which put them in slavery, in the first place. Barring the instances when nobility and commoners captured in war were sold off as slaves as a form of punishment, it was generally the so-called “lower-caste” people whose status in the social hierarchy was that of “slaves”. Furthermore, it was the slave-caste groups who were sold and exported during the trans-Saharan, Indian Ocean and trans-Atlantic slave-trades in Africa, as well as within the African region.

The enslaved caste groups and the artisan caste groups, who collectively are identified as CDWD continue to be victimised by modern forms of slavery and similar practices even today. Some forms of persistent traditional slavery which exclusively engages the CDWD include:

- **The Wahaya practice** of sexual slavery of young black Tuareg girls of enslaved status is prevalent in Niger and Nigeria. The purpose of keeping a **Wahayu** is for “sexual and domestic servitude” – the nomenclature of “wife” being farcical and more importantly, illegal.

- **The Osu caste system** is prevalent in Nigeria in which the descendants of a group of people traditionally identified as Osu, continue to be consecrated to the deities for life. The purpose of their consecration is to absolve the sins and follies of the dominant sub-caste **Diala** among the Igbo people.

Persistent discrimination against Osu, including restrictions in inter-caste marriage and commensality, segregation in living in the outskirts, “untouchability” since traditional belief is that touching an Osu will make one an Osu, denial of access to common resources and entitlements, and stigma among other forms of discrimination, mark the lives of the Osu.

- **Somali Bantu of Somalia:** Historically, the Somali Bantu people of Somalia were not ancestrally related to the other Somali ethnic groups. They were brought to Somalia from Mozambique, Malawi and Tanzania as part of the Arab slave trade (trans-Saharan slave trade) to work as slaves in the plantations along the fertile floodplains of Shebelle and Jubba rivers.

- **Descent-based slavery of Haratin of Mauritania:**

The Haratin are of Black African or Negro-African origin and comprise the freed slaves and their descendants of black origin.

Traditionally, the Haratin were the “slave-caste” of the highly stratified **Beidane** (White Moors) society. The Haratin constitute the majority (45%) of Mauritania’s population, yet it is estimated that half of them are in slavery, while the other half suffer from the legacies of slavery - exploitation, marginalisation and socio-political exclusion.

4

Caste Identity Has a Critical Role in Slavery And Slavery- Like Practices in Africa:

Estimates of CDWD across Africa are difficult to obtain, let alone within each country, given the inadequate research on CDWD, from the lenses of “caste-descent-and work”. The hitherto one track discourse on slavery and racial discrimination in Africa has eclipsed the role of Discrimination based on Work and Descent (DWD). Theoretically, this task will require a study of ethnic groups of each country and collate the numbers of CDWD across the region. The practical challenge however is that most countries do not capture their Census data in terms of sub-caste disaggregation. In many a Census, the CDWD population are clubbed with the dominant sub-caste groups, serving to cloak the actual numbers of the CDWD. For instance, the Haratin of Mauritania, though they constitute the highest ethnic population (45%) are clubbed in government records with the Beidane, an ethnic group which traditionally enslaved the Hratin.

5

Discrimination, Prohibitions and Restrictions Experienced by CDWD

Professor Penda Mbow in the context of Senegal comments that the “reality of the caste phenomenon can be grasped through examples that reflect the everyday reality, primarily at the level of the lower social classes.”

Asbjørn Eide and Yozo Yokota in a working paper for the UN Sub-Commission on the Promotion and Protection of Human Rights, 2002 analyse the causes and consequences of Discrimination based on Work and Descent as overlapping elements which include social

and cultural segregation, and economic and political marginalisation, among others. The paper observes that – “even where the original occupational roles no longer exist, the marginalization caused by association with stigmatized traditional occupations may lead - as a consequence – to members of the affected groups being relegated to the most menial jobs, whether or not those jobs are related to the original occupational roles.”

Essentially, the present study reiterates that the concept of purity and pollution is central to Africa's caste system, seen in practices like untouchability, akin to South Asia, notably among groups such as Nigeria's Osu, who face social segregation as outcastes. Hamlets in West Africa, like Kassa village in Niger, bear caste-specific names like *dabey* or *tunga*, indicating their history as “slave-quarters.” Africa's ethnic groups typically adhere to strict endogamous caste structures, prohibiting inter-caste and inter-occupational marriages, resulting in social boycotts, punishments, assaults, and conflicts. The existence of separate burial rites, cemeteries, and restrictions on religious activities reveals the perceived supremacy of dominant castes. Skin colour-based discrimination, evident among the Tuareg, further underscores inequality. Superstitions in *Trokosi* and *Osu* practices have religious roots. The CDWD face economic hurdles, limited land ownership, and are relegated to low-income trades. They perform ancestral, menial jobs at village events. Their involvement in political administration, village activities, and development is restricted. CDWD are systematically denied land ownership and work in their masters' fields through practices like renting (*Hiiyan*) or debt repayment/pledging (*Tolme*).

The CDWD, in their respective societies, remain the most disadvantaged and economically poorest owing to their persistent marginalisation. In some instances, the stigma of poverty itself is the cause of marginalisation. Efforts of social mobility are often met with violence.

6

CDWD Identity Struggle And Assertion:

The *Haratin* of Mauritania and the *Gambana* movement of the Soninke community, are notable for their struggle for identity and assertion towards their emancipation. The *Haratin*, the descendants of formerly enslaved black African people, traditionally served the *Beidane*. Today, they comprise the majority (45%) of the country's population and are the most visible ethnic groups who are victims of descent-based slavery. Many *Haratin* of contemporary Mauritania identify themselves distinct from the *Beidane*. The anti-slavery activism which started in the late 1970s saw the abolishment of slavery in 1981, and criminalisation as late as 2007. The *Haratin's* fight for emancipation is also an economic fight – of the poorest against the richest. *Haratin's* claim for a separate identity for the minority group with a majority population, is significant for their socio-political and overall advancement. Similarly, the **Gambana movement**, meaning "we are all equal" in the Soninké language, emerged around 2016 with the aim to combat slavery and caste-based discrimination and exclusion of the *Komo* community (formerly slave-caste of the Sarahulleh/ Soninké ethnic group). The movement has gained support from oppressed caste groups within the Soninké community and has established chapters in Gambia, Senegal, Mali, Mauritania, the USA, Spain, and other countries with a significant Soninké population.

7

Factors Perpetuating Slavery and Slavery like Practices

Slavery and slavery like practices in contemporary Africa is driven by the cause-and-effect factors of centuries-old colonisation which have robbed the human

and social capital and natural resource of the continent, resulting in extreme multi-dimensional poverty and hunger, political instability, displacement due to conflicts and climate change, capitalistic international policies, and the impact of pandemic such as Ebola, COVID-19 etc., among other factors.

8

Domestic And International Response in Eradicating Slavery, Slavery-Like Practices and Discrimination:

Almost all African countries have prohibited slavery, servitude and forced labour in their Constitutions, followed by their criminalisation in Criminal and Penal Codes. Notably, Mali has not criminalised slavery and slavery-like practices. Very few countries speak about slavery-like practices in their legislations. Almost all countries have anti-trafficking laws which are more recent and more detailed than other laws.

Human Rights institutions like CERD, CEDAW, CRC, ESCR, CMW, and ILO Conventions have made vital recommendations regarding the persistence of descent-based slavery, slavery-like practices, sexual slavery, and discrimination. These recommendations stress the need for ethnicity-disaggregated population data and the importance of combating harmful practices against women and girls. They also call for robust enforcement of anti-slavery and anti-trafficking laws, including training for officials and increased allocation of resources.

Additionally, they emphasise the necessity of effective investigation and prosecution, leading to more convictions when applicable, with penalties that match the gravity of these crimes.

KEY OBSERVATIONS

1. Discussion on Discrimination based on Work and Descent (DWD) in Africa is eclipsed by the discourse on slavery and racial discrimination.
2. The “caste” of people is the critical factor for perpetuation of modern slavery and discrimination in Africa region, and hence it is imperative to view Modern Slavery from the lenses of Caste and discrimination based on work and descent, not just class and race.
3. The estimated global CDWD population of 270 million, as advocated by CDWD rights activists, may be an underestimation. This is because, in addition to the 200+ million CDWD individuals in South Asia, there are also over 200 million people of African descent who carry the legacy of slavery and colonisation residing in the Americas and other parts of the world.
4. It is crucial to build evidence of role of caste within ethnic groups in the persistence of modern slavery and discrimination in Africa, through studies on affected communities and case laws.
5. Given the high foreign investment in resource rich Africa, it is a matter of absolute accountability and liability of transnational corporations and not just their social responsibility, to give back for direct development of Africa and to ensure that modern slavery and slavery like practices are not encouraged and engaged, either directly or through supply chains and other intermediaries.
6. The absence of special measures for the advancement of the significant number of people who were victimised in slavery and similar practices for generations, is glaring.
7. Perspective building on co-relation of caste and slavery practices is required among local, national and regional advocacy groups. Nurturing of rightsholder leadership and building solidarity for advocacy on eradication of descent and caste-based slavery and discrimination in Africa region is required.

RECOMMENDATIONS

Ending modern slavery of Communities Discriminated on Work and Descent (CDWD) in Africa will require a multi-faceted and multi-pronged response.

I. Recommendations for States:

1. Formally recognize Discrimination based on Work and Descent at the national and regional level (Africa) , taking into account the continuing relevance of ancestry and occupation to practices of modern slavery and caste, with a view to ensuring meaningful policymaking that reaches affected communities.
2. To recognise the **relevance of caste, ancestral occupation and descent** in persistent modern slavery and similar practices.
3. To ensure that disaggregated data on CDWD is captured in respective countries, so as to enable evidence building in order to captivate the ground situation
4. To ensure effective enforcement of existing legislations, review their relevance and applicability and amend, repeal or enact new legislations, as required.
5. To immediately prohibit through specific legislations, the harmful practices against women and girls.
6. To ensure data collection disaggregated by caste and ethnicity among other factors, to enable targeted policy-making for CDWD and other marginalised groups.
7. To provide Special Measures/ Affirmative Action for mainstreaming of the CDWD.
8. Continuous and concerted mass communication and social messaging for sensitisation of public on slavery, slavery-related products and the responsibility of good labour practices.
9. To ensure adequate training to all law enforcement, judicial and administrative officials on slavery and caste-based discrimination; and to establish effective monitoring mechanisms.
10. To increase efforts in victim-centric rescue, rehabilitation and reintegration of enslaved persons.

II. Recommendation for Corporate Accountability:

11. To develop Ethical Business Policy in accordance with decent-work international standards

III. Recommendation for CSOs and INGOs:

12. To continue to build evidence on caste and descent -based discrimination, and a rightsholder cadre of human rights defenders, with a special focus on youth and women.

IV. Recommendation for Human Rights Mechanisms:

13. To internalise the elimination of caste and descent -based slavery and discrimination in all its observations that affect marginalised communities, and develop common platforms for discourse and knowledge sharing.



Children from CDWD
from The Gambia



SLAVERY, SLAVE-TRADE AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY:

The Slavery Convention, 1926 defines Slavery as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”, and “slave” means a person in such condition or status³. The Supplementary Convention on Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 1956, further adds the concepts of “Slavery practices and institutions similar to slavery” to include - debt bondage, serfdom, forced marriage, child exploitation and child labour. The Convention defines Slave-trade as “all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a person acquired with a view to being sold or exchanged; and, in general, every act of trade or transport in slaves by whatever means of conveyance.”⁴

TRADITIONAL SLAVERY:

The definition of slavery as mentioned in the Slavery Convention 1926, states “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” is considered as “Traditional Slavery”.

DESCENT-BASED SLAVERY:

Descent-based slavery describes a situation where people are born into slavery. This is usually because their ancestors were captured into slavery, and their families have ‘belonged’ to the slave-owning families ever since. The slavery status is passed down the maternal line⁵. Descent-based slavery is found in both traditional and modern forms of slavery and slavery-like practices.

MODERN SLAVERY:

Modern slavery occurs in almost every country in the world, and cuts across ethnic, cultural and religious lines. Modern Slavery is not defined in law. It is used as an umbrella term to include practices such as – forced labour, debt bondage, forced marriage and human trafficking. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.⁶

Chapter 1

Contextualising Caste-Identity in Slavery and Discrimination

“

One of the symbols of rising civil society at the end of the second millenium allows us to measure how far we still have to go: one's caste origins are still brandished to exclude, humiliate or hurt.

*Professor Penda Mbow
Paper on Democracy, Human Rights, and Castes in Senegal¹*

”

The right to freedom from discrimination and freedom from slavery or servitude is recognised in the Universal Declaration of Human Rights (UDHR). It enshrines the principle of egalitarianism, where “all human beings are born free and equal in dignity and rights”. The UDHR principles have been enshrined in all the human rights treaties and widely recognised by countries worldwide. The 1926 Slavery Convention further affirmed the signatories’ intention of securing the complete suppression of slavery in all its forms and of the slave trade.

Yet more than 260 million people worldwide are discriminated on the basis of their ancestry and the work associated with their ancestry. About 50 million people worldwide are living in modern slavery and slavery like practices of whom over 7 million are living in Africa. Hundreds of thousands of them can trace back their modern forms of slavery and discrimination - to the caste-based slavery of the past, and the discrimination associated with the slavery of their ancestors.

Understanding Concepts

While the concept of “caste” is commonly associated with South Asia, in reality, the innumerable ethnic groups of Africa region, display the caste-features of social stratification based on the “work” they do/ are forced to do, and their “descent”, in addition to other caste features including endogamy, commensality etc. In the context of contemporary Africa, this “work “ and “descent” based discrimination is central to the forced engagement of particular African communities in persistent forms of “Traditional Slavery” and “Modern Slavery”, as well as slavery-like practices.

Before we delve into the nature and scale of persistent forms of traditional slavery, modern slavery and slavery-like practices in Africa, and the emanating discrimination experienced by the affected people, it is important to note the commonalities and progression between concepts and terminologies related to slavery and slavery-like practices.

The 1926 Slavery Convention defines Slavery as – “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” (Article 1(1)). The Convention defines slave trade to include capturing, acquiring or disposing of a person with the intent to reduce him to slavery and/or selling or exchanging him. The Convention aimed at (2a) preventing and suppressing slave trade and (2b) complete abolition of slavery in all its forms.

Most African countries have abolished all forms of slavery through national legislation and under the monitoring framework of international human rights mechanisms to which countries are a party. Yet slavery and slavery like practices, continue to exist in the realms of “forced labour” and “exploitative labour”. By and large, slavery of the earlier centuries displaying ‘legal and customary rights of ownership of persons’ has changed to ‘illegal means of control’ post the 20th century. Through coercive or subtle means, people continue to be bought and sold, they continue to be enslaved through coercive or subtle means, and they continue to face loss of freedom.

With nearly 83 per cent of employment in Africa and 85 per cent in sub-Saharan Africa being informal², cheap labour is in abundance resulting in exploitative labour practices, which often mirrors ‘slavery-like practices’.



Nomadic Bororo girls selling curdled milk in Matyo Darlé region of Adamau after building their capacities on milk fabrication

A village in
The Gambia



Relation Between Discrimination, Discrimination Based on Work and Descent (DWD), and Slavery

DISCRIMINATION refers to intentional or unintentional unfavourable behaviour and treatment of an individual or individuals based on certain factors which include age, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, and unrelated criminal convictions or any conditions or requirements that do not accord with the principles of fairness and natural justice. It can be direct or indirect – and manifested through association, by perception, through harassment, and or victimisation.⁷ The understanding of discrimination is in relation to the exclusion of specific categories of persons, whether minorities or significant population (like women) within the generalised ideology of equality of opportunities and rights for all.⁸

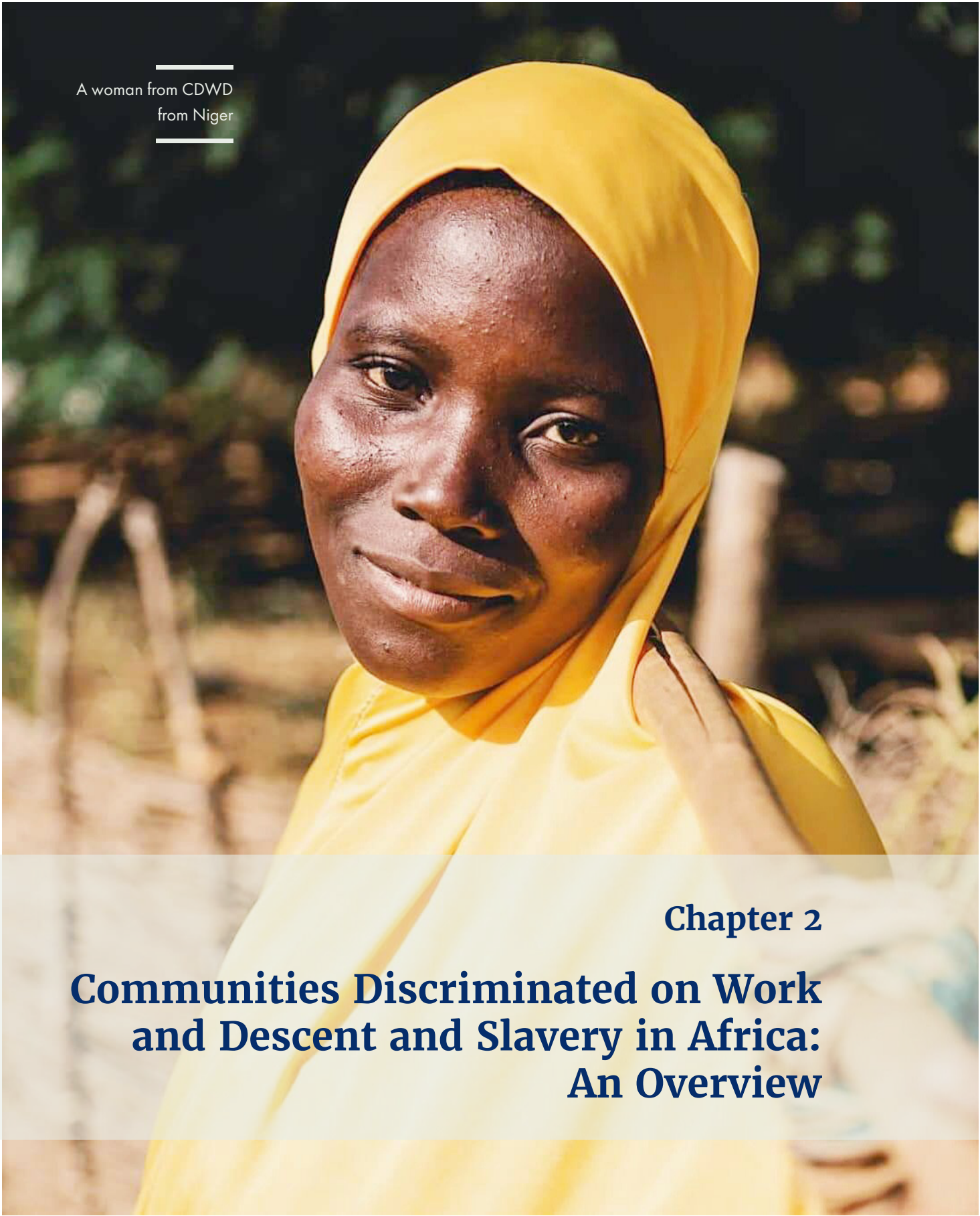
DISCRIMINATION BASED ON WORK AND DESCENT (DWD) is any distinction, exclusion, restriction, or preference based on inherited status such as “caste”. Caste includes present or ancestral occupation, family, community or social origin, name, birthplace, place of residence, dialect and accent that has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.⁹

This type of discrimination is typically associated with the notion of purity and pollution and practices of untouchability and is deeply rooted in practices of discrimination in societies and cultures. DWD is also the UN terminology for caste-based discrimination.

In the context of **SLAVERY** in Africa, historically it has been the “caste” status of a particular group which put them in slavery, in the first place. Domestic slavery pre-dated trans-Saharan, Indian Ocean and trans-Atlantic slave-trade in Africa. The enslaved people in domestic slavery were the people who were perceived as “low-born”, unclean and impure – typical features of a caste-based society.

Barring the instances when nobility and commoners captured in war were sold off as slaves as a form of punishment, it was generally the so-called “lower-caste” peoples whose status in the social hierarchy was that of “slaves”. Furthermore, it was the slave-caste groups who were sold and exported during the transatlantic slave trade from the 16th to the 19th century, as well as within the African region. They continue to be victimised by modern forms of slavery and similar practices even today.

Discrimination based on Work and Descent (DWD) is typically associated with the notion of purity and pollution and practices of untouchability and is deeply rooted in practices of discrimination in societies and cultures.

A close-up portrait of a woman with dark skin, wearing a bright yellow headscarf. She is looking slightly to the right of the camera with a neutral expression. The background is a blurred outdoor setting with green foliage and wooden posts.

A woman from CDWD
from Niger

Chapter 2

Communities Discriminated on Work and Descent and Slavery in Africa: An Overview

Chapter 2

Communities Discriminated on Work and Descent and Slavery in Africa: An Overview

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The long catalogue of horrors suffered in history by people of African descent continues to take a heavy toll. This is evident from many indicators of world poverty, under-development, insecurity and socio-economic vulnerability.

*Ms. Navi Pillay, High Commissioner for Human Rights
International Day for the Remembrance of the Victims of Slavery and the Transatlantic Slave Trade, 24 March 2014*

”



Africa has a long-standing history of slavery and slavery practices since well before European colonisation. The aftermath of the domestic and transnational slavery reverberates generation after generation in various forms and intensities. In this section, we will discuss the people who were exploited in slavery practices in Africa and continue to be directly impacted by slavery and its various manifestations.

