



NO IDENTITY, NO PROTECTION

How lack of documentation drives modern slavery

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CPR**



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EXECUTIVE SUMMARY

The lack of official documentation is a barrier that denies hundreds of millions of people access to their basic rights. It pushes them into the shadows where they face social stigma, economic marginalisation, legal exclusion and political invisibility. This vulnerability can also leave them dangerously exposed to the risks of modern slavery. While extensive evidence exists on the impacts of modern slavery on those who are exploited, the critical link between a lack of official documentation and an increased risk of trafficking and exploitation has been largely underexplored.

To address this evidence gap, the United Nations University Centre for Policy Research (UNU-CPR), supported by the Freedom Fund, undertook mixed-method, action-oriented research to examine how the absence of official documentation can heighten people's risk of trafficking and modern slavery. Drawing on research undertaken at the global level and in three focus countries – **Brazil**, **Kenya** and **Nepal** – the study shines a light on the lived realities of people without access to documentation.

The findings from this study aim to deepen understanding of how people lacking documentation are disproportionately at risk of falling into exploitation and face greater barriers in escaping it. The report also identifies practical solutions for policymakers, non-governmental organisations (NGOs) and donors – in the focus countries and globally – that are informed by the lived experiences of survivors of modern slavery.

Pathways to a lack of documentation

The report outlines the complex and diverse pathways leading to a lack of documentation. These pathways, which often intersect and overlap, reflect bureaucratic inefficiencies, discriminatory practices, socioeconomic challenges and legal barriers. The report emphasises the need for comprehensive policies that tackle these root causes to reduce the risks associated with being undocumented, including vulnerability to modern slavery and exploitation.

The research found that the most significant pathway, potentially affecting the largest number of people, involves those who are not legally recognised by governments, such as migrants, stateless minorities and people affected by discriminatory nationality laws. Systemic barriers prevent many from obtaining necessary documentation, thereby perpetuating their exclusion and vulnerability. Further, there is extensive evidence that even where access to official documentation is theoretically possible, people often encounter practical or social challenges in registering for documentation. These challenges include bureaucratic and discriminatory obstacles, accessibility issues, high costs, language barriers and lack of awareness, with economic hardships often intensifying these difficulties.

Documentation status and modern slavery risks

Evidence from **Brazil**, **Kenya** and **Nepal** underscores the profound challenges faced by individuals lacking access to official documentation. In all three countries, individuals without documents are forced into precarious, unregulated jobs with high levels of exploitation. A lack of documentation also restricts access to essential services like healthcare, education and financial systems. In **Brazil**, migrants from Haiti and Venezuela face severe exploitation in low-wage sectors. In **Nepal**, those without citizenship cards often end up in bonded labour and are restricted from higher-paying jobs abroad. In **Kenya**, both nationals and displaced people lacking access to documentation are pushed into the informal sector where they face greater odds of labour exploitation and modern slavery.

Social factors such as isolation, discrimination and stigma further increase vulnerability, reinforcing historical patterns of exclusion. In **Brazil**, discriminatory practices prevent ethnic minorities and internal and cross-border migrants from obtaining legal identity documents, deepening their marginalisation. Lack of documentation also hinders access to legal rights and justice systems, leaving

individuals without protection. Bureaucratic inefficiencies and corruption worsen these challenges. The psychological and physical impacts can be intense, with chronic anxiety, depression and untreated health conditions common among undocumented individuals.

Promising policy interventions

Access to official documentation is crucial for equitable development and ensuring access to services. Sustainable Development Goal (SDG) 16.9 commits states to achieving legal identity for all by 2030, with the World Bank Group and United Nations (UN) agencies emphasising the importance of universal identification systems. Understanding the relationships between modern slavery and a lack of access to official documentation is vital for developing policies that address legal identity and eliminate conditions that perpetuate exploitation.

Existing literature suggests that the