In modern day Africa, the countries where slavery, slavery practices and emanating discrimination continue to be prevalent include Cameroon, Chad, Ethiopia, Kenya, Benin, Burkina Faso, Gambia, Ghana, Mali, Mauritania, Niger, Nigeria, Senegal, Somalia, and Togo, among some other countries.

Caste Structure in Africa

The innumerable ethnic groups of Africa region have their own distinctive culture, language and history. Most display a similar caste-structure as compared to the caste-structure in South Asia and other regions - further substantiating the existence of caste and caste-like systems worldwide. Some such ethnic groups include the Mandinka, Wolof, Fulani, Serahule (Soninke), Serer, Hausa, Zarma, Beidane, Igbo peoples, and Bambara among others. (See Table 1 for Ethnic Groups and intrinsic caste structure and slavery). The essential caste-like features across most ethnic groups include:

- Designated Work and Division of Labour
- Descent-based Occupation – Inherited Status
- Rigid Hierarchy
- Membership by Birth
- Endogamy and Commensality, and
- Concept of Purity and Pollution
- Separate Housing Settlements



Distinguishing features of Caste-based discrimination in Africa



- Slavery is embedded in social stratification and is inherited. Children of slaves are the property of the so-called “masters”, with no rights of parents over their children, nor any rights over own relationships
- Caste stratification including slavery is not ascribed in religion, but passed down through generations over past political power/ chieftom, dominance and perceived supremacy.

Traditionally, most ethnic groups had three to four major caste hierarchies, except the Serer (of Gambia and others) who additionally had soldiers or Tyeddo who followed the noble-caste in the caste-hierarchy. Few ethnic groups (like the Jola and Aku/Creole of Gambia) did not have a caste-based structure. They however were victims of domestic slavery, transnational slavery (through slave-raids), descendants of freed-transnational slaves, as well as selling of slaves who were hardened criminals/ serious offenders.

The ethnic groups continue to be endogamous in nature, meaning marriage within the caste group only. Endogamy continues to be the most visible sign of segregation within the ethnic groups. Traditionally, inter-caste marriages between the so-called higher castes with the repressed caste groups have been strictly prohibited and have been limited to each occupation. This prohibition extended to relations between the ‘free-born’ occupational/ artisan-caste groups and the enslaved-caste groups, the latter considered as the most inferior.

CASTE STRUCTURE AMONG ETHNIC GROUPS IN AFRICA

With few variations, most ethnic groups share similar caste structure. In general, the caste-structure has three to four major stratifications:



NOBLES were considered free-born and formed the royalty or chieftaincy with power and authority. Today, they continue to comprise the dominant caste of the society.

COMMONERS AND PEASANTRY were also considered free-born, and generally were the advisors of the nobles. Traditionally they comprised the peasants, landholders, marabouts (scholars and religious leaders), and traders. Today, they continue to hold similar positions of power and affluence.

OCCUPATIONAL CASTES OR ARTISANS AND COURTIERs were considered to be the so-called "lower-caste" in most societies, though in few societies such as Tukulor, the artisans comprised part of the 'commoners'. In any case, the occupation of the artisan-caste group was skill-based and they included – *praise-singing (griots, troubadours), blacksmiths, goldsmiths, leather-workers, and carpenters*, among others.

In many ethnic groups (like the Mandinka), the artisan-caste people were further sub-divided in terms of subservience. In many societies, the occupational caste had specific names, such as *Nyamakala* or *Nyamakalaw* among Madinka, *Nyaxamalo* among the Soninke and *Nyenyoy* or *Neeno* among the Wolof. Today, the artisan-caste or occupational caste continue to be discriminated because of their "descent", and are often pushed into performing similar "work" of their ancestors. The group constitutes "Communities Discriminated on Work and Descent".

SLAVES, who were at the bottom-most of the social hierarchy and were normally of two types:

- (a) Household and agricultural slaves, and
- (b) Captured-slaves, who were prisoners-of-war, slaves captured during raids, or hardened criminals or people having committed serious crimes, who were sold off as slaves in slave-markets, as part of punishment, or were kidnapped, or were purchased as children from desperate parents post difficult times. The condition and treatment meted out with household slaves were comparatively better than the captured-slaves. The latter were treated like disposable merchandise.

Today, the formerly enslaved persons and descendants of enslaved persons continue to be victimised in persistent forms of traditional slavery, in addition to modern slavery and slavery-like practices.

The enslaved-caste groups and the occupational/artisan-caste groups within each of the ethnic groups comprise the – “Communities Discriminated on Work and Descent” (CDWD) – A UN terminology to encompass caste and caste-like systems within diverse religious and ethnic groups in diverse geographical regions.



The CDWD are among the most marginalised and excluded across Africa in terms of political, social, cultural and economic development. While in some societies, “descent-based slavery” is still prevalent where the descendants continue to provide unpaid servitude to the “slave-owning families”, while in others, they are known as “former slaves”. Descent-based slavery can be found across the Sahel belt of Africa, including Mauritania (*Hratin*), Niger (*Kono* among *Zarma*, *Eklan* among *Tuareg* of Niger), Mali and Burkina Faso (*Bellah* among *Tuareg*), Chad, Sudan, Senegal (*Jaam*), among others. Some enslaved-caste groups within the ethnic groups which continue to be victims of slavery and slavery like practices include:

- *Kommo* among *Sarahulleh* of *Gambia* and *Mauritania*
- *Jongoo* among *Mandinka* of *Gambia*
- *Maccudo*, *Rimmaybe*, *Dimaajo*, and *Baleebe* among the *Fula* of *Gambia*, *Niger* and *Mauritania* (particular names in *Niger* and *Mauritania* not known)
- *Jaam*, *Jongoo* among *Wolof* of *Gambia*; *Diam* among *Wolof* of *Mauritania* and *Jaam* among *Wolof* of *Senegal*
- *Kogno*, *Kono* among the *Zarma* of *Niger*
- *Bellah* among the *Tuareg* of *Mali*, and *Eklan*, *Akli* among the *Tuareg* of *Niger*
- *Hratin* among the *Beidane* of *Mauritania* (Note: *Hratin* identify as a distinct group separate from the *Beidane*)

In addition to the enslaved caste-groups, the occupational / artisan caste groups among the ethnic groups – who were also considered inferior and of so-called “lower caste”, continue to be discriminated, marginalised and excluded (albeit in varying degrees across the countries). Some of these occupational / artisan caste-groups include:

- *Taggo*, *Numolu*, *Numoo*, *Tegga* (blacksmiths),
- *Garanko*/*Karankolu*, *Faraboo*, *Uude* (leatherworkers),
- *Laube* (woodcarvers),
- *Ràbb* (weavers),
- *Djeli*, *Jaloo*, *Nyamakale Géwël Jaaru*/*Jalolu* (griots/ praise singers or troubadours), among others.

Today, a disproportionately large proportion of them are landless, or small and marginal landholders, earning their livelihoods in the informal/unorganised sector. They are agricultural labourers, sanitation workers, plantation workers, factory workers, domestic help, sweepers, waste collectors, street vendors, etc.

Table 1

| CDWD among the different ethnic groups known by their specific names in relation to their occupation | | |
|--|--|--|
| Occupational/ Artisan caste group | Blacksmiths or Metal Workers | <i>Numoo</i> among Mandinka; <i>Tëgga, Numoo</i> among Wolofs; <i>Taggo/Numolu</i> among Sarahulleh |
| | Leather Workers | <i>Faraboo</i> among Mandinka, <i>Uude, Faraboo</i> among Wolof, <i>Garanko/Karankolu</i> among Sarahulleh |
| | Wood Carvers | <i>Laube</i> among Wolof |
| | Cloth Weavers | <i>Ràbb</i> among Wolof |
| | Griots / praise singers or troubadours, bards | <i>Jaloo, Djeli</i> among Mandinka; <i>Nyamakale</i> among Fula; <i>Géwël</i> among Wolof; <i>Jaaru/Jalolu</i> among Sarahulleh |
| Enslaved peoples | Slave-caste, the people at the bottom most of the social hierarchy | <i>Jongoo</i> among Mandinka; <i>Maccudo, Rimmaybe, Dimaajo, and Baleebe</i> among the Fula; <i>Jaam, Jongo, Diam</i> among Wolof; <i>Kommo</i> among Sarahulleh; <i>Jaam</i> among Wolof of Senegal; <i>Bellah, Eklan, Akli</i> among the Tuareg; <i>Hratin</i> among the Beidane |

Estimates of CDWD across Africa is difficult to obtain, let alone within each country, given the inadequate research on CDWD, from the lenses of “caste-descent-and work”. As discussed in the previous chapter, the hitherto one track discourse on Slavery and Racial Discrimination in Africa has eclipsed the role of Discrimination based on Work and Descent (DWD).



CASTE STRUCTURE AMONG ETHNIC GROUPS IN AFRICA

Some of the ethnic groups discussed here are but few examples of the numerous ethnic groups of Africa with slavery and caste-systems.

Tuareg of North and West Africa

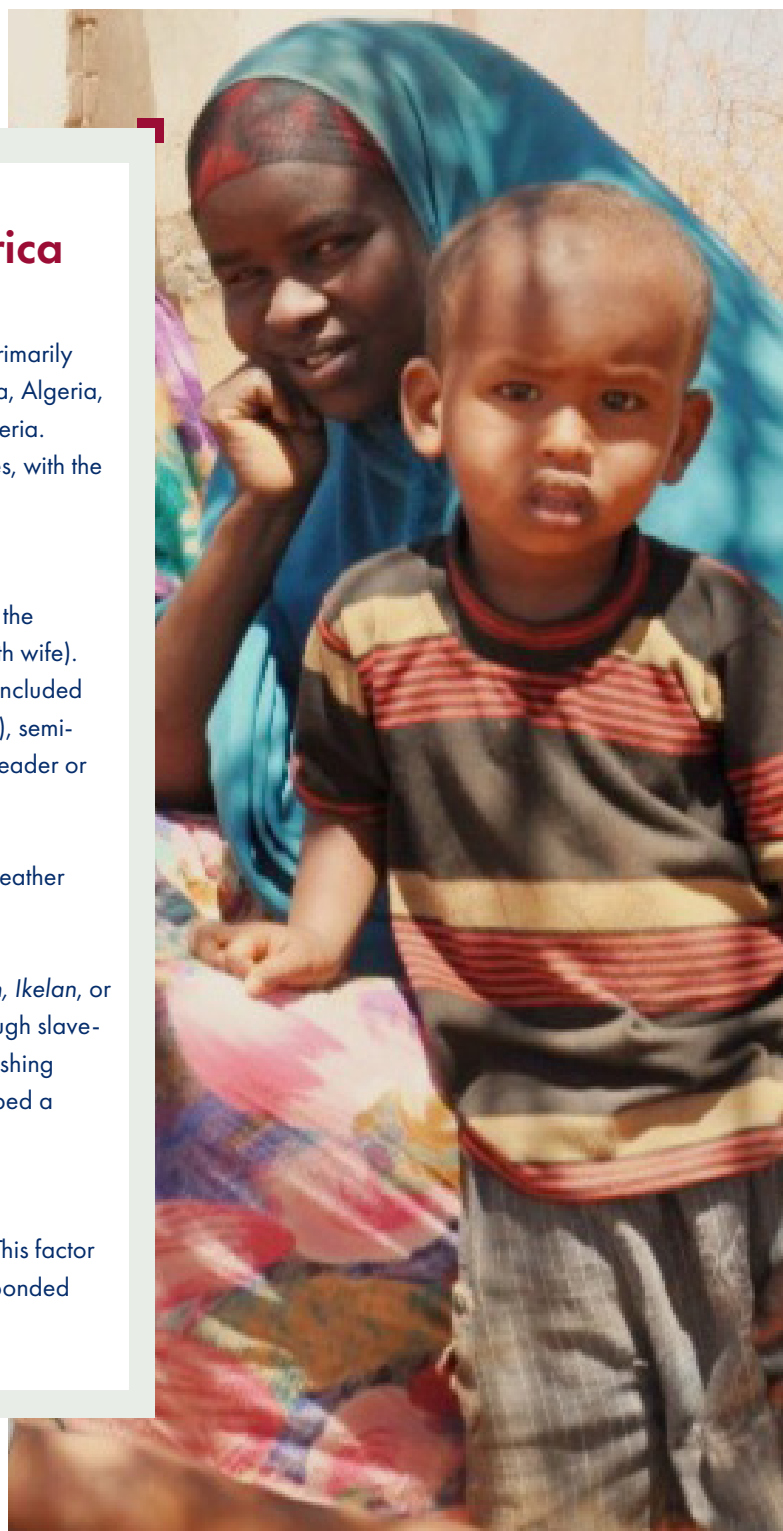
The Tuareg (*Twareg, Touareg*) are a Berber ethnic group primarily found in North and West Africa including countries of Libya, Algeria, Niger, Mali, Burkina Faso and a smaller population in Nigeria. Estimates of Tuareg range upto 2.5 million in these countries, with the majority population (2 million) in Niger itself.

Slavery and Caste Hierarchy: They are among the major slaveholders in the western Niger. They are also known for the purchase and selling of *Wahaya* – (sexual slaves or the fifth wife). The Tuareg followed a strict caste system. The stratification included (i) *Imajaghan*, meaning "the proud and free (nobles/ chief), semi-noble - the marabouts (*Ineslemen* or marabouts (religious leader or imam), free born Vassal – herdsmen - *imad* (*Imghad*);

(ii) the Artisans - blacksmith, jewellers, wood workers and leather artisan castes, *Agguta* (griot); and at the bottom most

(iii) Slave-caste – *Bellah* (livestock herders), or *Iklan* (*Eklan, Ikelan, or Akli*) were bonded slaves. They would acquire slaves through slave-raids, war-slaves, or purchase at slave-markets. A distinguishing feature of Tuareg caste-structure was that they had developed a strata system for the slaves.

This differentiated the enslaved role, expected behaviour, marriageability, inheritance rights if any, and occupation. This factor differentiated the *Ikelan* and *Bellah*. The *Ikelan* were later bonded caste, while *Bellah*'s role was livestock herding.





Wolof of West Africa

The Wolof or Jollof (or *Jolof*) are primarily found in Senegal (43% of country's population), Mauritania (7%), and Gambia (15%). They constitute the largest ethnic group in Senegal. Estimates of Wolof range from 7-8 million worldwide.

Wolof are primarily engaged in the occupations of business, traders, or farmers. Most people in the urban areas of Greater Banjul and the Kombo have adopted the Wolof language as the Lingua Franca.

Slavery and Caste hierarchy: Slavery in Wolof culture pre-existed the European colonisation and transatlantic slavery. Slaves were born into slavery or acquired through slave-trade and slave-capture. Caste-structure continues to be rigid in Wolof society. They have three caste-based stratifications - *Geer*, *Neeno* and *Jaam*. The *Geer* included free-born royalty/ noblemen; and free-born Commoner and Peasantry (*Badola*, *Baadoolo*); the *Neeno* or *Nyeno* were the Occupational or Artisan group including blacksmiths (*Tega*), goldsmiths, leather-workers (*Uude*, *Faraboo*), griot/praise singers (*Gewel*), wood-carvers (*Laube*), weavers (*Ràbb*) and lastly – the Slave-caste known as *Jaam* or *Jongo*.

The slaves were of two types: Household slaves who often stayed with the same family for many generations and were seen as nominal members of the family and those caught in war who were less well treated and were treated as personal property to be bought or sold.

Mandinka of West Africa

The Mandinka are primarily found in Mali, Gambia, Guinea, Senegal, Burkina Faso, Ivory Coast and Sierra Leone among few others. They comprise the largest ethnic group in Gambia (34.4 % of country's population), followed by Mali and Guinea. Estimates of Mandinka population range from 2 million – 8 million - 11 million across Africa and diaspora. The Mandinka are the descendants of Mali empire.

Slavery and Caste Hierarchy: Domestic slavery among Mandinka pre-existed the European colonisation and transatlantic slavery. The caste-stratification included 4 levels - the Nobles/ ruling class called "*Foro*"; the Commoner caste comprising - marabouts (scholars, religious leaders), farm owners and traders. Both the noble and commoner class were considered free-born. The third caste group were the artisan-caste comprising griots or "*Jaloo*", blacksmiths "*Numoo*", and leather workers "*Faraboo*", among others. At the bottom of the social rung were the slaves – "*Jongoo*".



Mandara of Central and West Africa

The Mandara people can be found primarily in Central Africa (Cameroon, Chad) and West Africa (Nigeria).

Slavery and Caste hierarchy: The Mandara society traditionally has been stratified into endogamous caste-groups including the nobles, commoners (peasants), occupational caste groups – smiths etc., and the slave-caste people. The occupational and slave caste people were considered polluted and were segregated and stigmatised.

Fula of West Africa

The Fula (*Fulani, Peul, Fulbe or Pulaar, Mbororos* (in Cameroon)) are widely dispersed in Africa - in West Africa, Sahel region and Sahara. Fula speaking people comprise the significant population of Nigeria, Gambia, Guinea, Senegal, and Guinea-Bissau among others.

Slavery and Caste Hierarchy: The Fula were victims of transatlantic slave trade in large numbers, as well as being slave-traders themselves. The Fula follow a strict caste-based hierarchical system, comprising four distinct stratifications – the nobles – “*Dimo*”, followed by marabouts (clerics) and commoners/peasant-class (cattle-owning people), then the artisans (blacksmiths, potters, griots (*Nyamakale*), woodworkers, dressmakers etc.). The artisans were considered “caste-people”, ie. of so-called ‘lower caste’, but they were free-born.

The slave-caste, known as *Maccudo, Rimmaybe, Dimaajo*, and less often *Baleebe*, like in other ethnic groups, were at the bottom most rung of caste-hierarchy. They were of two types – serfs or slave descendants and war slaves. The serf-people were treated better than the war slaves, and very often brought into the family circle and adopted the surnames of their owners.

Soninké of West Africa

The Soninké (*Sarahulleh, Sarakholés, Serahuli*) are primarily found in countries including Mali, Mauritania, Senegal, Gambia, Burkina Faso, Guinea and Guinea Bissau. Estimates of Soninke population is about 2 million worldwide.

Slavery and Caste Hierarchy: Like the other ethnic groups, the Soninke followed a strict caste-based hierarchical system, with three broad categories – (i) *Horro* or *Horon* (noble/royalty), (ii) free-born *Namaxala* or *Nyaxamalo* (occupational or artisan caste), and (iii) *Komo* (slaves). The occupational/ artisan caste included smiths (*Taggo/Numolu*), delegates (*Mangou*), griots (*Jaaru/Jalolu*) and leather-workers (*Garanko/Karankolu*). The slave-caste, like in other ethnic groups were domestic slaves and war-slaves.

Zarma of West Africa

The Zarma (alternatively called *Zerma*, *Zaberma*, *Zabarma* *Zabermawa*, *Djerma*, *Dyerma*, *Jerma*, or other terms, though they self-identify as Zarma) are primarily found in West Africa including the countries of Niger, Nigeria and Benin in large numbers and in lesser numbers in Burkina Faso, Ivory Coast and Ghana. Estimates of Zarma people range over 3 million worldwide.

Slavery and Caste Hierarchy: Slavery has been a part of the Zarma history in terms of domestic slavery, slave-trade to other African countries, mainly North Africa. They were among the major slaveholders in the Western Niger.

Caste system among Zarma was somewhat different from other ethnic groups. The *Zima* or priests/ clerics were initiated and was not an inherited position. The hierarchical system included free-born nobles/chiefs, farmers and herders; occupational / artisan caste - weavers, hunters, fishermen, leather workers, hairdressers (*Wanzam*). They were known by names of *Yagga*, *Bagney*, *Dabay*, *Banda*, *Zamey*. The slave-caste were at the bottom-most rung, and were called *Horso*, *Bannye* and *Kogno* (or *Kono*).



Hausa of West Africa

The Hausa (*Haoussa*, *Hausawa*) are the largest ethnic group in all of West Africa, and also the largest ethnic group in Niger (47% of country's population). They are primarily found in West and Central Africa including countries of Niger, Nigeria, Benin, Cameroon, Ivory Coast, Chad, Sudan, Republic of Congo, Togo, Eritrea, Senegal and Gambia, among others. Majority of Hausa speaking peoples are in Niger and Nigeria. Estimates of Hausa population ranges above 30 million. The Hausa have three distinct sub-groups: *Habe* (pure Hausa), *Hausa-Fulani* or *Kado*, ie. mixed with Fula peoples, and *Banza*.

Slavery and Caste Hierarchy: The CDWD groups include: *Ein Zari* (griots), *Bayou*, *Makéra*.

Merina people of South-Eastern Africa

The Merina people are primarily located in South-eastern Africa (Madagascar) and are estimated to be about 26 per cent of the country's population. Population data of CDWD is not known.

Slavery and Caste Hierarchy: Domestic slavery existed among the Merina people – the largest ethnic group of Madagascar, much before the slave-export trade to French islands in mid-18th century. The Merina society has traditionally been highly stratified, with caste structure including the *Andriana* (nobles), *Hova* (freemen including commoners like clerics, scholars, peasantry) and *Andevo* or slaves. Each strata had sub-divisions and was strictly endogamous. The slave-trade in Merian society included both import and export. The descendants of *Andevo* (slave-caste) face discrimination and exclusion, and are exploited in modern forms of slavery in contemporary Madagascar.

Igbo people of West Africa

The Igbo people (*Ibo*) are one of the largest ethnic groups of Africa and are primarily found in Nigeria (erstwhile Igboland), with migrants in Cameroon, Gabon, Ghana and Equatorial Guinea. Estimates of Igbo population ranges from 30-42 million people (about 18% of its 218.5 million population).

Slavery and Caste Structure: The Igbo people were one of the principal ethnic groups who were victims of transatlantic slavery. There is little evidence of domestic slavery.

However, the caste system of Igboland or Nigeria is critical to note for its persistent descent-based discrimination. The *Osu* and *Ohu* are two types of caste-system among Igbo people of Nigeria. The *Osu* were traditionally consecrated to a deity and as “outcasts” they had to live in forest, away from the other Igbo people. The *Ohu* on the other hand, could live with the free-born, and could also regain their freedom. Descent-based discrimination of *Osu* is highly prevalent today and they are victims of visible segregation, untouchability, exclusion and prohibitions in marriage. More of *Osu* caste system is discussed in Chapter 3.



Beidane (White Moors) of North and West Africa

The Beidane (*Bidan*, *Baydan*, *Beydan*), or “White Moors” (literally the “white” in Arabic) or “*Maures blancs*” (meaning White, Arabic speaking), are primarily found in Mauritania and constitute over 1 million persons (25%) of the country’s 4.2 million population.

Slavery and Caste Structure: The Beidane or White Moors are a highly stratified society. Traditionally, the caste stratification included nobles - Arabs” or “warriors” (also known as *Hassanis*), the “*murābi*” (marabouts in French, or *zawāyā* in Hassaniya language), followed by the artisan caste and slave-caste – the *Hratin*. In modern day Mauritania, the *Hratin*, who are descendants of Beidane-slaves, comprise the majority and most visible of ethnic groups who are victims of descent-based slavery. The *Hratin* identify themselves as distinct from the Beidane, hence their classification as a separate ethnic group. More on *Hratin* is discussed in Chapter 3.

Somali people of East Africa

The Somali people constitute the largest ethnic population ranging from 15 to 20 million in Somalia, a significant population also residing in neighbouring Ethiopia, Kenya, and Djibouti. The slave caste – Bantu Somali are estimated to be about 0.9-1 million. Estimates of other slave-caste are not known.

Slavery and Caste Hierarchy:

For centuries, the Somali society has been divided into distinct social strata, where the concept of purity and pollution holds significant importance. These strata include the *Gob* or *Asha*, which represents the nobles, a servile occupational caste known as *Sab* or *Saab*, and the slave-caste called *Jareer* (*Somali Bantu*).

The *Sab* groups were considered impure and "dirty" (*haram*) in Somali society. They consist of three subgroups: *Midgan*, *Tumal* (or *Tomal*), and *Yibir* (*Yebir*). The *Midgan* were previously slaves or servants to noble clans and were also involved in hunting and leatherworking. The *Tumal* traditionally engaged in blacksmithing, pottery, leatherworking, jewellery making, and other crafts. The *Yibir* were craftsmen specializing in making prayer mats, amulets, performing rituals for protection, marriage, birth, and crafting saddles. The *Tumal* were descendants of nomads who had intermarried with the *Midgan*.

The Somali Bantu or *Jareer* caste was the slave caste among the Somali ethnic group. They are not ancestrally related to the Somali ethnic group, and were brought to Somalia from Mozambique, Malawi and Tanzania as part of slave trade. Collectively, these Bantu groups were known as *Mushunguli* (implied meaning – slave foreigner, worker). They were made to work in cotton and grain plantations owned by Somalis along the fertile floodplains of Shebelle and Jubba rivers. The Somali Bantus of contemporary Somalia are descendants of the enslaved Bantu plantation-slaves. The physical features, outsider and enslaved-status at plantations put the Somali Bantus at inferior position than the rest of Somalis, leading to their marginalisation. They were referred to as "*habash*", a derogatory derivation for Abyssinian slave. Other derogatory terms used were *ooji*, *addoon*, *boon* (meaning slave, inferior). Their name of "*Jareer*" which means "hard hair" from their African ancestry, was later adopted by Bantu as a positive identification. (More information on Somali Bantu in Chapter 3).

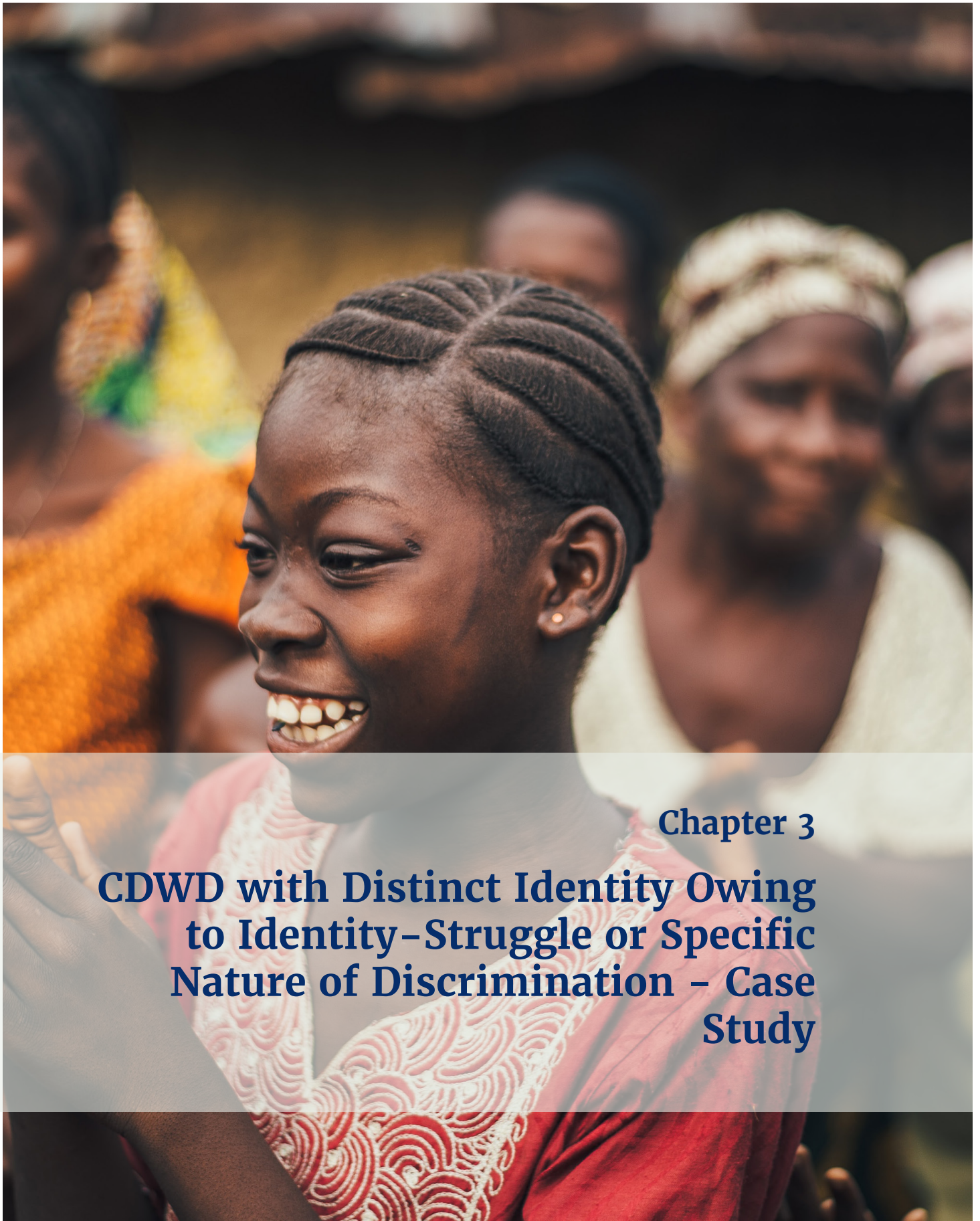
The distinction between *Sab* and Somali Bantu was more prominent in treatment and status in northern Somalia, as compared to the South.¹⁰

Toubou and Zaghawa people of Central, West and East Africa

The Toubou and Zaghawa people can primarily be found in North Africa (southern Libya), Central Africa (northern Chad), East Africa (northwestern Sudan) and West Africa (northeastern Niger).

Slavery and Caste Hierarchy:

The Toubou and Zaghawa societies have traditionally been highly stratified with three to four strata including - royalty, peasantry, artisan-groups and slaves. The occupational castes of Toubou (*Azza*) and Zaghawa people (*Hadahid*) have traditionally been despised and segregated, as also the slave-caste of Toubou (*Kamadja*) and Zaghawa people. Segregation and endogamy within occupational groups and inter-caste-groups was also very strict. Hereditary slavery is not as evident in contemporary Chad, as it is in Western Africa. However, modern forms of slavery, particularly child labour is highly prevalent.



Chapter 3
**CDWD with Distinct Identity Owing
to Identity-Struggle or Specific
Nature of Discrimination – Case
Study**

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CDWD with Distinct Identity Owing to Identity-Struggle or Specific Nature of Discrimination – Case Study

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hile most formerly enslaved-caste people among ethnic groups across the region continue to be discriminated and marginalised, and some continue to be victimised in descent-based slavery, even today - it is important to make note of some distinct forms of descent-based slavery and/or descent-based discrimination.

The distinctive features of such mentioned groups are the – (i) extreme nature of their descent –based discrimination and slavery like the *Osu* of Nigeria, *Wahayu* of the *Wahaya* system of sexual slavery in Nigeria and *Trokosi* in sexual slavery in Nigeria; (ii) nature of exclusion owing to descent-based slavery, like the *Jareer* or Somali Bantu people of Somalia, and (iii) distinctive identity and assertion struggle, like the *Hratin* of Mauritania and Gambana movement initiated by the *Komo* (so-called slave-caste descendants) of the Soninke community.

Case Study # 1¹¹

OSU OF NIGERIA

The caste system among the Igbo people of Nigeria dates back centuries, characterised by rigid hierarchical stratifications, including the freeborn *Diala* and enslaved people – the *Ohu* and the *Osu*. While both the *Ohu* and *Osu* groups were enslaved, their assigned roles and resulting discrimination differed. The *Ohu* could live with the free-born, and could also regain their freedom. The *Osu* however, were consecrated to a deity and were considered “outcasts”. They were compelled to live in forests, away from the other Igbo people.

A plethora of myths, superstitions, and socio-cultural-religious practices define the way of life of the *Osu*. The *Osu* represent many superstitions for the *Diala* people, such as being the “absorber of the iniquities, weaknesses, and problems of the people” and the one “who takes upon oneself the death of the freeborn.” However, despite being considered as a “redeemer of the sins and follies of the Igbo people”, the *Osu* are not venerated or adulated – instead, they continue to be treated as outcasts, are feared and despised.

Similar to the Hindu caste system, the Osu caste system is characterized by descent-based roles or occupations, endogamy, extreme segregation, and untouchability. The caste system is passed down generations by inheritance and descent, and/or marriage, and the Osu cannot overcome these distinctions. Their unique status and alternate occupation (blacksmiths, potters, leatherwork, weaving, arranging funerals, midwifery, castration and drumming), deem them to be unclean and polluting. They are typically compelled to reside on the outskirts of the villages, in accordance with the belief that if any misfortune were to befall the village, it ought to first affect the Osu. Persistent discrimination against Osu, including stigma, segregation in living in outskirts of town, "untouchability" since traditional belief is that touching an Osu will make one an Osu; denied access to common resources and entitlements, restrictions in inter-caste marriage and commensality; identity and caste conflict between Osu and Diala (dominant caste).

Historical Context: There have been divergent opinions about the origin of the Osu caste system. One belief is that the overwhelming spiritual supremacy of the Nri people around the 12th century brought the idea of "pure" vs "impure and unclean", which gradually led to the emergence of caste system among the Igbo people. Another belief is that the offenders of extreme abominations were cast away to avoid the wrath of Supreme deity. These outcasts came to be identified as Osu who were the sold off as slaves or offered as human sacrifices to deities for cleansing of sins or any abominations. Yet another belief centres on Osu comprising the banished group of people who would disobey the rulers or community. Some historians also believe that the Osu were originally regarded with respect and honor, but their status deteriorated from the nineteenth century onwards. It is believed that several Osu slaves were buried as a ritual to bury and mourn the deceased rulers, and this

practice expanded during the years of slave trade. Some communities are also believed to have voluntarily offered themselves to the service of the deities than be sold off as slaves, out of reasons of poverty and frustration. In return for their service to the deity, the Osu obtained a reasonable livelihood from the proceeds of offerings made to the deity.

Today, the Osu people are not physically slaughtered for rituals, but they continue to be victims of extreme exclusion, stigma, and marginalisation, which hampers their upward mobility in Nigerian society. Some customary practices associated with the Osu caste system have waned over time, such as commercial activities between the Osu and others, celebration of festivals and churches, sharing seats in school classrooms, to name a few. However, these interactions too occur within restrictions, such as separate seating within same churches. To date, restrictions in marriage with the Osu, contesting elections, offering prayers beyond their caste, among other restrictions, characterise the socio-cultural, economic and political divisive nature against the Osu.

Victor Dike and International Dalit Solidarity Network, in a paper presented to CERD in its 61st session, highlight the human rights violations against the Osu - *"The Osu culture violates the civil and human rights of the people subjected to it. It is also against the principles of democracy, as it encourages segregation and inhibits the free association of the Osu with the Diala in Igbo society. At a period when the world is evolving into a global community, there is no room for this type of hate and bigotry"*.¹²

WAHAYA SYSTEM OF SEXUAL SLAVERY OF YOUNG BLACK TUAREG GIRLS OF NIGER

Wahaya is a distinct form of “sexual slavery” of women and girls, which involves the sale of young girls born in slavery in Tuareg communities of Niger, to wealthy Hausa individuals as an unofficial fifth wife. The girls, often under 15 years, are forcibly taken from the slave-parents in Tuareg households, since as slaves themselves, they too have no say over their children. The practice persists in Niger and Nigeria, despite being punishable under Act No. 2003-25 of 1 June 2003 (Niger) and by Criminal Code Act (section 369) in Nigeria.

The purpose of keeping a Wahayu is for “sexual and domestic servitude” – the nomenclature of “wife” being farcical and more importantly, illegal. The Wahayu is not paid any remuneration and has no recourse other than her master’s goodwill. The practice can be exercised by any man who wishes to do so, whether he has one or several wives. Wahaya is prevalent in the Tahoua region, particularly in the Illela, Bouza, Madaoua and Konni districts, where keeping a Wahayu is a sign of affluence for notables, merchants and certain large-scale farmers and stockbreeders. The Tuaregs are the main suppliers of young black Tuareg girls of enslaved status as Wahayu, while the demand is either local (farmers/ tradesmen of Tahoua region) or from northern States of Nigeria (noblemen, tradesmen from Kano, Katsina, Zaria).

The report on the Wahaya practice by Galy, Moussa, Association Timidria and Anti-Slavery International¹⁴, which interviewed escaped Wahayu seeking refuge in a particular district, shows that:

Wahayu women came from nomadic groups in Arzorori, Galma, Tambaye, Tajaé and Nobi. Over 80 per cent of them were sold as Wahayu before they reached the age of 15. They were bought or exchanged in 80% of cases, at prices ranging from 200,000 CFA francs (€305) to 400,000 CFA francs (€610). The Wahayu were permanent slaves of the legal wife/wives and were never allowed to leave the house, other than for assigned work.

Their daily back-breaking work included household chores, farm labour, livestock rearing and care, child-rearing, and attending to all idiosyncrasies of the master and the entire family. Children born of Wahaya relations are recognised as legitimate, but are called ‘dan wahaya’ (Wahaya child), to keep them in their place. The daughter of a Wahayu often meets the same treatment as her. As such, the Wahaya practice can also be considered to be descent –based, since once a girl becomes a Wahayu, her daughters and their daughters also become Wahayu by birth.



Fallacy and Absurdity of term 'fifth wife'

A Wahayu is not legally married to the so-called master, even though the practice connotes “5th wife”. The convenient term of “fifth” comes from the fact that Islam religion allows four marriages (with pre-conditions). Hence, the term of “wife” is a façade to hide the fact that, minor girls are bought for providing unpaid and lifelong labour and sexual gratification.

TROKOSI - SEXUAL SLAVERY OF YOUNG VIRGIN GIRLS IN GHANA, TOGO AND BENIN

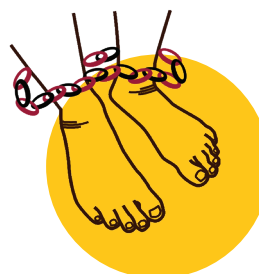
Trokosi- is a religion-based sexual slavery of young virgin girls, where they are married to deity in payment for services, or spiritual atonement for alleged misdeeds of a family member. Trokosi is a 300 plus years practice and continues to be widely prevalent in Africa's Volta region, which includes parts of Ghana, Togo, and Benin. Though forced labour and slavery has been abolished in these countries, there has been no legal enforcement on the Trokosi practice. Human rights activists have put a spotlight on the issue in the recent decades, yet the fear, superstition and centuries-old beliefs have done little to dent the sexual slavery of women and children. The underlying systemic and structural patriarchy in society is also a cause of the feminisation of such slavery.

Girls as young as five have been known to be offered as Trokosi. Once offered to shrines as a bride of God, the Trokosi lead their lives as slaves of God, and of the intermediaries – the priests. As slaves, they serve the priests – with physical labour and sexual service. As unpaid labourers, the Trokosi have to work for long hours doing cleaning, cooking and farming among other household and farm-related chores. Any earnings that they may make from their physical labour, goes to the priest. As a sexual slave, the Trokosi have no control over their bodies or their reproductive health. Children born of the Trokosi, become Trokosi slaves and the property of the priests. In a 2011 interview, one priest admitted with pride for having 64 wives and 300 children. The number of children a priest has determines his status in the community. Even the daily essentials like food, clothing and so on, are supposed to be met by the parents and not the shrine. Many Trokosi are found to be malnourished, starving on a regular basis and when pregnant, they are not allowed to seek maternal care.¹⁶

A priest may keep a Trokosi slave for her entire life, depending on the severity of the crime that her relative committed. If a Trokosi dies before her repentance on behalf of the erring relative is up, the parents are obligated to offer another virgin girl as replacement, or face the curse of the Trokosi, as the practice professes. Consequently, several generations can serve as Trokosi.

The identity of Trokosi can be revoked though some sponsored ceremony by the family, as agreed upon by the priest. However, freedom does not guarantee respect to the freed Trokosi. Stigma, superstition, abuse and violence often surround the former Trokosi who then find it difficult to reintegrate into society. They are treated as outcastes and often deemed unmarriageable. Their lack of education, considering their early initiation into slavery and isolated childhood often leading to low social skills, further hampers their reintegration. This is why some freed Trokosi wish to return back to shrine-based lives.

The religion originated in Togo and Benin among the Ewe people (ethnic group) as a war ritual in the 1600s where the warriors offered women to the war gods in exchange for victory and a safe homecoming. Some estimates show that more than 3,300 Trokosis have been freed, while over 5,000 remain enslaved in Ghana alone. Other estimates show that there are about 30,000 women and girls who are enslaved as Trokosi throughout West Africa.¹⁷



SOMALI BANTU OF SOMALIA

The Somali Bantu have been facing an enormous humanitarian crisis as a result of the ongoing Somali civil war since the late 1980s. Recognised as a persecuted minority by the UNHCR, the Somali Bantu undergo forced displacement, violent persecution and persistent discrimination and exclusion. Since the civil war started, more than 3.8 million became internally displaced (as on March 2023), exacerbating an already dire humanitarian situation where over 6.7 million faced food crisis. A record displacement of over 1 million Somali was recorded in the first 5 months of 2023. The most recent displacements have been caused by the moving in of Al-Shabaab, military offensive activities, drought and floods.

A significant population of the internally displaced and refugees fleeing Somalia are the Somali Bantus (estimates not known). As an ethnic minority group, the Somali Bantu people were and remain vulnerable to extreme and widespread violence, forced displacement and discrimination in Somalia. Once the government collapsed and the civil war broke out in the late 1980s, there was a lot of discrimination between Somalis and Somali Bantus. Years of structural discrimination and forced labour laws combined with increasing food insecurity during the civil war led to armed Somali clans pillaging Bantu homes, resulting in many Bantus being killed, tortured, and raped as the famine grew.

History of Somali Bantu in Somalia: The Somali Bantu people of Somalia were not ancestrally related to the other Somali ethnic groups. They were brought to Somalia from Mozambique, Malawi and Tanzania as part of the Arab slave trade to work as slaves in the plantations along the fertile floodplains of Shebelle and Jubba rivers.

In Somalia, the many ethnic groups of Somali Bantu were collectively known as Mushunguli, meaning "slave foreigners" or "workers." Other than unpaid labour in sorghum, sesame and cotton plantations, the Somali Bantu were also enslaved in livestock herding, domestic service, concubinage, and artisanal work. While some were associated with local Somali family groups, many resided in distinct Bantu settlements.

Brought to Somalia as slaves, the basis of Somali Bantu in Somalia was inequality and discrimination by slavery - the burden of which is borne by descendants of the 19th century enslaved Somali Bantus. In addition, the racially different physical features, outsider and enslaved-status at plantations and other work, put the Somali Bantus at inferior position than the rest of Somalis, leading to their marginalisation. They were referred to as "habash", a derogatory derivation for Abyssinian slave. Other derogatory terms used were – *ooji*, *addoon*, *boon* (meaning slave, inferior). They were also referred to as "Jareer", meaning "hard hair" in a derogatory reference to their African ancestry. In literature, "Jareer" came to be known as the slave-caste to which the Somali Bantu belonged.

The special measures of compensation for enslavement were not applicable for all Somali Bantu, post the abolition of slavery and emancipation in 1903. Compensation was given only to the Gosha - "people of the forest", ie. enslaved fugitives who had escaped to the forests and had managed to retain some of their original socio-cultural autonomous way of life. They established independent Somali Bantu villages and engaged in farming. Those who did not receive the compensation, continued to work for their former owners under slavery-like conditions.

In the 1930s, a new colonial labour law subjected the Somali Bantu to prolonged periods of unpaid labour on Italian settler plantations. The alternative to unpaid labour at Italian plantation was a practice called “sheegat”, which was equally exploitative. Sheegat was an institutionalised bonded-labour arrangement where the labourers received the protection of “customary law” (called *xeer*) from the pastoralist clans. In this arrangement, the Somali Bantu now worked for their patrons (*abban*) without payment, receiving only subsistence and basic social needs. Females were sexually exploited, with rape of Bantu girls and women being commonly perpetrated by clan members with impunity. Intermarriage with Bantu was typically prohibited by clans, although concubinage was not uncommon.

Furthermore, the nationalisation of all land through the 1975 land registration law, disposed the few land-owning Somali Bantu of their land. They faced difficulty in documenting their customary land holding, failing which their land was seized by the government-connected clan members. They were allocated farmland without fair compensation. Forced labour for new absentee landlords became a common occurrence.

Few anti-discrimination special measures in the '70s granted the Somali Bantu (and other minorities) some social recognition, political representation, state education, and employment opportunities, including in modern artisan occupations. However, discrimination persisted, leading to ongoing poverty among the Bantu.

Humanitarian Concerns facing the Somali Bantu today: The Somali Bantu in Somalia

continue to face persistent violence and discrimination owing to their outsider and past-enslaved status.

During the 1991 civil war, over 12,000 Somali Bantu people managed to escape to Kenya and were later taken as refugees in USA in 1999; while over 3300 returned to their ancestral land in Tanzania, as the Zigua tribe. The acceptance of the Somali Bantu refugees by USA even though many other ethnic Somali were also affected by the civil war, has deepened the Somali and Somali Bantu divide. Those in IDP (Internally Displaced Persons) camps experience renewed discrimination.



Bantu farmers near Kismayo

Numerous cases of rape against Bantu women have been reported, as they lack the protection provided by traditional clan structures in the camps.

Their status makes them more vulnerable to modern forms of slavery and slavery-like practices, including forced labour, child labour, children in combat roles, sex trafficking among others. On a positive note, the wave of political mobilisation in 80s, have made the Somali Bantu reclaim the previously derogatory term of “*Jareer*,” meaning “hard hair” in reference to their African ancestry, as a positive self-description. The term “Bantu” gained wider currency and became an accepted identity marker.

EMANICIPATION OF HRATIN OF MAURITANIA

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“Black Moors do not exist! There are Haratin and Moors. It is Moors who describe themselves as ‘White Moors!’”

Biram Dah Abeid, founder of IRA Mauritanie.

Interview extract from paper by Giuseppe Maimone “IRA Mauritanie: Legacy and Innovation in the Anti-slavery Fight in Mauritania”

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Hratin are estimated to be nearly 1.9 million and constitute the majority (45%) of Mauritania’s population – as well as the largest proportion of slaves. They are of Black African or Negro-African origin and comprise the freed slaves and their descendants of black origin. Traditionally, the *Hratin* were the “slave-caste” of the highly stratified Beidane (White Moors) society.

In contemporary Mauritania, many *Hratin* identify themselves as distinct from the Beidane. The *Hratin* also reject the name of “Black Moors” as they are called in Beidane articulation, a moniker that is also retained in academic literature. According to *Hratin* leaders, “Black Moors” do not exist – what exists is “*Hratin*” and “Moors”. The thinking makes sense, given the identity and assertion struggle of the *Hratin*. The moniker of “Black Moors” as against the “White Moors”, denotes a common origin with two categories of people, which in reality was never the case.

The Beidane are the Berber-Arab descendants, while the *Hratin* are black African groups from the Sahara. Any as-similation of the *Hratin* with Arabs-Berbers that may appear and as is articulated in discourses, is because of the forced nature of hundreds of years of master-slave relationship. The *Hratin* in their

emancipation struggle, use their black African origin as the identifier of distinction from the Arabs – that characterises their identity along with their distinctive music, dance, and songs.

The anti-slavery activism in Mauritania began in the late 70s. In 1980, countrywide protests following the selling off of a young woman, created pressure for the government to abolish slavery. Though slavery was finally abolished in 1981, it took another 26 years for the country to criminalise slavery in 2007, which was later replaced in 2015 by the new anti-slavery law.

Local rights groups working on anti-slavery estimate that over 18-20 per cent of Mauritania’s population continue to live in descent-based slavery and slavery-like practices today. IRA Mauritanie, a national anti-slavery organisation states that half of the *Hratin* are in slavery. According to IRA, enslavement is only the tip of the iceberg, while the larger *Hratin* population suffer from the legacies of slavery - exploitation, marginalisation and socio-political exclusion. The government, however, is reluctant to admit the existence of slavery, considering that it has been abolished and outlawed.

Those who have managed to escape chattel slavery, continue to bear the stigma of their



Hratin children, Mauritania

"slave-caste/ class" status, enduring social ostracisation by society at large. The *Hratin* face a high degree of discrimination and exclusion in Mauritania. They are engaged in jobs that the Beidane consider dirty or degrading. Certain occupation is designated for the *Hratin* caste alone, such as butchery, rubbish collection, and cleaning, among others.

With no access to education, housing, income, arable land, decent employment opportunities, or basic social infrastructure facilities, the *Hratin* and other CDWD individuals are trapped in a state of modern slavery. In order to survive, they are compelled to remain under the control of their masters due to their tribal affiliation. As a result, they endure a life of domestic servitude, which is often passed down by descent to their children. They continue to work without employment contracts, healthcare coverage, or social security and face various forms of discrimination, corruption, and abuse.

The *Hratin's* fight for emancipation is also an economic fight – of the poorest against the richest. *Hratin's* claim for a separate identity for the minority group with majority population, is significant for their socio-political advancement.



GAMBANA – ANTI-SLAVERY MOVEMENT INITIATED BY THE KOMO (SO-CALLED SLAVE-CASTE) OF THE SONINKE COMMUNITY

The Soninké (Sarahulleh) community is spread across several countries including Gambia, Mali, Mauritania, Senegal, Burkina Faso, Guinea, and Guinea Bissau. Traditionally, this community has been marked by a rigid social hierarchy, particularly in Gambia's Upper River Region (URR). The Soninké society was structured into different castes, including the noble caste known as *Horos*, occupational or artisan groups like *Jaaro* (blacksmiths) and shoemakers, and the *Komo*, who were considered the slave caste.

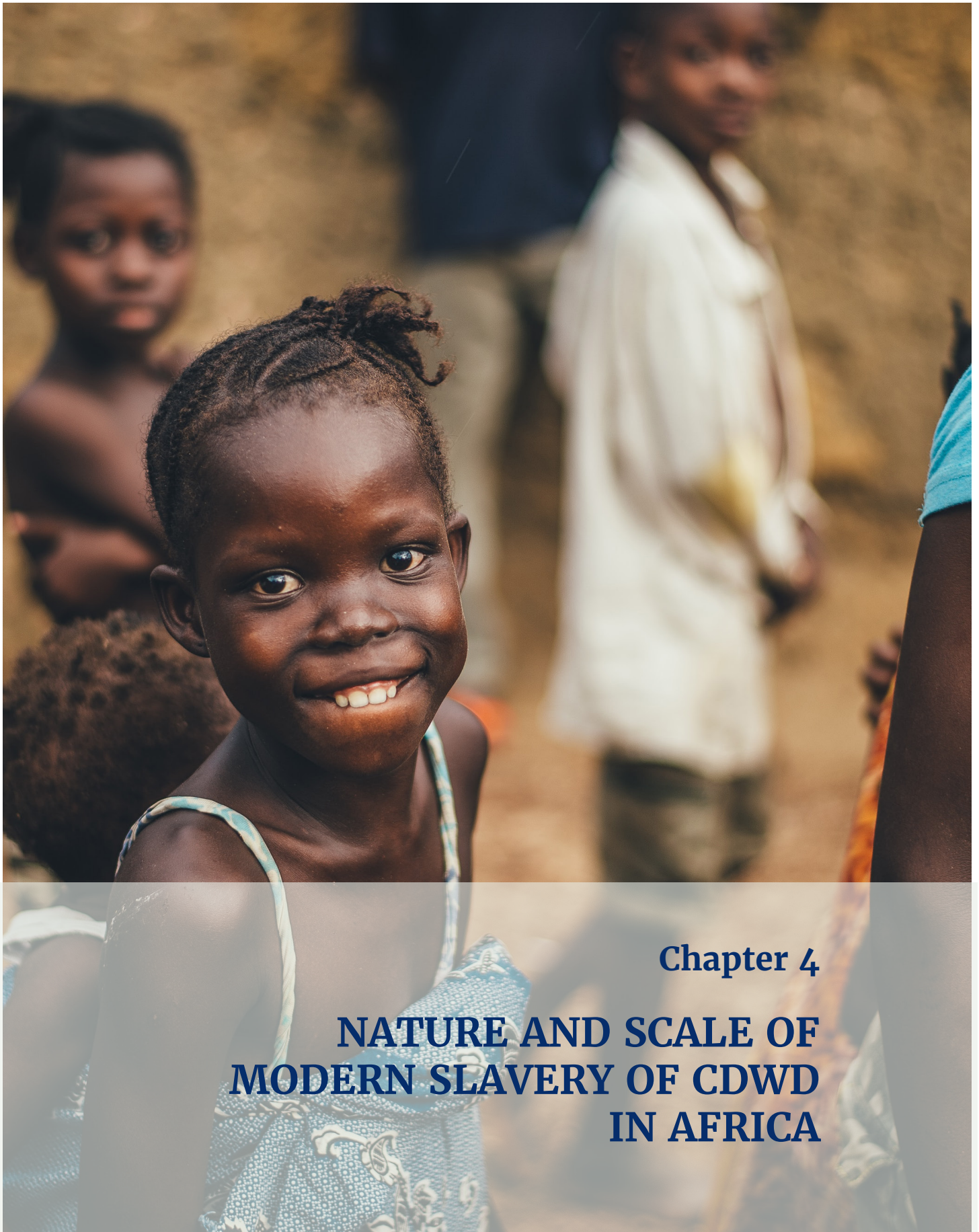
Despite some occupational and social mobility among the occupational caste-groups and the Komo community, discrimination continues to pervade their daily lives, often resulting in violent conflicts. Caste-related tensions remain hidden beneath the surface in the region, waiting for the smallest provocation to escalate. While the Komo community and others strive to assert their rights as equal citizens, rejecting the weight of historical oppression, the dominant *Horos*, in general, are reluctant to relinquish their past power and authority.

Several instances illustrate the ongoing conflicts. In 2021, Samba Moussa Kone, a Komo-Gambana activist, was brutally attacked by Soninké *Horos* in Daffort, Mauritania, for claiming his ancestral land for cultivation. In 2019, Muhammadou Krubally from Koina, Gambia, was violently assaulted by a group of Soninké *Horos* for wearing a cap with the inscription "Gambana." In 2018, Haruna Jallow from Sandu Diabugu, URR (Gambia), was brutally beaten by a Soninké *Horo* youth group when he entered the mosque. This attack followed their demand that Jallow, belonging to the slave caste, fulfil the traditional role of blowing a horn around the village for an event. His refusal resulted in fines, restrictions, and eventually the violent attack.

The Gambana movement, meaning "we are all equal" in the Soninké language, emerged around 2016 among concerned Sarahulleh diaspora in France. It aims to combat slavery and caste-based discrimination and exclusion. The movement has gained support from oppressed caste groups within the Soninké community and has established chapters in Gambia, Senegal, Mali, Mauritania, the USA, Spain, and other countries with a significant Soninké population.

However, the growing popularity of Gambana and the solidarity it garners face strong resistance from the feudal nobility caste groups and their supporters. Gambana supporters are often harassed, vilified, and even subjected to fatal attacks. To weaken the movement, anti-Gambana *Horos* and their supporters attempt to divide the Komo caste groups into factions. This division is referred to as "*kommo dunghanto*" (slaves who accept their slavery status) and "*komo murutinto*" (the revolting slaves) by a Soninké academic and Gambana supporter. It appears that the "*komo murutinto*" (the revolting slaves) are often used to ridicule the Gambana supporters. Reportedly, in a public "cultural" event in Mali, sponsored by the Soninké *Horos*, a gathering of willing slaves "*komo dunghanto*" under the banner of "*soxon kommo*" (slaves who clap) openly demonstrated their willingness to live and die as slaves of their noble masters.²¹

The struggle for equality and the rejection of historical oppression continue to shape the lives of the Soninké community. However, they face significant obstacles from entrenched power structures and supporters who seek to maintain the status quo, and often enlist the "passive" komo in showing support and subservience to the customary nobility. The Gambana movement, thus represents a significant effort to challenge caste-based discrimination and fight for the rights of all Soninké citizens.



Chapter 4

NATURE AND SCALE OF MODERN SLAVERY OF CDWD IN AFRICA

Chapter 4

Nature and Scale of Modern Slavery of CDWD in Africa

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istory provides ample evidence that domestic slavery existed in Africa region much before the colonisation of the Europeans. The ethnic tribes including Mandinka, Fula, Wolof, Serer, Soninke, Hausa, Zarma, Tuareg, Beidane and many others (refer Table 2, Chapter 2) were known to keep domestic slaves, as well as war-slaves. A significant population from among the ethnic groups comprise who we call – the **Communities Discriminated on Work and Descent (CDWD)**. As discussed earlier, the CDWD were the occupational and enslaved caste people within most of the African ethnic groups.

The caste-based slavery, slavery-like practices and discrimination of the past has not vanished from contemporary Africa. Instead, some forms operate in a shroud of silence, some hide in plain sight, while others thrive in adapted manifestations.

The concept of Modern Slavery and slavery-like practices in contemporary lexicon, encompasses both - the traditional slavery which has persisted in contemporary times, as well as newer forms of slavery and slavery-like practices. It is driven by the cause-and-effect factors of centuries-old colonisation which have robbed the human and social capital and natural resource of the continent, resulting in extreme multi-dimensional poverty and hunger, political instability, displacement due to conflicts and climate change, capitalistic international policies, and the impact of pandemic such as Ebola, COVID-19 etc., among other factors.

Modern slavery manifests in various forms in every country across Africa. Countries with higher prevalence have compounding vulnerability factors. The 2023 Global Slavery Index identifies over 7 million people living in modern slavery in Africa. Of them, more than 3.8 million (54%) are in Forced Labour, while more than 3.2 million (46%) are in Forced Marriage. The countries with the highest prevalence of modern slavery in Africa are Eritrea, Mauritania, and South Sudan, with absolute numbers of people in slavery being 320,000 persons, 149,000 persons and 115,000 persons respectively. The countries with the lowest prevalence of modern slavery in Africa are Mauritius, Lesotho, and Botswana.²²

The various forms of modern slavery and slavery like practices in Africa today include – descent-based slavery, forced labour, domestic servitude, child labour, child soldiers, sexual slavery, sexual slavery in name of fake marriage (wahaya practice) and sex and labour trafficking among others. Considering the overlaps and the impact on specific groups of women, children and adults in general, the study categorises Modern Slavery as: (1) persistent descent-based slavery (2) which specifically targets women and girls, (3) children, (4) forced labour and trafficking in general, and (5) adults and children in armed conflict. In fact, many of these forms include descent-based slavery



Commonalities and Difference Between Traditional Slavery, Descent-based Slavery and Modern Slavery²³

Traditional Slavery

Traditional slavery is chattel slavery which originated in the centuries-old past, where the enslaved persons through slave-trade, raids, descent, etc., were completely “owned” by the slaver-masters. Chattel slaves were the property of slave-masters, to inherit, sell, gift or dispose off as “things”. They were used for their labour, sex and breeding and were exchanged for camels, trucks, guns and money. Children of chattel slaves were the property of their master. Not all forms of Traditional Slavery are slavery of the past. Few forms exist even today, viz., descent-based slavery (whether active or passive), some forms of sexual slavery, child labour and exploitative labour.

Descent-based Slavery

Descent-based slavery is a form of Traditional slavery, where a person is born into slavery and is completely “owned” by the master. The slavery status is passed down the maternal line, and children of slaves become slaves, as do the next generations. Descent based slavery still continues in a few African countries, as discussed in this chapter.

Modern Slavery

Modern slavery is slavery of present day, which encompasses some existent forms of traditional slavery and newer forms of forced labour and forced marriage. It describes a situation when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, or trafficked, they lose their freedom. Different forms of modern slavery are discussed in this chapter.

1

Descent-based Slavery

Descent-based slavery is traditional form of slavery which is known to exist despite its abolition in contemporary Mauritania, Niger, Nigeria, Gambia, Chad and Sudan among other countries. According to Anti-Slavery International – descent-based slavery describes a situation of traditional or chattel slavery, where people are born into slavery. This is usually because their ancestors were captured into slavery, and their families have ‘belonged’ to the slave-owning families ever since. The slavery status is passed down the maternal line.

The enslaved persons are at the will of the masters and perform unpaid domestic and outdoor servitude throughout their lives. They have no claim over their relationships, including spouses and children, and can be sold off, exchanged, gifted, loaned out by the owner like any other property. They always remain at the will of the masters and are abused, vilified, tortured if they fail to comply. The enslaved women and girls are additionally subjected to sexual exploitation and abuse. The true scale of enslaved persons in descent-based chattel slavery is difficult to estimate, given the shroud of secrecy behind which it operates. Those who manage to escape are few and far between. Local anti-slavery organisations estimate that there are over 870,543 persons living in descent-based slavery in Mauritania alone. With children being born in slavery,

and who will continue to live in slavery, given the practice - these estimates can safely be assumed to be on the lower side. In Mauritania, the descendants of formerly enslaved caste, who continue to be in descent-based slavery include - Hratin (of Beidane), Komo (of Soninké), Maccudo (of Pulaar), and Diam (of Wolof ethnic group). The Hratin in Mauritania are most affected as compared to the others. In Niger, the CDWD in descent-based slavery include - Kogno (or Kono of Zarma), Eklan/ Akli (black Tuareg of the Tuareg), and the slave-caste of Hausa ethnic groups. In Gambia they include – Jongoo among Mandinka people, Maccudo, Rimmaybe, Dimajajo, and Baleebe among the Fula people, Jaam, Jongo among Wolof people, Kommo among Sarahulleh people and Nigeria – Osu, among others.

Anti-slavery organisations identify descent-based slavery in contemporary Africa as being - **Chattel slavery** and **Passive Slavery**.

Chattel Slavery is the traditional form of bonded-servitude, where the ownership of the enslaved person is completely with the “slave-master” or “owner”, (albeit illegal and in secrecy). In contrast, **Passive slavery** is a milder form, where the “former slaves”, though free, continue to render unpaid labour to the former slave-owners” out of customary practice. They may also be forced to give some of their crops to the former masters. In this form, the former slaves retain some forced labour relationship with their former masters. Their individual freedom is still controlled through vestiges of traditional master-slave relationship.

2

Modern Slavery Specifically Targeting Women and Girls:

While all forms of modern slavery almost always engage women and girls, some forms of modern slavery specifically target women because of their gender. These include:

‘Wahaya’ is a distinct form of descent-based “sexual slavery” of women and girls, which involves the sale of young girls born in slavery in Tuareg communities of Niger, to wealthy Hausa individuals as an unofficial fifth wife. The girls, often under 15 years, are forcibly taken from the slave-parents in Tuareg households, since as slaves themselves, they too have no say over their children. The practice persists in Niger and Nigeria, despite being punishable. (Wahaya system is discussed in detail in chapter 3).

‘Trokosi’ is a distinct form of religion-based sexual slavery, where young virgin girls are offered as sexual and domestic slaves to appease a deity for the wrongdoings of a family member. These girls serve priests for life and any children born from these relationships also become the property of the priest. (This practice has been discussed in chapter 3).

Forced Prostitution: Prostitution is widely prevalent in Africa, despite being prohibited in most countries.²⁴ Prostitution persists more as a gender and power relation in Africa rather than labour opportunities. Impoverished families facing multiple intersecting factors such as conflicts, displacement, and climate change, are at increased risk of being trafficked for various purposes, including labour, but often end up trapped in sex work. The role of caste is underlying, since caste brings with it exclusion and marginalisation, further increasing vulnerabilities for exploitation. Estimates of forced prostitution among CDWD is not available, since caste as a factor of people’s exclusion is of a more recent discussion.

Baby Farms: Women are often trafficked into ‘baby factories/ farms’, where they are forcibly impregnated and made to deliver children who are sold to families seeking to adopt, or to other traffickers for the purposes of labour or sexual exploitation. Evidence of the same has been found in Nigeria among other countries. Pregnant women and girls living in poverty are also targeted by traffickers, who sell the babies to couples or middlemen.²⁵

“Small girls” markets: NGOs and government officials have reported the existence of decessime markets, meaning ‘small girls markets’ or ‘child markets’ in Togo.²⁶

Kayayee: In Ghana, young girls and women known as Kayayee work as head porters in city marketplaces, carrying loads for vendors and shoppers for a fee. Initially done by young men using carts as a temporary livelihood, the practice shifted to young women in the 1970s, accepting lower fees. The number of Kayayee has grown over time, leading to decreased wages (10 to 30 cedis or US\$ 3-9 daily). They face challenges like forced evictions, health issues, work injuries, physical violence, sexual abuse, unplanned pregnancies, illegal abortions, and human trafficking. Some seek protection from older street boys through sex or money, and some are at risk of child prostitution and trafficking abroad. They belong primarily to the Mamprusi and Muslim communities, with some from other ethnic backgrounds, regions, and religions.²⁷

Forced Marriage: Non-state armed groups, terrorist and militant groups like al-Shabaab, Jama’at Nusrat ul-Islam wa al-Muslimin (JNIM), Boko Haram, ISIS-West Africa, among others, are known to abduct or traffic girls, often as young as 13 years for forced marriage and sexual servitude with group members. As sexual and domestic slaves, they are also required to bear children for the so-called husband. They not only lose their childhood, but live in constant fear, drudgery, and experience rape, assault, trauma, and coerced religious conversion - till they are freed or manage to escape. Countries severely affected by such forced marriages include Chad, Cameroon, Niger, Nigeria, DRC, Congo, South Sudan, and Somalia, among others. Girls who manage to escape face stigma, abuse, fear for life and struggle for livelihood and support. Forced marriage of girls to compensate for inter-ethnic killings have been reported in South Sudan.²⁸ While reports and studies do not delve into the ethnic identity of girls, many girls abducted by Boko Haram are Christians. Given the vulnerability created by the intersectional nature of poverty, gender, caste and class, it is also highly probable that CDWD girls are as affected (if not more) as the general girl-populations.

3

Modern Slavery Specifically Targeting Children:

Begging by *Talibé* and *Garibou* children: The students studying in Quranic schools (Daara) are made to beg on streets, street vending and other forms of forced labour, for their education and meals by their spiritual guide/ teachers (maribouts, and mouhadjirin in Chad). The practice is prevalent in Benin, Niger, Senegal, and Burkina Faso among other countries. These students known as ***Talibé*** in Benin and other countries and ***Garibou*** in Burkina Faso, are in the schools since an early age of 5-6 years till they are about 15-16 years. A 2019 HRW research identifies that children face neglect, beatings, verbal and sexual abuse, imprisonment and in chains within the Daaras. Their time in the streets exposes them to assault, accidents and other danger. The practice is reported to be a profitable business and is recognised by the UN as contemporary form of slavery.²⁹

Vidomegon is a traditional practice of entrusting children from poor rural families to wealthy urban households for domestic work in exchange of their education and care. While the belief behind the practice is a better life for poor children, in reality, the children are young slaves entrusted or sold by poor families to be employed as low-cost labourers. Traffickers are known to target poor families to lure or trick their children into practice. The children are abused, sold and trafficked for domestic servitude and commercial sexual exploitation in cases of girls, and for forced labour in mines, quarries, markets and farms in cases of boys, especially in diamond-mining districts. Some children are put to work in markets where they work day and night and sleep under benches – neglected, exploited and often abused. The practice continues to be prevalent in West Africa, particularly Benin, Burkina Faso, and Niger. Other countries include Botswana, among other countries. Some literature also refers to the Vidomegon system as **Confiage** (French word).³⁰

Location d'enfant (Child Rental): Some parents “rent” out their children for the purposes of forced begging, as guides for vision-impaired individuals, or in domestic servitude in a phenomenon called location d'enfant (child rental) in Niger, as reported by the authorities.³¹

Child Labour: Forced labour of children is highly prevalent in almost all African countries. Domestic forced labour includes mining in gold, salt, trona, and gypsum (Niger), agriculture and plantations (including onion, cotton, cocoa, tea, etc), quarries (stone, salt); markets; bus stations; handicrafts, cattle herding, and manufacturing within the country.³² In countries like Niger, over 50 per cent of children between 5 - 17 years of age are working children, with 40 per cent of these jobs in informal economy.³³

Child Trafficking: Child trafficking for forced labour and sex trafficking is prevalent in almost all countries. Trafficking for forced labour includes – agriculture, mining, quarries, entertainment and hotel industry, urban transport, markets, sex work etc. Trafficking abroad includes – Middle East (Kuwait, Lebanon, Saudi Arabia, etc.), Europe (Switzerland, Cyprus, etc.) and multiple African countries, USA and Thailand among many other countries.³⁴

Child Soldiers: School closures and economic vulnerability caused by instability and the pandemic have heightened the risk of children being recruited by armed groups, according to NGOs and government entities. International terror groups and extremist organizations exploit children, as young as 13, in combat and support roles and subject women and girls to forced marriages through abduction and exploitation. This use of children in armed conflicts is recognised globally as a form of modern slavery. While exact numbers are unknown, the UN documented over 4,000 instances of children recruited by government forces and more than 11,500 instances by non-state armed groups in 2016, particularly in Africa, Asia, and Latin America. The African countries included Central African Republic, DRC, Libya, Mali, Nigeria, Somalia and South Sudan.³⁵



A 2019 HRW research identifies that children face neglect, beatings, verbal and sexual abuse, imprisonment and in chains within Quranic schools (Daara). Their time in the streets begging and street vending, exposes them to assault, accidents and other danger. The practice is reported to be a profitable business and is recognised by the UN as contemporary form of slavery

4

Forced and Exploitative Labour

Nearly 3.8 million men, women, and children experience forced labour in Africa, particularly in the mining, agriculture, plantations, fishing, domestic work, entertainment and hotel industry. African job seekers misled by traffickers with false promises are subjected to forced labour abroad, such as in the Gulf States. Nigerian girls seeking employment as domestic helpers to help pay for schooling are also subjected to domestic servitude. Forced labour of children in begging (Talibes), Vidomegon practice, other forms of child labour, child trafficking have been discussed in earlier section on children.³⁶

"Tâcheronat" is a system in Mauritania, where menial labourers are engaged for services such as drivers, watchmen and labourers in private sector companies, through intermediaries. The term *"Tâcheron"* has a negative connotation used to describe the intermediary's role as a "jobber" who recruits menial labourers. The practice is exploitative since it does not give any job guarantee or employment contract, and the labourers are known to work in sub-standard working conditions.³⁷

The traditional *"Metayage"* system of sharecropping in Mauritania was abolished due to its exploitative nature. It involved the Hratin and other black-African and formerly slave-caste people working as farm labourers for a small share of the harvest, while noble-caste individuals kept the majority as customary land custodians. Despite the abolition, the system persists in rural areas dominated by noble-caste groups acting as customary chiefdoms. Descendants of former slaves face obstacles in claiming land ownership, often met with violence and reprisals. In Niger, the CDWD among the Zarma people work on fields owned by their masters, without land ownership. They can cultivate land through renting or debt-repayment practices known as *"Hiyyan"* and *"Tolme"* respectively.³⁸

5

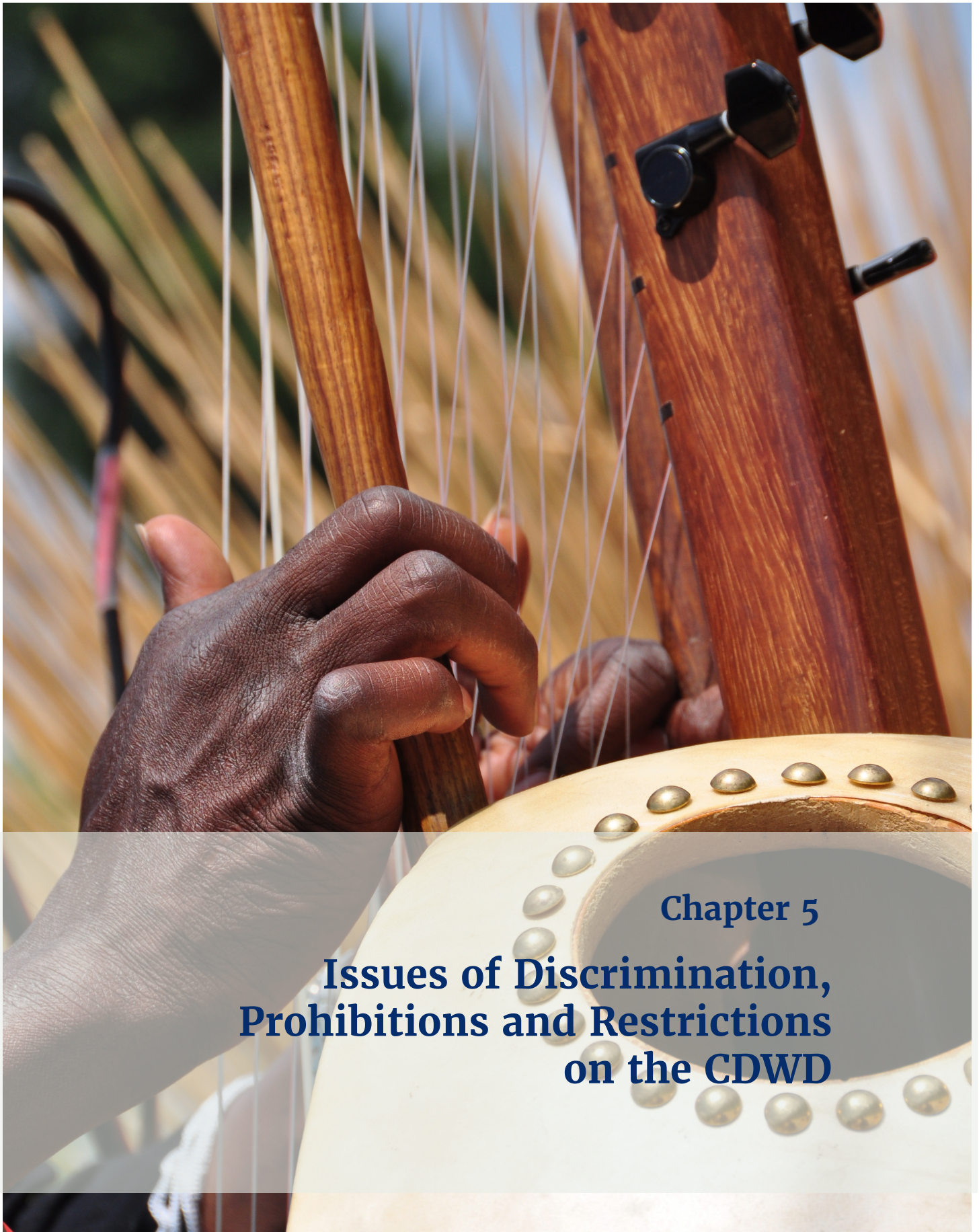
Trafficking of Persons

Human trafficking poses a grave concern in Africa, serving as a significant source region for victims who are trafficked to various parts of the world, including Western Europe and the Middle East. Additionally, domestic or intra-regional trafficking is prevalent in specific areas, particularly in Sub-Saharan Africa. Women and children constitute a large proportion of the victims in Sub-Saharan Africa, enduring exploitation in sectors like agriculture, domestic work, forced prostitution, child soldiers, and in forced marriages.³⁹

6

Adults and Children in Armed Conflict

In Sudan, slavery is resurging due to the twelve-year war between the Muslim north and the Christians and Animists in the south. Historically, Sudan was deeply affected by the Arabian slave trade. Anti-Slavery Groups report a resurgence of a racially-based slave trade, with armed northern militias raiding southern villages for slaves. UN Commission on Human Rights reports highlight the racial aspect of these practices, with victims exclusively belonging to the indigenous tribes of the Nuba Mountains, primarily darker-skinned Africans. Government-armed Arab militias are responsible for killing men, enslaving women and children, and even auctioning them off as personal property.⁴⁰ Anecdotal evidence shows the recruitment and kidnapping of Somali and Kenyans (adults and children) by non-state armed group, al-Shabaab in combat roles. Similarly, non-state armed groups - ISIS-West Africa and Boko Haram - are known to recruit or traffic children for military support or direct combat roles, including as suicide bombers and human shield. Countries including Chad, Cameroon, Niger, Nigeria, Congo, and DRC are some countries deeply impacted.⁴¹



Chapter 5
**Issues of Discrimination,
Prohibitions and Restrictions
on the CDWD**

Chapter 5

Issues of Discrimination, Prohibitions and Restrictions on the CDWD

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“The reality of the caste phenomenon can be grasped through examples that reflect the everyday reality, primarily at the level of the lower social classes.”

*Professor Penda Mbow
Paper on Democracy, Human Rights, and Castes in Senegal⁴²*

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sbjørn Eide and Yozo Yokota in a working paper for the UN Sub-Commission on the Promotion and Protection of Human Rights, 2002 analyses the causes and consequences of Discrimination based on Work and Descent as overlapping elements which include social and cultural segregation, and economic and political marginalisation, among others. The paper observes that – “even where the original occupational roles no longer exist, the marginalization caused by association with stigmatized traditional occupations may lead - as a consequence – to members of the affected groups being relegated to the most menial jobs, whether or not those jobs are related to the original occupational roles.”

The concept of purity and pollution is central to the caste-system among most ethnic groups of Africa. Considered as impure, the CDWD comprising the occupational castes and formerly enslaved persons, continue to experience a caste-based apartheid, as discussed below.

1

Untouchability

The concept and practice of untouchability is generally associated with South Asia, where traditionally groups associated with occupations and habits involved ritually polluting activities such as work that involved killing (eg. butchers, fisherfolk etc.), or those that brought people in contact with the dead (eg. undertakers), or contact with human waste (eg. manual scavengers). It is also a traditional institution that legitimises practices that are exclusionary and are grounded in religion. In reality, however, this practice, though not the conceptual understanding, is also applicable to the African context.

The Osu of Nigeria are one such group in Africa who are treated as “untouchables”, even today. While the Constitution of the country prohibits slavery, which is also criminalised – there is no mention of the concept “untouchability” in Nigerian legislations, even though a significant population are victimised by it in contemporary times.

The Osu of Nigeria who are offered to a specific deity as per customary practice, are treated as outcastes, considered impure and unclean, and are segregated to live in isolation, away from the general habitat.

2

Any social relationship with Osu is strictly prohibited. They cannot access the common resources with the “freeborn”, like water, rivers and so on. It is believed that touching an Osu will defile the freeborn and/or bring calamity upon the freeborn. The situation of Osu has been discussed in detail in chapter 3. While the “untouchability” of the Osu is unique, the discrimination, exclusion, restrictions and prohibitions experienced by other CDWD of Africa manifests in various ways, as follows:

Social Segregation

People of enslaved-caste are typically compelled to live separately from the so-called noble caste, often residing in separate camps or villages, reinforcing the social divide and power dynamics. Some hamlets in West African countries are named with caste-identifiers, such as *dabey* or *tunga* in the Zarma peoples’ villages (Kassa village, Ouallam department, Niger) which literally mean “slave-quarters” and connote neighbourhoods or villages of slave descendants. This community’s desire to change the hamlet’s name led to social tensions with the dominant groups who attacked the hamlet. Several community members were assaulted, tied up and humiliated. At the intervention of local anti-slavery organisation Timidria, police procedure was initiated. In Mauritania, the CDWD live in appalling conditions in segregated shanty towns locally known as “*kebbas*” or *gazras*, and also in city-outskirts, with low or no sanitation facilities, potable water and electricity. The *Hratin* in urban areas are confined to *adwabas* (ghettos), while *Black Africans* are segregated to live in reserved colonies in certain districts of Senegal River valley, like Guidimagha.⁴³

3

Restrictions in Marriage Alliances

The discrimination and segregation of CDWD becomes most evident when it comes to marriages. Almost all the ethnic groups of

Africa follow a strict endogamous caste-structure, and inter-caste as well as inter-occupational marriages are prohibited. Such marriages today risk social ostracisation or punishment.

Among the Zarma people of Niger, inter-caste marriages are done despite social prohibition, and require the noble-caste groom to provide additional offerings, but then the children from these alliances lose their claim to noble-caste status, often leading to community humiliation in inter-caste unions.

Among the Wolof people, children born from these unions are called “neeno ben tank” (one foot in the caste system) and always assume the status of the lower-caste parent. Social boycott of the lower-caste partners in an inter-caste marriage, along with that of the entire family, is known to take place, while the high-caste partners are known to be disowned. Other forms of reprisal may also include conflicts, physical attacks, and false criminal or civil cases and so on.

The social and occupational mobility of CDWD has little bearing when it comes to casteist-attitudes especially in marriage alliances. For instance, the marriage between popular young Mauritanian artist Seddoum Ahmed, who is of Igawen descent (griot/troubadour – occupational caste) and Mama Mint El Moustava, a Beidane (White Moor) from the lineage of the Chourafa (descendants of the Prophet Mohamed) led to his arrest on grounds that marriage between an Igawen and a Chouraf was unnatural. (The case was later withdrawn, with the issuance of a Fatwa).⁴⁴



4

Segregation in Burial

Like in marriages, restriction in burial rites reveal the continued stronghold of caste-based perceived supremacy. The CDWD in most countries are not allowed to bury their dead among those of the dominant caste groups. For instance, in Baddibu Kerewan, North Bank Region of the Gambia, there are two separate cemeteries, one for CDWD and another for the dominant caste-groups.

The Igawen (griots or troubadours of occupational caste) across all ethnic groups, despite their close association with the dominant-caste groups, were traditionally denied an earth burial and their remains were placed under Baobab trees instead. This was because it was feared that that they would make the ground impure and infertile. Today, such discrimination is illegal, yet segregation in burials of the CDWD is not unheard of.

Instances of the imam's refusal to lead prayer for the departed griot, and passing casteist-allusions is not unknown (eg. the case of Mauritania's great poet and composer, late Sidaty ould Abba, who had also composed the first national anthem of the country – upon his death in 2019, the Imam of Nouakchott mosque refused to lead the funeral prayer calling him impure owing to his ancestry).⁴⁵

5

Religious Discrimination

The CDWD are rarely allowed to lead prayers and face restrictions on participating in prayers, preaching, or popularising religious texts. The control of religious knowledge is also seen as a tool for supremacy and dominance.

In Gambia, the CDWD of Upper River Region are restricted from entering the mosques and Arabic schools of the dominant-caste, and so they have their own mosque.⁴⁶

6

Racial Discrimination

Skin colour-based discrimination is widespread, particularly among the Tuareg (North and West Africa), where black Tuareg face lower-class status, particularly in the Tillabéri region, reinforcing unequal treatment and exclusion. Interestingly, within the Tuareg community, some white men from repressed castes are exempt, while some black Tuareg who do not belong to these castes are still treated as slaves due to their skin colour.⁴⁷

7

Superstitions and Stereotypes based on caste-discrimination and intersections of gender, vulnerability through poverty, etc.

Tuareg slavers of West Africa say that raping a young virgin slave cures the master's rheumatism. This stereotype has many victims in the Tuareg societies of Niger. They also impose customs to showcase authority such that the young Tuareg potters, who are believed to be good sprinters, cannot wear the veil and/or marry until they have caught a live gazelle.⁴⁸ In Gambia, the dominant caste among the *Wolof* believe that touching a *Tegah* (black-smith, occupational caste group) will give them rashes.⁴⁹ The basis of *Trokosi* (sexual slavery in Ghana, Togo, and Benin) is religious superstition that sins of a family member can be atoned through the

offering of young virgin girls as brides of deity (consequently as slaves of the intermediary priests). The practice of dedicating the Osu community to the deities is also a religious superstition that prosperity of land can be obtained through the life-long dedication of this people (who are then called the Osu) to the deity. *Trokosi and Osu have been discussed in detail in chapter 3.*

8

Economic Discrimination

The CDWD encounter economic obstacles, including limited land ownership rights, pushing them towards low-income trades like blacksmithing and working with animal skins or leather, which are stigmatised as "slave-trades."

In keeping with the traditional customary practices, the CDWD are still expected to perform menial jobs at times of village ceremonies and events – like chores related to slaughtering of animals, cleaning, village announcements etc.

9

Political Discrimination:

The CDWD are systematically excluded from participating in political elections due to the common knowledge of repressed caste identity and society's disregard for their existence. Owing to their large population and illiteracy levels, the CDWD are often used as vote-banks. They can rarely be found in elective functions and their political ambition is known to be faced with hindrances. For instance, in Gambia, traditionally, the village governance was led by the Alkalo, who was the village chief from the founding family, while the spiritual leadership was led by the Alimamo. As part of governance, the Alkalo along with village council was also responsible for land allocation to families for use, work projects and dispute redressal. In contemporary Gambia, the office of Alkalo is

to be filled by election. Despite the defined electoral procedure of election⁵⁰ through secret ballot, the Alkalo office continues to be held by the dominant caste-group. The CDWD are socially not allowed to contest for these village-administration elections. Those who do not wish to be referred to as slaves, are prohibited from being members of the Village Development Community or take part in village activities. The community are also known to be prohibited from talking during village meeting, or raise their developmental concerns.⁵¹

10

Land Ownership Deprivation

CDWD are systematically prevented from owning land. Instead, they are compelled to work on fields owned by their masters, without any personal ownership or control over the land they cultivate.

Among the Zarma people of Niger, the CDWD can cultivate land by taking it on rent or by debt-repayment. This practice of renting land to cultivate is called '*Hiyyan*', which means "*to rent*". The practice of 'pledging' is called '*Tolme*', which is a form of debt repayment in which the owner gives a portion of land to the enslaved person to cultivate.⁵²

Failure to comply with the social norms and restrictions placed, often result in social ostracisation of the CDWD as a group, or/and physical harm and injury, at times fatal. Social ostracisation is barring entry in meetings, social functions, etc. Other ways of reprisals include confiscating CDWD possessions, livestock, and curtailing mobility, among others.

11

Expectation to perform traditional menial jobs

Earlier, the enslaved-castes were expected to perform all the menial jobs during ceremonies of the nobles, such as christening, weddings, and funerals. Slaughtering of animals, domestic chores, announcement of events for invitation by blowing horn around the village, etc. were the tasks expected to be done by the enslaved caste groups.

The practice is known to be prevalent in many villages even today, despite social and occupational mobility of the CDWD. In a 2002 working paper for the UN Sub-Commission on the Promotion and Protection of Human Rights, Asbjørn Eide and Yozo Yokota noted that even when traditional occupational roles have disappeared, individuals from stigmatised occupational backgrounds may still face marginalisation. This marginalisation can result in these individuals being assigned to low-status, unskilled jobs, regardless of whether these jobs are connected to their original occupations.⁵³

which denote “assertion of the CDWD” identity and rights and hence intolerable for the dominant groups.⁵⁴ None of the governments record the population data by disaggregation on the basis of ethnicity and other factors in order to enable monitoring of caste-based atrocities.



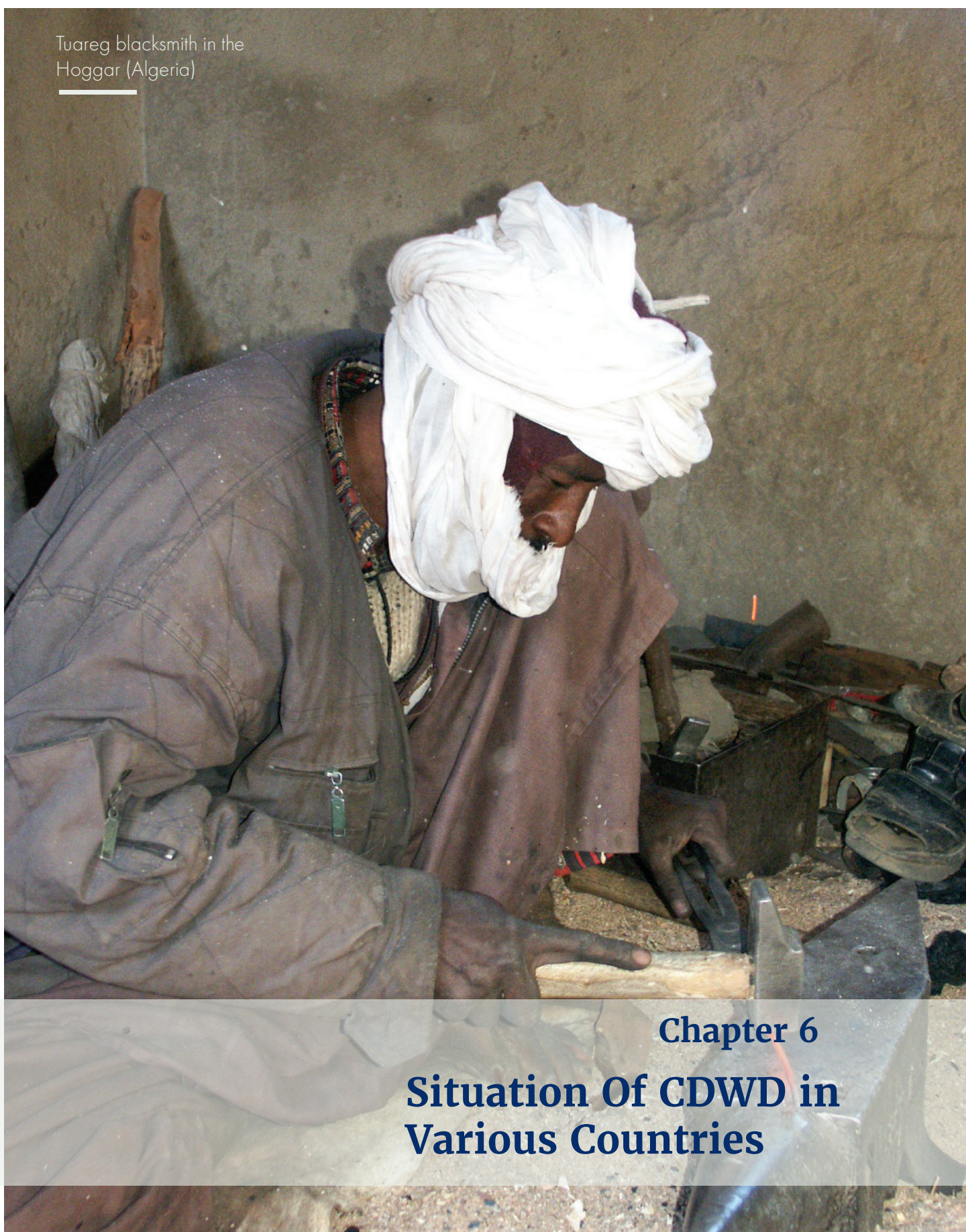
12

Violence against CDWD:

Systematic and continuous assaults on CDWD labelled as 'slaves' persist in many African countries. In Mali, such attacks are quite frequent. In 2021, over 3000 CDWD were displaced, over 77 injured and one death. The frequency of these attacks indicates the troubling social acceptance of descent-based slavery by some influential politicians, traditional leaders, law enforcement officials, and judicial authorities.

The common thread in reason for attacks is the “assertion of rights” by the so-called enslaved-caste people. These reasons range from celebrating festivals, insisting on farming in own lands but which are claimed by the dominant caste, wearing their anti-slavery movement logo on clothes, and other reasons

Tuareg blacksmith in the
Hoggar (Algeria)



Chapter 6 Situation Of CDWD in Various Countries

Chapter 6

Situation Of CDWD in Various Countries

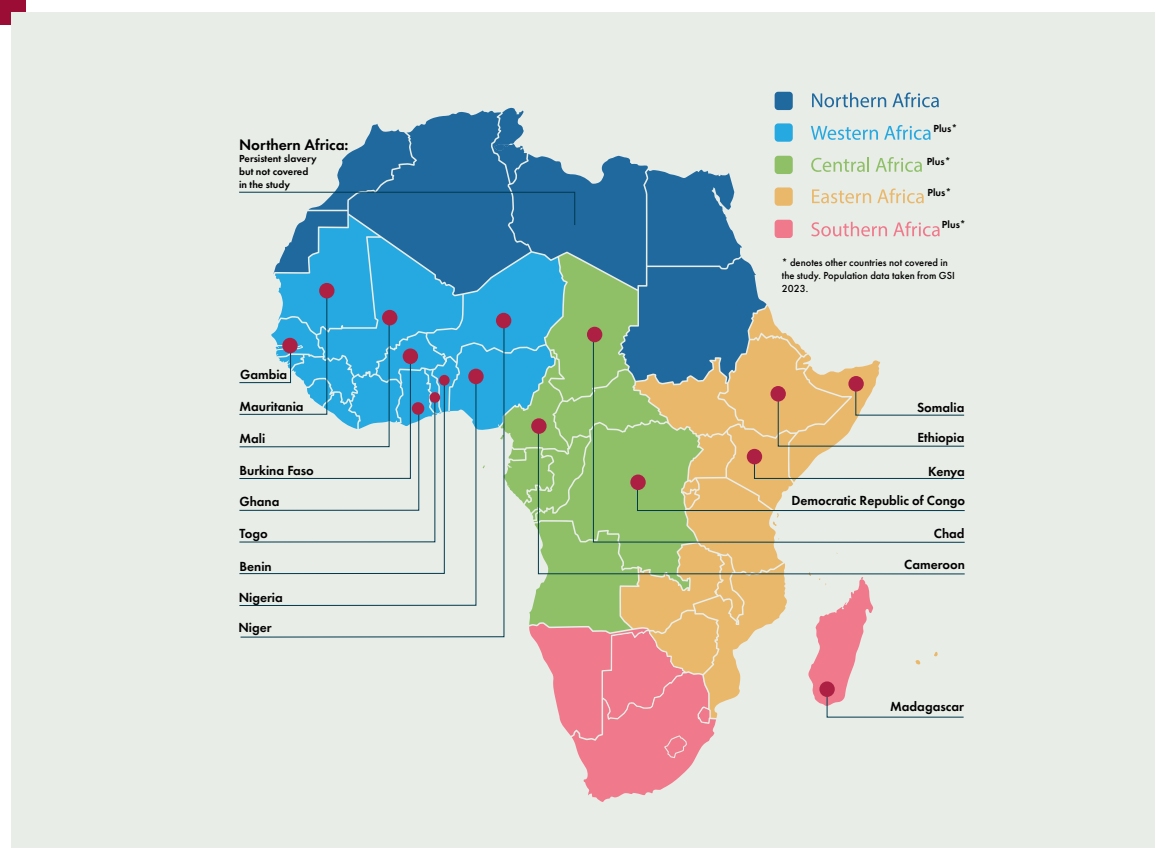
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“A nation should not be judged by how it treats its highest citizens, but its lowest ones.”

*Nelson Mandela
First President of South Africa and anti-apartheid activist*

”

Discrimination based on Work and Descent (DWD) plays a critical role as the basis of slavery and racial discrimination. However, in reality, the discourse on slavery and racial discrimination has somewhat eclipsed discussions about Discrimination based on Work and Descent (DWD) in Africa. To further illustrate the intersection of caste identity and communities exploited in slavery and slavery practices in Africa, this chapter discusses the situation of CDWD across various countries.⁵⁵ While these discussions do not encompass all CDWD groups, they are representative enough to highlight the phenomenon of DWD, which elucidates the roots of racial and slavery discrimination.



REPUBLIC OF BENIN

West Africa

The Vidomegon and Talibes (exploitative child labour) in Benin,

West Africa: Poor rural families in Benin frequently participate in 'Vidomegon,' a social practice where they place children, both girls and boys, as servants with other families. These children often endure abuse, trafficking, and being sold for purposes of domestic servitude, commercial sexual exploitation, and forced labour in mines, quarries, markets, and farms. The Talibes, who are students of traditional Quranic schools called Daara, mostly originate from extremely impoverished families or are orphaned. In exchange for religious education, they are compelled to beg for food on the streets. Their situation is regarded as exploitative child labour and a form of modern slavery.

Total Population: 12,123,000

DWD Community Population: Not known

Population in Modern Slavery: 37,000

DWD Community:

Vidomegon and Talibes (Exploitative Child Labour)

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Over 37,000 persons are in modern slavery (2021), which means a prevalence of 3.0 people for every thousand people. Benin is ranked 38th out of 51 countries in Africa in terms of the prevalence of modern slavery. Forms of modern slavery include child trafficking for forced labour in domestic servitude, markets, farming, various trades, cotton picking and handicraft manufacturing. Debt bondage of children is reported, child marriage is highly prevalent and girls are at risk of trafficking for sex work and domestic servitude disguised as marriage; sex trafficking of women and children, and forced labour of men and women.

Total Population: 20,903,000

DWD Community Population: Not known

Population in Modern Slavery: 77,000

DWD Community:

Talibe and Garibou (Exploitative Child Labour)

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Over 77,000 persons are in modern slavery (2021), which means a prevalence of 3.7 people for every thousand people. Burkina Faso is ranked 33rd out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include – internal and external trafficking; child trafficking for farm hands, gold panners and washers in artisanal mines, street vendors, and domestic servants.; child labour of about 2,00,000-3,00,000 children reported in artisanal mining sites; forced labour of adults and children in cotton production, child trafficking for cocoa production in Ghana and Ivory Coast and gold mining, sex trafficking of women and girls.

BURKINA FASO

West Africa

Gabibou (exploitative child labour) in Burkina Faso, West Africa:

Like the *Talibes* in Benin, *Garibou* are children in Burkina Faso who attend Quranic schools and are asked to beg on streets for money by schoolmasters. These children suffer from discriminatory practices and endure abuse, trafficking, forced labour, and other contemporary forms of slavery. In remote areas, despite the prohibition, the *Bellahs* (slaves) of the Tuareg clan remain enslaved as unpaid manual labourers who produce goods like salt, which the "owners" subsequently trade.

THE GAMBIA

West Africa

Gambia has a variety of ethnic groups, with Mandinka comprising the largest ethnic group (34.4% of the country's population), followed by other ethnic groups including *Wolof, Fulani, Serahule, Serer, Jola*, and minority ethnic groups such as *Akus, Tukulor, Mansoanka, Bambara, Balanta, and Manjago* among others. All the ethnic groups, except *Jola* and *Aku*, were highly stratified. The slave caste included *Jongoo* among the Mandinka people, *Maccudo, Rimmaybe, Dimaajo, and Baleebe* among the Fula people, *Jaam, Jongo* among Wolof people, *Kommo* among Sarahulleh people. The occupational groups included blacksmiths, leather workers, wood carvers and so on, each with their own specific name within their ethnic groups. .

Total Population: 2,417,000

DWD Community Population: Not known

Population in Modern Slavery: 16,000

DWD Community:

Jongoo, Maccudo, Rimmaybe, Dimaajo, Baleebe, Jaam, Jongo Kommo among others.

Current Issues related to Discrimination, Slavery, and

Modern Slavery: Over 16,000 persons are in modern slavery (2021), which means a prevalence of 6.5 people for every thousand people. Gambia is ranked 12th out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include – sex and labour trafficking of women, girls and boys, forced labour of boys in street vending, forced begging (Talibe children in Quranic schools) and agricultural work. Labour trafficking of adults and children in Europe and the Gulf for domestic servitude and sex trafficking.

GHANA

West Africa

Current Issues related to Discrimination, Slavery, and Modern Slavery: Over 91,000 persons are in modern slavery (2021), which means a prevalence of 2.9 people for every thousand people. Ghana is ranked 41st out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include internal and external trafficking; child trafficking for inland and coastal fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture, especially in the cocoa sector. Children as young as four are reported to be trafficked in the fishing industry. Use of violence and limited access to food for controlling victims is reported. Boys are employed in hazardous conditions, including in deep diving, and girls perform work onshore, such as cleaning the fish for markets.

Total Population: 31,073,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 91,000

DWD Community:

Kayayee, Trokosi, Mamprusi

Ritualistic sexual slavery Trokosi is practised among some ethnic groups in Ghana, despite its ban in 1998. As discussed earlier in Chapter 3, Trokosi is a traditional system where young virgin girls are offered to deities in lieu of spiritual atonement for the alleged misdeeds of a family member. The girls are considered as slaves, and their job is to serve priests, elders and owners of a traditional religious shrine without remuneration and their consent. Kayayee are girls or young women in Ghana who work in city marketplaces as a head porter. They belong chiefly to the ethnic Mamprusi group and Muslim communities, though a minority come from other ethnic backgrounds, regions and religions. Kayayee are vulnerable to forced evictions, disease, work injuries, physical harm including sexual violence, unplanned pregnancies, illegal abortions and human trafficking.

MAURITANIA

West Africa

Hratin of Mauritania, Northwest Africa:

The Mauritanian society is a highly stratified society with two major cultural-ethnolinguistic groups - the Arab-Berber and the Afro-Mauritanian communities (known as Black Africans, including Peuhl, Soninke, Wolof and Bambara communities). Caste-like designation of "slave" is included within both of these communities, with a widespread system of unpaid servitude by them.

Historically, the Arab-Berber, also known as White Moors, raided and enslaved people from the indigenous black population of the region. These slaves came to be known as Hratin, who were required to provide lifelong unpaid service to the Beidane (a dominant group of Arab-Berber). With few livelihood options available, many Hratin are known to remain with the families of masters who "owned" their ancestors. Estimates range from 90,000 to about 300,000 Hratin in the country. Among the Afro-Mauritanian community, caste systems similar to those found among the Wolof of Senegal can be found.

Total Population: 4,650,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 149,000 persons

DWD Community: Hratin

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Over 149,000 persons are in modern slavery (2021), which means a prevalence of 32 people for every thousand people. Ranked 2nd out of 51 countries in Africa in terms of prevalence of modern slavery, and 3rd out of 160 countries globally. Forms of modern slavery include descent-based servitude, including children as domestic servants, cattle herders, workers in the fishing sector and so on. Exploitative and abolished sharecropping system 'metayage', where the Hratin continue to work for their former masters or others under exploitative conditions to retain access to land they had traditionally farmed.

Hratin and Afro-Mauritanian girls are deceived with promises of shelter and education but end up being trafficked into domestic servitude in urban areas. Women and children are coerced into smuggling illicit drugs. Additionally, some are externally trafficked to the Gulf, including Saudi Arabia, under the pretence of nursing and teaching jobs, only to be forced into domestic servitude and sex trafficking. Fake marriages are also used as a means to traffic girls to the Middle East for sex work.

A cattle herder in Mauritania



MALI

West Africa

Total Population: 20,251,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 106,000 persons

DWD Community:

Bellah, Turag, Daoussak and Ibretian

The Bellah among the Tuareg community of Mali, West Africa: A rigid caste-like system operates among the Tuareg of Mali that divides the community into nobles, freemen and slaves. Known as Bellah, they were traditionally brought as slaves and worked as unpaid manual labourers, producing goods for their 'owners'. Although slavery is abolished by law, it is still practised among the Bellah community, especially in remote areas.

Current Issues related to Discrimination, Slavery, and Modern Slavery: Over 106,000 persons are in modern slavery (2021), which means a prevalence of 5.2 people for every thousand people. Mali is ranked 18th out of 51 countries in Africa in terms of the prevalence of modern slavery. Forms of modern slavery include – internal trafficking which is more prevalent than external; children in armed conflicts, child labour in domestic servitude, gold mining, trafficking of boys for rice, cotton, cocoa, corn cultivation, artisanal gold mining, domestic work, begging, and in transportation; forced begging of children from Quranic schools by the clerics/ teachers; Over 300,000 victims of hereditary slavery in Mali are reported; also are trafficking of women and girls for forced labour in domestic work, agricultural labour, and support roles in artisanal gold mines and for sex trafficking.

NIGER

West Africa

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Niger has over 112,000 persons in modern slavery (2021), which means a prevalence of 4.6 people for every thousand people. The country is ranked 23rd out of 51 countries in Africa in terms of the prevalence of modern slavery. As regards the forms of modern slavery, the victims of descent-based slavery are exploited in activities such as animal herding, small-scale agriculture, and domestic servitude.

Total Population: 24,207,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 112,000 persons

DWD Community: Talibe, Wahayu, Tuareg, Toubou and Fulani (Peul)

Former slaves and slave descendants in Niger, West Africa:

Despite being legally abolished, descent-based slavery continues to exist in Tuareg, Fulani (Peul), Toubou and Arab communities. These societies are very hierarchical and dominated by powerful traditional chiefs. The number of slaves determines the social status and the power of the masters. 'Passive slavery', is found to exist in Niger, i.e. former slaves and descendants of former slaves who do not live with their masters but remain bonded to them. Groups such as Zarma fall in this category and face social exclusion and violations of their human rights, including widespread descent-based discrimination. Very young girls of slave descent are sold off by Tuaregs as fifth wives in a practice called Wahaya. Most Wahayu come from the Toubou region and are sold off mainly to wealthy Hausa individuals, including some from Nigeria.

NIGERIA

West Africa

Osu of Nigeria, West Africa: Within the Igbo community, the Osu experience a unique form of discrimination based on descent. Unlike the hierarchical structure of occupational specialisation, the Osu were considered to be “owned” by the deities, and were dedicated to these Gods. The system is passed down generations by inheritance, descent, and/or marriage, and they cannot generally overcome these distinctions. Their unique status and alternate occupation (blacksmiths, potters, leatherwork, weaving, arranging funerals, midwifery, castration and drumming), deem them to be unclean and polluting. They are usually forced to live on the outskirts of the villages so as to be targets of any bad luck that might befall the village.

Total Population: 206,140,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 1,611,000 persons

DWD Community: *Osu, Oru*

Current Issues related to Discrimination, Slavery, and Modern Slavery: Persistent Discrimination against Osu includes the following: stigma, segregation in living on the outskirts of town, and “untouchability” since the traditional belief is that touching an Osu will make one an Osu; denied access to common resources and entitlements, restrictions in inter-caste marriage and commensality; identity and caste conflict between Osu and Diala (dominant caste). There are over 1.6 million persons in modern slavery (2021), which means a prevalence of 7.8 people for every thousand people. The country is ranked 5th out of 51 countries in Africa in terms of prevalence of modern slavery, and 38 out of 160 countries globally. Forms of modern slavery include child labour, children in armed conflicts (Boko Haram), forced labour of adults and children in street vending, domestic servitude, stone quarrying, mining, agriculture, and textile manufacturing. Women in forced labour in domestic and care work.

Total Population: 16,744,000 persons

DWD Community Population: Not known

Population in Modern Slavery: 49,000 persons

DWD Community: *Wolof-Neeno, children in Quranic schools and in “vidomegon” practice*

Current Issues related to Discrimination, Slavery, and Modern Slavery: Senegal has over 49,000 persons in modern slavery (2021) - a prevalence of 2.9 people for every thousand people, ranking it 40 out of 51 countries in Africa. Forms of modern slavery include forced begging - a major form of trafficking in Senegal. Around 100,000 children in residential daaras (Quranic schools) are forced to beg, with approximately 30,000 children coerced in Dakar alone. Traffickers use the cultural practice of “vidomegon” (‘Confiage’ which is a modern form of slavery), wherein parents send children for better education and opportunities, but children are exploited in forced labour and sex trafficking. Senegalese children and women are also subjected to sex trafficking, forced labour in domestic servitude, and gold mining. Internal trafficking is more common than transnational trafficking, affecting women in the gold mining region of Kedougou.

SENEGAL

West Africa

The Neeno, Noole and Jaam among the Wolofs of Senegal, West Africa: The Wolofs of Senegal form the largest ethnic group of Senegal and its strict hierarchical-based occupation structure resembles the caste system of India, and South Asia. The Geer occupy the superior rung of society and traditionally comprise farmers, fishers, warriors and animal breeders. The Neeno, with sub-groups Jeff-lekk (artisans: blacksmiths, jewellers, shoemakers, woodcutters and weavers) and Sab-lekk (griots and jesters), followed by the Noole (servants and courtesans) and the ‘outcastes’ Jaam (slaves), constitute the DWD community within the Wolof community of Senegal. The Neeno are seen as polluting because of their work and their descent, such as the griots whose traditional and additional tasks of circumcision, undertaking and midwifery are seen as polluting.

Total Population: 15.9 million

DWD Community Population: 1 million Somali Bantu (only including Jareer slave caste)

DWD Community: Jareer (Somali Bantu, slave caste) and Sabs (lower strata) including occupational castes -Midgan, Tumul and Yibir

Current Issues related to Discrimination, Slavery, and Modern Slavery: Somalia has over 98,000 persons in modern slavery (2021), which means a prevalence of 6.2 people for every thousand people. The country is ranked 14th out of 51 countries in Africa in terms of the prevalence of modern slavery.

Forms of modern slavery include – child labour in agriculture, domestic work, herding livestock, selling or portering Khat (the leaves of an Arabian shrub which are chewed as a stimulant), stone crushing, and the construction industry. Somali men are forced into labour in farming and construction in Gulf States. Traffickers transport children to Djibouti, Saudi Arabia, and the UAE, where they are coerced into begging on the streets. Anecdotal evidence indicates trafficking and abduction of children (Somalia and Kenya) by al-Shabaab for sex trafficking, combat support roles, forced marriage and sexual servitude for al-Shabaab militants.⁵⁶



A child from CDWD cutting stone slabs

SOMALIA

East Africa

The Somali Bantu (Jareer, slave caste) and Sabs including Midgan, Tumul and Yibir of Somalia, East Africa: For centuries, the Somali society has been divided into distinct social strata, where the concept of purity and pollution holds significant importance. These strata include the Gob or Asha, which represents the nobles, a servile occupational caste known as Sab or Saab, and the slave caste called Jareer (Somali Bantu).

The Sab groups are considered impure and "dirty" (haram) in Somali society. They consist of three subgroups: Midgan, Tumul (or Tomal), and Yibir (Yebir). The Midgan were previously slaves or servants to noble clans and were also involved in hunting and leatherworking. The Tumul traditionally were engaged in blacksmithing, pottery, leatherworking, jewellery making, and other crafts. The Yibir were craftsmen specializing in making prayer mats, and amulets, performing rituals for protection, marriage, birth, and crafting saddles. The Tumul were descendants of nomads who had intermarried with the Midgan.

The Somali Bantu or Jareer caste was the slave caste among the Somali ethnic group. The Somali Bantus are descendants of enslaved peoples from various Bantu ethnic groups from Southeast Africa (primarily Mozambique, Malawi, and Tanzania). They were made to work in cotton and grain plantations owned by Somalis along the fertile floodplains of the Shebelle and Jubba rivers. They are not ancestrally related to the Somali ethnic group, but were brought to Somalia from Mozambique, Malawi and Tanzania as part of slave trade. As such they remain more marginalised and excluded. (More information on Somali Bantu in Chapter 3).

DEMOCRATIC REPUBLIC OF ETHIOPIA

East Africa

Fuga, Chinasha, Ke'mo, Shamano among others in Ethiopia, East Africa: Ethiopia is home to many minority ethno linguistic groups with distinct occupational specifications. The perception of holding 'unclean' occupation among these low caste-like groups is similar to that of West and Central Africa.

Some of these occupational groups in the region include - *Fuga* (artisans); in the *Wolayita* area - the *Chinasha* (among *Konso* people), *Hawda*, *Kejo* (smiths, among *Shekacho* people), *Mano* (tanners-potters), and the *Manjo* (hunters); in *Kafa* province - the *Ke'mo* (blacksmiths), *Shamano* (weavers), and *K'ejeche* (potters). These minorities continue to be excluded from the mainstream society and are discriminated against by the majority groups.

Total Population: 114.9 million

DWD Community Population: Not known

DWD Community: Fuga, Chinasha, Ke'mo, Shamano

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Ethiopia has over 727,000 persons in modern slavery (2021), which means a prevalence of 6.3 people for every thousand people. The country is ranked 13th out of 51 countries in Africa in terms of the prevalence of modern slavery. Forms of modern slavery include – the trafficking of girls for sex work within and neighbouring countries (particularly Djibouti and Sudan) and domestic servitude; and of boys for forced labour in traditional weaving, construction, agriculture, forced begging, street vending, domestic servitude, shop assistants and criminal activities. Internal trafficking is more than external. Trafficking of women for forced begging, domestic servitude and in the hotel industry is prevalent.

Total Population: 53.8 million

DWD Community Population: N2000-3000 persons

DWD Community: Watta

Current Issues related to Discrimination, Slavery, and Modern Slavery:

Senegal has over 49,000 persons in modern slavery (2021) - a prevalence of 2.9 people for every thousand people, ranking it 40 out of 51 countries in Africa. Forms of modern slavery include forced begging - a major form of trafficking in Senegal. Around 100,000 children in residential daaras (Quranic schools) are forced to beg, with approximately 30,000 children coerced in Dakar alone. Traffickers use the cultural practice of "vidomegon" ('Confiage' which is a modern form of slavery), wherein parents send children for better education and opportunities, but children are exploited in forced labour and sex trafficking. Senegalese children and women are also subjected to sex trafficking, forced labour in domestic servitude, and gold mining. Internal trafficking is more common than transnational trafficking, affecting women in the gold mining region of Kedougou.

KENYA

East Africa

The Neeno, Noole and Jaam among the

Wolofs of Senegal, West Africa: The Wolofs of Senegal form the largest ethnic group of Senegal and its strict hierarchical-based occupation structure resembles the caste system of India, and South Asia. The Geer occupy the superior rung of society and traditionally comprise farmers, fishers, warriors and animal breeders. The Neeno, with sub-groups Jeff-lekk (artisans: blacksmiths, jewellers, shoemakers, woodcutters and weavers) and Sab-lekk (griots and jesters), followed by the Noole (servants and courtesans) and the 'outcastes' Jaam (slaves), constitute the DWD community within the Wolof community of Senegal. The Neeno are seen as polluting because of their work and their descent, such as the griots whose traditional and additional tasks of circumcision, undertaking and midwifery are seen as polluting.

Total Population: 26.5 million

DWD Community Population: Not known

DWD Community: Mbororos

CAMEROON

Central Africa

Slave caste among Mbororos, Central Africa: The Fulani community, known as Mbororos in Cameroon, are estimated to number over a million, representing around 12% of Cameroon's population. Cameroon was a significant source of slaves, during the transatlantic slave trade. Domestic slavery of the slave-caste was also highly prevalent at that time.

Current Issues related to Discrimination, Slavery, and Modern Slavery: There are over 155,000 persons in modern slavery (2021), which means a prevalence of 5.8 people for every thousand people. Cameroon is ranked 16th out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include – sex trafficking and forced labour of children, women and IDPs within country and abroad. Vulnerable children also include homeless and orphans, particularly for sex trafficking domestic servitude, begging and street vending. Additionally, children are exploited for artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (in onion, cotton, tea, and cocoa plantations), as well as in urban transportation. Hereditary slavery is also reported in northern chiefdoms.⁵⁷

CHAD

Central Africa

The occupational castes of *Toubou (Azza)* and *Zaghawa* people (*Hadahid*) have traditionally been despised and segregated, as also the slave caste of *Toubou (Kamadja)* and *Zaghawa* people. Hereditary slavery is not as evident in contemporary Chad as it is in Western Africa.

Total Population: 16.4 million

DWD Community Population: Not known

DWD Community: Azza and slave-caste among the Toubou, Hadahid and Kamadja (slave caste) among Zaghawa people

Current Issues related to Discrimination, Slavery and Modern Slavery: Modern forms of slavery, particularly child labour is highly prevalent. Chad has over 97,000 persons in modern slavery (2021), which means a prevalence of 5.9 people for every thousand people. The country is ranked 15th out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include – child labour in domestic service, cattle herding, agricultural labour, begging, gold mining and charcoal production. Chad hosts more than one million refugees, internally displaced persons, and asylum seekers as of January 2022; these populations may be vulnerable to trafficking based on their economic instability and lack of access to support systems. Child abduction is prevalent for using children in armed conflicts (including as suicide bombers, child brides and forced labourers) by Boko Haram and the Islamic State West Africa Province (ISIS-WA).

DEMOCRATIC REPUBLIC OF CONGO

Central Africa

Total Population: 89.6 million

DWD Community Population: Not known

DWD Community: Data unavailable

Traditional Occupation: Data unavailable

Current Issues related to Discrimination, Slavery, and Modern Slavery:

With over 200 African ethnic groups residing in Congo, the majority being Bantu, the DRC faces significant vulnerability to modern slavery mainly due to ongoing conflicts. The 2023 Global Slavery Index reveals an estimated 407,000 individuals living in modern slavery in the DRC, making it the 25th highest in prevalence in Africa and 97th globally. Forced labour of children in cobalt mines, sexual exploitation of adults and children, and forced marriage are linked to the country's violence and conflicts, involving over 100 armed groups. Child marriage rates are higher in rural areas (40%) than urban areas (19%).

Total Population: 27,691,000 persons

DWD Community Population: Not known

DWD Community: *Andevo (the slave-caste among Merina people)*

Current Issues related to Discrimination, Slavery, and Modern Slavery: Madagascar has over 127,000 persons in modern slavery (2021), which means a prevalence of 4.6 people for every thousand people. The country is ranked 24th out of 51 countries in Africa in terms of prevalence of modern slavery. Forms of modern slavery include – child trafficking of Malagasy children for sex work, forced labour in domestic servitude, businesses, mining, street vending, agriculture, textile factories, begging and fishing across the country. Internal girl child sex tourism through work as waitresses and masseuses; online sexual work, child marriage (moletry- marriage of very young girls in exchange of dowry, mostly oxen) and bride trafficking. A 2018 US study found that 47 per cent of children were involved in child labour, of whom 36 per cent were aged 5 to 11 years. In addition, 32 per cent of children between ages five and 17 worked in hazardous occupations.⁵⁸

REPUBLIC OF MADAGASCAR

South-eastern Africa

Andevo (slave-caste) of Madagascar: The descendants of Andevo (slave-caste) face discrimination and exclusion, and are exploited in modern forms of slavery in contemporary Madagascar. According to a 2012 report by Gulnara Shahinian – the United Nation's Special Rapporteur on contemporary forms of slavery, the descendants of former slave castes continue to suffer in contemporary Madagascar Merina society, and inter-caste marriages continue to be socially ostracised.

Chapter 7

NATIONAL RESPONSE MECHANISMS

African Governments' Response in Eliminating Various Forms of Slavery and Slavery like Practices

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States have been slow in fulfilling their anti-slavery obligations and honouring the global commitments made to meet target 8.7 of the Sustainable Development Goals to end modern slavery and eradicate forced labour by 2030 and to end child labour in all its forms by 2025

Tomoya Obokata

Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, HRC, 45th session, 4 August 2020⁵⁹

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Almost all African countries have prohibited slavery, servitude and forced labour in their Constitutions, followed by their criminalisation in Criminal and Penal Codes. Few countries, however, speak about slavery-like practices in their legislations. Almost all countries have anti-trafficking laws which are more recent and more detailed than other laws. This is perhaps because of international attention to the transnational nature of trafficking crimes and international-level annual country reporting with observations for states. Few countries mention anti-discrimination in their Constitutions and only a few have enacted anti-discrimination laws.

Based on the 2023 Global Slavery Index (GSI), African governments' responses to modern slavery have been notably weaker compared to other regions worldwide. While some progress has been made in identifying and updating legal frameworks, service availability for survivors and addressing underlying systemic risk factors remain limited. Notably, no country in the region has taken substantial measures to combat modern slavery in government and business supply chains. Some countries, like Angola, Namibia and Guinea, have shown efforts to enhance their response with national action plans and victim identification procedures, but challenges persist in their implementation. South Sudan was excluded from the assessment due to ongoing conflict and disruptions in government functions.⁶⁰

The specific constitutional and legal safeguards specific to slavery and slavery practices, and discrimination based on slavery and slavery practices, of a few key countries are discussed below: -

CONSTITUTIONAL AND LEGISLATIVE SAFEGUARDS IN SOME OF THE AFRICAN COUNTRIES:⁶¹

Cameroon:

1. The Constitution of Cameroon guarantees equality for all citizens before the law, regardless of gender, creed, belief, race and religion. It however does not specifically mention slavery, forced labour, servitude, slavery practices, trafficking and discrimination.
2. There is no specific legislation prohibiting slavery, servitude, forced labour and other slavery-like practices. However, related provisions may be found in:
 - Penal Code criminalises slavery, including pledging under Article 293, debt bondage under Article 3, and engaging in the practice of slavery under Article 342-1. Human trafficking is prohibited under Article 342-1 and forced labour under Article 292.
 - Law No. 2011/024, focusing on the Fight against Trafficking in Persons and Slavery criminalises engaging in slavery under section 4.
 - Labour Code prohibits forced labour under section 2.

Chad:

1. The 1996 Constitution of Chad declares that no one may be held in slavery or servitude.
2. Article 32 of the Constitution also ensures that no one may face discrimination in their work based on their origins, opinions, beliefs, sex, or marital status.
3. There is no specific legislation that explicitly prohibits institutions and practices similar to slavery, although provisions can be found in various legislations, as follows:
 - Article 157, Penal Code criminalises the use of violence, assault, threats, or fraudulent conduct to impair the free exercise of labour.
 - Law 006/PR/2018 on Combatting Trafficking in Persons criminalises forced or servile marriage under Article 17. Article 15 also criminalises forced labour and forced services. The law also imposes a penalty of 4 to 10 years imprisonment for trafficking offenses.
 - Title 5, Labour Code prohibits forced and bonded labour with penalties limited to fines.

The Gambia

1. The Constitution of Gambia protects citizens from slavery, servitude, and forced labour under Article 20(1) and (2). The Constitution does not specifically mention prohibition of trafficking.
2. There is no specific legislation that explicitly prohibits institutions and practices similar to slavery, although relevant provisions may be found in various legislations, as follows:
 - Criminal Code criminalizes Slavery under Articles 230A, 230B, 237, 240 and 241; prohibits servitude in certain circumstances under Article 230A, and Article 242 criminalises forced labour.
 - Trafficking in Persons Act, 2007 criminalises trafficking-related activities under Article 28.

Mali

1. The Constitution of Mali guarantees the right to life, liberty, security, and integrity (Article 1) and protects its citizens from torture, inhuman treatment and brutality (Article 2).
2. There are no explicit laws prohibiting slavery, practices akin to slavery, and servitude. Although there are related provisions, as follows:
 - Penal Code criminalizes the pledging of individuals, agreements that restrict their liberty and forced marriage. Child Trafficking is explicitly outlawed under article 244 of the Penal Code
 - Slavery, servitude, forced labour and broader slavery practices can be considered an element of trafficking offences as per Article 7 of the Law on the Fight against Trafficking in Persons.
 - Labour Code prohibits forced or compulsory labour and imposes fines and imprisonment.
 - The 2012 Law on the Fight against Trafficking in Persons criminalizes trafficking including child trafficking.⁶²

Mauritania

1. Mauritania has a specific anti-slavery legislation, Law 031/2015 of 10 September 2015, which specifically criminalises slavery under Article 7 and various acts against enslaved persons under Articles 11-16.
2. However, there is no legislation that directly prohibits institutions and practices similar to slavery, which are addressed in various legislations, as follows:

- The 2015 anti-slavery legislation criminalises servile marriage under Article 8, serfdom under Article 9, and debt bondage under Article 10.
- The Labour Code criminalises forced labour under Article 5.
- Law on the Suppression of Trafficking in Persons, 2003 criminalises trafficking of persons under Articles 4 and 5.
- Criminal Code prohibits child neglect under section 331, though child abuse is not specifically outlawed. It may be argued that child abuse falls under the realm of child protection which is guaranteed by law.

Mauritania has enacted an anti-discrimination law that declares equality for all citizens, irrespective of race or ethnicity.

There are no specific laws against sexual harassment, despite it being a prevalent issue as reported by various rights groups.

Niger

1. The Constitution of Niger under Article 4, 8 and 14 explicitly prohibits all forms of discrimination, including racial, social, sexist, ethnic, political, or religious discrimination, and ensures punishment under the law.
2. This provides a strong foundation for combating Discrimination based on Work and Descent (DWD) and caste, such as the Osu system, and other atrocities against the CDWD of Niger.
3. There is no specific legislation which explicitly addresses slavery and related institutions. Although relevant provisions may be found in various legislations, as follows:
 - Penal Code criminalises Slavery and practices similar to slavery, including servitude under Article 270.
 - Labour Code criminalises forced labour under Article 4.
 - The Fight against Trafficking in Persons Ordinance, criminalises trafficking under Article 10.

Mauritania has enacted an anti-discrimination law that declares equality for all citizens, irrespective of race or ethnicity.

Nigeria

1. The Constitution of Nigeria addresses slavery, servitude, and forced labour in Article 34.1 (b) and (c), prohibiting the holding of any person in slavery or servitude and declaring that no person shall be required to perform forced labour.
2. There is no specific legislation that prohibits slavery and institutions and practices similar to slavery. However, relevant legislations criminalising slavery may be found on various other legislations, as follows :
 - The Criminal Code Act criminalises slave dealing and placing or receiving a person in servitude as security for debt under section 369.
 - The Trafficking in Persons Act, 2015 criminalises trafficking (section 13) and dealing in slaves (section 24).

Ghana

1. The Constitution of Ghana addresses slavery, servitude, and forced labour in Article 16(1) and (2), prohibiting any person from being held in slavery or servitude and from being required to perform forced labour.
2. There is no specific legislation in Ghana that explicitly prohibits slavery and institutions and practices similar to slavery. However, relevant provisions may be found in various legislations, as follows:
 - The Criminal Code criminalises slave dealing, customary servitude, and compelling the service of any person using coercion or restraint. Compulsion to marriage is prohibited under section 109 of the Criminal Code.
 - The Human Trafficking Prohibition (Protection and Reintegration of trafficked persons) Act, 2015 criminalises trafficking, facilitating trafficking, and the use of trafficked persons under various sections.
 - A specific Children's Act, 1998 provides for protection of children against exploitative labour (Art 12, section 87), forced marriage (Article 14, section 15), and hazardous work (Article 91, section 3). Minimum age is specified for light work by children (13 years), child labour (15 years) and hazardous work (18 years). Rape of female above 16 years is punishable by law, and is defined as "carnal knowledge" or "unnatural carnal knowledge", where the least degree of penetration has to be proved". Rape of children under 16 years is recognised as "defilement" and is punishable by law. These provisions, in whatever form, are enough to prosecute perpetrators of Tokosi practice, yet there have been no prosecutions in Ghana regarding this practice.

SOME POSITIVE JUDGEMENTS THAT ARE A BEACON OF LIGHT

Gambia High Court Judgement against calling a person "slave" or by any "slave name" – a positive move for CDWD people's rights; 2023

Alagie Modi Trawally, representing "The Slaves" group, filed a lawsuit in Gambia against the Governor, Chief, and Alkalo, seeking an end to their labelling as slaves. They want to freely practice their religion by constructing a mosque and Islamic school without interference. Trawally seeks court orders to declare any further name-calling as unlawful and unconstitutional and to end discriminatory practices at social events and in the village's central mosque. The court ruled in favour of the "slave" class, affirming their right to religious freedom and prohibiting interference with the mosque's construction. The judge referred to constitutional protections and the African Charter on Human and People's Rights.⁶³

Convictions are evidence of the persistence of slavery in Niger, 2008

While the social sanction and servile status of the survivors hamper reporting of cases, let alone prosecution and conviction, the few and far-between convictions point to the evidence of persistence of descent-based sexual slavery in Niger. One of the landmark cases that serve as a beacon of light for the survivors is of Hadidjatou Mani Korao vs State of Niger at the ECOWAS court of justice. She took the legal route and won an incontestable victory at the ECOWAS Court of Justice on 27 October 2008. The court issued a judgment declaring the Niger "responsible for the failure" of its administrative and judicial services to take action in the case of Hadidjatou Mani Korao.

The trial of Hadidjatou at ECOWAS Court, though victorious and a precedent, also reveals the apathy of local courts. Hadidjatou, who was sold at 12 years to 46-year old Elhadj Souleymane Naroua for 240,000 CFA, endured 9 years of sexual slavery, upto 21 years of age. Upon securing her freedom in 2005 post the intensive civil society campaign and new anti-slavery law in 2003, Hadidjatou married in 2007 and had a child. She, along with her husband and brother were sentenced to prison by the family court of Konni in May 2007, with a fine of 50,000 CFA for bigamy. With the ECOWAS Court judgement in 2008, which ruled in her favour, Hadidjatou was finally free from slavery and received state compensation. The conviction of Elhadj Souleymane Naroua is definitely a human rights victory. His sentencing, however, raises the question of justice and proportionate penalty. Although convicted, he is punished with one year of imprisonment and a fine of \$1,000 - for years and years of rape of minors, along with and other forms of abuse. The abuse was not just of Hadidjatou, but also of seven other Wahayu, and the enslavement of their children. At the time of case study by local organisations, the perpetrator was absconding and status of other enslaved Wahayu was unknown.⁶⁴

In May 2014, in another case, the Court of Assize of Birni N'Konni sentenced a 63-year-old man to 4 years in prison and a fine of CFAF 250,000 for the crime of buying the victim as his Wahaya.⁶⁵

Chapter 8

INTERNATIONAL RESPONSE MECHANISMS

International Human Rights Mechanisms and Standards to Eliminate all Forms of Slavery and Slavery like Practices

Most African States are party to the core international treaty bodies and their supplementary optional protocols that are relevant for eliminating modern slavery and slavery-like practices, as well as the core ILO Conventions. In this chapter, few key observations made to countries by the UN Treaty Bodies and ILO Conventions have been discussed.

COUNTRY-WISE KEY OBSERVATIONS BY UN TREATY AND CHARTER BODIES

Benin: The Human Rights Council (HRC) in its 42nd session (Universal Periodic Review, 2023) raised concerns on

1. The exploitation of children in forced or hazardous labour, particularly in domestic service and agriculture. The prevalence of harmful practices like 'vidomegon' and cases of child trafficking to and from neighbouring countries for domestic servitude and sexual exploitation, especially among girls, was also addressed. Additionally, the committee advocated for action within the tourism industry to combat the sexual exploitation of children in travel and tourism.
2. The United Nations Country Team (UNCT) expressed similar concern regarding the persistence of gender-based violence and harmful practices affecting women and girls.⁶⁶

Burkina Faso: The HRC in its 37th session (UPR, 2018) raised concerns on:

1. The persistence of trafficking among children and women for the purposes of forced labour, domestic slavery and prostitution and urged the state to bring about justice and victim support. (The Committee on the Protection of the Rights of All Migrant Workers and Members of their Families, CMW).
2. Customary practices preventing women from owning land or inheriting it from their husbands, extent and persistence of the use of children for begging and forced labor, particularly their use as domestic workers or in dangerous work, including small-scale mining operations, farm work and selling drinks, extremely high rate of child marriage, exploitation of talibés and garibout children for begging. (Committee on the Elimination of Discrimination Against Women, CEDAW).⁶⁷

Ghana: The HRC in its 42nd session (UPR 14 Nov 2022) raised concerns on:

1. The trafficking of persons and child protection and urged the state to allocate enough resources to address trafficking in persons, human smuggling, and irregular migration.
2. It emphasised the need to train personnel in victim identification, prompt response to trafficking cases, the training of officials in investigation, the prosecution of child abuse and violence against children.⁶⁸

The Gambia: The HRC in its 34th session (Universal Periodic Review, 23 August 2019) raised concerns on:

1. Slavery and trafficking, particularly in women and children, for forced labour and sexual exploitation and for forced begging of children in Quranic schools, and therefore urged the state to strengthen the enforcement of relevant legislation and training of officials.
2. CEDAW recommended the state conduct a study to investigate the extent and root causes of trafficking in women and girls and enforce anti-trafficking Act effectively, including by allocating adequate resources; to address exploitation of women and girls in prostitution and child sex tourism, and rehabilitation assistance to victims; to combat and prevent economic exploitation of children, especially child labour in family businesses and in the informal sector.

The Committee on the Rights of the Child (CRC) recommended to address discrimination faced by girls and other vulnerable children.⁶⁹

Chad: The HRC in its 31st session (UPR, 31 August 2018), raised concerns on:

1. The prevalence of human trafficking and inadequate information on the extent of the problem, and on implementation to combat it. The committee has urged the state to abolish all caste-related practices, speed up adopting anti-descent-based discrimination legislation, step up awareness-raising. The committee has raised concerns on customary practices that impeded women's full enjoyment of rights, in particular the right to own or inherit land, and recommended that Chad take urgent steps to put an end to such practices (CERD).⁷¹

Cameroon: The HRC in its 30th session (UPR, 12 March 2018) raised concerns on:

1. Domestic servitude of children and the need to ensure their rehabilitation and social integration through the implementation of national action plan (CRC).
2. Low prosecutions and convictions of trafficking crimes, low awareness about trafficking risks and exploitation including "Internet brides" ; increase global cooperation with countries of origin, transit and destination to prevent trafficking crimes and harmonise legal procedures for trafficking crimes (CEDAW).
3. Unequal wages based on ethnic origin and absence of disaggregated data on population. The state was also urged to collect disaggregated data on population to reveal the specific challenges facing particular population groups. (The Committee on the Elimination of Racial Discrimination, CERD).⁷⁰

Mali: The HRC in its 43rd session (UPR, 25 January 2023) raised concerns on:

1. Persistent slavery, including trafficking in persons, debt bondage in some northern areas, human rights violations and abuses associated with slavery and servitude, including cases of arbitrary arrest and detention of anti-slavery human rights defenders.
2. The HRC urged the state to criminalise slavery, conduct national campaigns to abolish it; protect those historically considered as "slaves" from violence; eliminate forced labour and debt bondage; ensure prosecution of perpetrators. Additionally, it urged to address the increase in conflict-related sexual violence cases, gang rape of women, and forced marriage.⁷²

Mauritania: The HRC in its 37th session (UPR, November 2, 2020) raised concerns on:

1. Persistent and deeply rooted slavery and prejudices linked to traditions and insufficient data on same. Slavery survivors faced challenges reintegrating into society due to lack of identity papers, employment, education, and land ownership, making them vulnerable to re-enslavement. Recommendations comprised collecting slavery data, enforcing Act No. 2015-031 against slavery, raising public and key group awareness, ensuring fair treatment for victims, and providing resources to specialized courts in Nouakchott, Nouadhibou, and Néma. (CERD)
2. Trafficking, child labour, and worst forms of child labour. Recommendations given were to effectively implement the Trafficking in Persons Act, promote reporting of child trafficking, protect all nationalities, integrate child rights into action plans, seek assistance from UN agencies and civil society, combat child exploitation, and adopt legislation against worst forms of child labour. Stricter enforcement against employing children under 16 in formal and informal sectors, removing talibé children from marabouts' control, and implementing laws against child begging were also stressed. (CRC).⁷³

Niger: The HRC in its 38th session (UPR, 1 March 2021) raised concerns on:

1. Persistent practice of slavery, low application of relevant legal provisions, and lack of data on the extent of slavery, including child slavery, forced labour, begging, and trafficking. Limited resources for combating these practices and aiding victims were also noted. Recommendations include collecting disaggregated population data, promoting awareness of anti-slavery laws, allocating sufficient resources, conducting thorough investigations, prosecutions, and appropriate penalties.
2. Trafficking, sexual exploitation, forced marriage, and low convictions, while also urging the criminalisation of "wahaya" and strict enforcement against female genital mutilation. The CRC raised concerns about gender-based violence, descent-based slavery of children, and the coexistence of discriminatory customary laws with national laws. (CEDAW).⁷⁴

Nigeria: The HRC in its 35th session (UPR, 27 August 2018) raised concerns on:

1. The widespread abductions of girls and boys by Boko Haram as a part of its insurgency strategy, sexual violence and sexual slavery of girls by insurgents, resultant pregnancy of abducted women and girls, stigmatisation of women and girls who experienced sexual violence during insurgency, and more so for those abducted by Boko Haram (The Special Rapporteurs on Health, on Sale of Children and on Slavery).
2. Nigeria remained a source, transit and destination country for trafficking in persons, particularly women and girls, for purposes of sexual and labour exploitation (CEDAW).
3. Use of children by Boko Haram in direct hostilities and as human shields during military operations. Forceful religious conversion of children and forced marriage of girls, in addition to sexual exploitation. (Secretary-General).
4. Nigeria to continue to vigorously pursue trafficking investigations and prosecutions, ensure adequate sentences for convicted traffickers, and provide regular training to officials, among other recommendations. (CMW)⁷⁵

South Sudan: The HRC in its 40th session (UPR, 5 November 2021) raised concerns on:

1. The abduction of women and girls who were forced into sexual slavery or forced marriages. They highlighted incidents where militias and civil defence groups abducted hundreds of women and children during localised conflicts in 2020.
2. The Commission on Human Rights in South Sudan reported that sexual violence, including rape, gang rape, abduction, sexual slavery, mutilation, and torture, had been consistently present in the conflict since 2013 and was also being replicated in local-level conflicts. These armed clashes led to the mass displacement of civilian populations, particularly affecting women and girls.⁷⁶

Senegal: The HRC in its 31st session (UPR, 30 August 2018) raised concerns on:

1. The limited enforcement of anti-trafficking law and victim protection, trafficking of Senegalese nationals for forced labour in agriculture, gold-mining, and domestic work in third countries; foreign nationals (women and children) trafficked into country for sexual exploitation, sex tourism, forced labour, domestic servitude, and child labour in small-scale gold-mines were alarming (CMW).
2. Trafficking of women and girls as "Internet brides," sexual exploitation, and forced begging like talibé children (CEDAW, CRC).
3. The Committee urged state to explicitly prohibit all forms of begging, protecting talibés against exploitation and discrimination (CRC), an amend Anti-trafficking Act to include a clear definition of trafficking in persons (CEDAW).⁷⁷

Somalia: The HRC in its 38th session (UPR, 26 February 2021) raised concerns on:

1. The ongoing sexual and gender-based violence, including conflict-related incidents, genital mutilation, and forced early marriages. Widespread sexual and physical violence against women and girls occurred with almost complete impunity.
2. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict reported devastating conditions for children affected by the Somali armed conflict since 2016. Children experienced recruitment, abduction, rape, and sexual violence, surpassing numbers seen in other conflict situations.
3. Armed groups, primarily Al-Shabaab, were the main perpetrators, but government security forces, including the Somali Police Force and regional forces, were also involved.
4. Child casualties were primarily caused by improvised explosive devices, crossfire, gunshots, and explosive remnants of war.⁷⁸

Ethiopia: The HRC in its 33rd session (UPR, 1 March 2019) raised concerns on:

1. The lack of rehabilitation centres for child victims of trafficking and commercial sexual exploitation. They highlighted the persistent prevalence of child labour, including hazardous work, with inadequate data on its worst forms. The existing legal framework allowing children over 14 years to engage in hazardous work was worrying. Child domestic workers, orphans, children on the streets, and young girls exploited abroad were concerning. Continuous discrimination against ethnic minority children and other vulnerable groups was noted. (CRC)
2. CRC urged Ethiopia to revise relevant laws to explicitly prohibit and criminalize child sale, aligning with international standards. Eliminating trafficking and protecting vulnerable children were emphasised. (CRC).⁷⁷

Kenya: The HRC in its 35th session (UPR, 18 November 2019) raised concerns on:

1. The vulnerability of women and girls in refugee camps, trafficking for sexual exploitation, forced domestic labour. Kenya is urged to intensify efforts in combating trafficking. (CEDAW)
2. Prevalence of child prostitution and pornography, especially in the tourism sector, and called for effective implementation of the Sexual Offences Act of 2006.
3. Persistence of inter-ethnic conflicts due to landownership inequities. Kenya is urged to take measures for land redistribution. (CERD)⁸⁰

Democratic Republic of Congo: The HRC in its 33rd session (UPR, 4 March 2019) raised concerns on:

1. Conflict-related sexual violence and the recruitment of child soldiers in Shabunda territory, urging investigation and prosecution. Armed groups commonly exploited women and children as sex slaves, labourers, or for forced marriages. Perpetrators included armed groups and elements of the Armed Forces of the Democratic Republic of the Congo (The United Nations Joint Human Rights Office).
2. Ongoing toll on children in eastern Democratic Republic of the Congo needs urgent efforts to stop and prevent sexual violence against children. (The Special Representative of the Secretary-General for Children and Armed Conflict) (CERD)⁸¹

Madagascar: The HRC in its 34th session (UPR on 30 August 2019) raised concerns on:

1. The internal and transnational trafficking, inadequate means to combat same (UNCT).
2. State urged to provide psycho-social-legal and medical care, shelter, and repatriation for trafficking victims. (CMW)
3. Thorough investigation of trafficking cases was emphasised. State urged to combat trafficking, enforce anti-trafficking legislation, and penalise exploitative employers regarding forced labour and migrant worker abuse. (HRC).
4. Persistence of harmful practices like child and forced marriage, the sale of wives, girl markets, bride price, and polygamy. (CEDAW)
5. State urged to prevent child sex tourism, to collect comprehensive disaggregated data, and ensure proper implementation of laws against child and forced marriages. (CRC).⁸²

KEY OBSERVATIONS BY RELEVANT ILO CONVENTIONS

FORCED LABOUR CONVENTION, 1930 (NO. 29):

The relevant Committee has raised concerns on forced labour and slavery and trafficking in Mauritania and Niger, and urged states to increase their efforts to eradicate slavery-like practices and implement a national strategy to combat slavery, enforcement of anti-slavery law, adoption of action plan against slavery and forced labour, effective implementation of child labour laws, national policy and plan of action against slavery, specify the implementing authority, and conduct a comprehensive study, measures to address root causes and ensure sustainability of programs for former slaves and their descendants, actions to identify and assist victims, enhance the capacities of law enforcement and judicial authorities to combat slavery.⁸³

WORST FORMS OF CHILD LABOUR CONVENTION, 1999 (NO. 182):

The relevant Committee has raised concerns on the existence of forced or compulsory labour of children, particularly begging; sale and trafficking of children and worst forms of child labour, low prosecution of trafficking crimes.

It urged the member states such as Mauritania, to take necessary steps to ensure the effective application of trafficking laws. It also urged the states to provide information on marabouts (Muslim holy men or hermits especially in North Africa) who exploit the children for begging, and on prosecution and the criminal penalties imposed. It observed to strengthen the capacities of responsible entities for better application of legislation to combat the sale and trafficking of children.⁸⁴

MINIMUM AGE CONVENTION, 1973 (NO. 138)

Minimum Age Convention, 1973 (No. 138) has raised concerns about widespread child labour, including in hazardous work, inadequate protection of working children in labour code. The committee urged member states such as Mauritania, to ensure progressive elimination of child labour, regular reporting on results, extending the scope of the Labour Code to the informal economy and children working independently, strengthening labour inspection capacities, ensuring health and occupational safety in enterprises engaging young persons.⁸⁵



Chapter 9
Key Observations and
Recomendations

Chapter 9

KEY OBSERVATIONS & RECOMMENDATIONS

T

he study claims that while poverty is one of the main causes of modern slavery, the predominant cause is deeper than mere poverty. The predominant cause of modern slavery, is “caste” and “descent”, which in many African societies controls or pre-determines the “occupation” or “work” of affected communities. When the formerly enslaved people and the artisan caste communities, comprise the significant population directly impacted by modern slavery, it is imperative to view modern slavery from the lenses of caste and ‘discrimination based on work and descent’ (DWD), and not just class.

KEY OBSERVATIONS

1. Crucial to view Modern slavery and Discrimination from the lenses of caste and work-and-descent-based discrimination (DWD):

While poverty is one of the leading causes of modern slavery, the predominant cause is more profound. In the African region and diaspora, the articulation of racial discrimination as the primary factor of discrimination against Africans has, for a long time, overshadowed the discourse on the root cause of slavery and discrimination. In reality, “caste” has a crucial role in perpetuating slavery and discrimination in all its forms. It forms the basis for segregation and exclusion of people resulting in their continued marginalisation. It is the formerly enslaved caste people who continue to be victimised in descent-based slavery in Africa region. Similarly, it is both the formerly enslaved caste people and the occupational caste people who continue to be discriminated in various spheres of their lives, owing to the ‘work/occupation’ of their ancestors. Thus, when it is the “caste” of people which is the motivating factor for the perpetuation of modern slavery and discrimination in the African region, it is imperative to view Modern Slavery from the lenses of Caste and discrimination based on work and descent, not just class and race.

2. CDWD population worldwide:

The CDWD population worldwide calculated at 260 million by advocates of CDWD rights, seems to be an underestimation. India (South Asia) alone has over 200 million people identified as the CDWD (Dalit) population. Various researches show that over 10-12 million people of African descent were victims of transatlantic slave trade alone between the 16th to 19th centuries. UN documents also note that over 200 million people of African descent live in the Americas today, and several million more in others parts of the world, outside of the African continent.⁸⁶ By this calculation, the CDWD population worldwide, would be significantly higher.

3. Evidence Building:

It is crucial to build evidence of the role of caste within ethnic groups in the persistence of modern slavery and discrimination in Africa, through studies on affected communities and case laws. This, however, is also challenging since the countries do not record population data disaggregated by ethnicity and caste, among other factors.

4. Business mandate and accountability, not just social responsibility:

Modern Slavery and slavery-like practices include business practices that are the most extreme form of labour exploitation and violations. There can often be overlapping or a fragile line between slavery-like practices and violation of labour laws. Given the high foreign investment in resource-rich Africa, it is a matter of absolute accountability and liability of transnational corporations and not just their social responsibility, to ensure that modern slavery and slavery-like practices are not encouraged and engaged, either directly or through supply chains and other intermediaries.

5. Absence of Special and Inclusion Measures:

The absence of special measures for the advancement of the significant number of people who were victimised in slavery and similar practices for generations is glaring. Concerted and targeted efforts for inclusion and access to education, employment, healthcare, other social benefits and political representation is crucial for mainstreaming of the communities discriminated on work and descent.

6. Solidarity and Global framework:

Solidarity and common framework among local and national initiatives led by rightsholder groups, including women and youth is crucial for advocacy on eradication of descent and caste-based slavery and discrimination in the African region. Local, national and regional initiatives and leadership needs to be nurtured by international solidarity and cooperation.

RECOMENDATIONS

Ending modern slavery will require a multi-faceted and multi-pronged response that addresses the plethora of factors, including social, economic, cultural, political and legal, that contribute to the vulnerability and marginalisation of persons. At the core of it all is caste-based discrimination that has systematically and for hundreds of years eroded the right to equality, dignity and freedom, for the Communities Discriminated on Work and Descent (CDWD) and other marginalised populations. While the principles have to be uniform and common, the national, regional and international responses need to be adapted to the diverse environment in which modern slavery and slavery-like conditions exist and prosper.

I. Recommendations for States:

1. **Recognition of caste and the emanating caste-based discrimination and its relevance to modern slavery:**

Recognise caste and caste-based discrimination as the prominent factor that leads to economic, social, cultural and political exclusion and isolation of the CDWD, making them extremely vulnerable to modern slavery and slavery-like practices. Viewing the issue from caste lens will facilitate meaningful policymaking that will reach appropriate persons in need.

2. **Enforce, review and enact legislations:**

Ensure effective enforcement of existing legislation for eradicating slavery and similar practices, through a timely, victim-centric and human rights-oriented approach to reporting, investigation, prosecution and conviction (as applicable). Ensure appropriate invoking of provisions across different legislations so that the penalty awarded will be commensurate with the gravity of the offence. Ensure speedy trials, victim and witness protection and good quality and free legal aid to victims. Review existing legislation and amend, repeal or enact new legislation, as appropriate. Review the alignment of existing legislation with relevant international human rights conventions and standards. Ensure alignment between existing legislation so as to avoid contradiction and /or ambiguity.

3. Prohibit immediately through specific legislations, **the harmful practice of sexual slavery of girls and women and child abuse in customary practices** including Trokosi (Ghana) and Wahaya (Niger and Nigeria), and **discriminatory customary practice** such as Osu (Nigeria). Immediately end state-imposed forced labour by repealing legislation and criminalising practices that allow it to occur (Egypt, Eritrea, Libya, Mali, Rwanda, and Zimbabwe).

4. **Disaggregated data and Policymaking:**

Ensure that all data capturing the demography, socio-economic-cultural-political aspects, all labour related, crime-related, victim identification-related factors, among a few, are disaggregated by ethnicity and caste, among other relevant factors. Doing so will enable targeted policy-making, and capture the status of CDWD and other marginalised groups.

5. Provide **Special Measures/ Affirmative Action** for mainstreaming the formerly enslaved – caste groups and occupational groups, in education, employment, social benefits, healthcare and other areas of development, which will ensure the targeted rehabilitation and development of the communities. Design, update and revise the national plans for all types of modern slavery, and design/ update/ revise relevant programmes accordingly, backed by sufficient personnel and funds. Design/ disseminate and implement standard operating procedures for victim identification and referral.
6. Undertake continuous and concerted **mass communication and social messaging** for awareness-raising of all-citizens on the consumption of modern slavery at-risk goods and services in daily life, and also for sensitising on minimum wage payments to domestic workers, for which currently there is no legislation in any of the countries.
7. Ensure **adequate training** to all law enforcement, judicial and administrative officials on understanding and sensitisation related to caste and related issues, on technical aspects of different forms of modern slavery, including SOPs and on perspectives related to human rights.
8. Establish **effective monitoring mechanisms** to check effective enforcement of legislations, policies, inspections, and check any official complicity in perpetuating caste and descent-based discrimination and slavery.
9. **On Rescue, Rehabilitation, Reintegration and Prevention:**

Increase efforts for rescue of people who continue to be in descent-based slavery and similar practices, ensure victim-centric rehabilitation and reintegration, including compensation. Focus on a preventive approach to modern slavery by properly designing and effectively implementing schemes and programmes related to safe migration, poverty alleviation, education, gender empowerment programmes, among others and ensure social security and pension benefits for the most vulnerable and poor. Invest more in services for rural infrastructure, including education, health, locally relevant and sustainable livelihood generation plans, mobility, easy access to higher education, among others.

II. Recommendations for Industries for eliminating Modern Slavery in supply chains and industry

10. Develop Ethical Business Policy in accordance with decent-work international standards so as to ensure that business practices and supply chains do not engage practices, procedures and products resulting from the modern slavery and slavery-like conditions.

11. Ensure and undertake due diligence processes and steps to assess the presence of modern slavery in supply chains, including debt-bondage, human trafficking, and child labour, among others risks.
12. Build perspective internally on the existence, scale and forms of caste-based discrimination and its long-lasting effect on communities' inclusion, empowerment, bargaining power and occupational mobility.
13. Invest in modern technology to assist the labour force by reducing the drudgery of labourers rather than replacing the labour force.

III: Recommendations for Civil Society Organisations, International Agencies and Funding Organisations:

14. Continue to **build evidence on caste and descent-based discrimination and slavery highlighting** changing trends. Start building evidence for each type of forced labour with caste disaggregation. Such evidence of the role of caste in forced labour is present in CSO's work experience and anecdotal evidence and needs to be built and captured through scientific data. Additionally, build evidence through case laws.
15. Continue to build a **rightsholder cadre of human rights defenders**, with a special focus on youth and women.
16. Ensure that disaggregated data on the caste profile of victims are captured through the supported partners in respective countries so as to enable evidence-building on the linkage of caste and modern slavery. To support and build capacities of national organisations for building evidence through case laws.

IV: Recommendations for International Human Rights Mechanisms:

17. Internalise the elimination of caste and descent -based slavery and discrimination in all its observations that affect marginalised communities.
18. Develop common platforms for discourse and knowledge sharing leading to joint advocacy on different forms of modern slavery and slavery-like conditions so that intersecting issues of descent-based slavery, the role of caste as the discriminating factor in determining work and entailing discrimination, human trafficking, sexual slavery and child labour are identified and addressed collaboratively and not in isolation.

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Discrimination based on Work and Descent (DWD) is the UN terminology used for communities who are traditionally and intergenerationally discriminated based on their identity, social-hierarchical positions, the work associated with their positions, and their lineage and descendants.

This study explores the role of caste and analogous identity of communities in slavery and slavery-like practices in Africa and focuses on communities and people who continue to be discriminated based on work and descent.

Global Forum of Communities Discriminated on Work and Descent (GFoD)

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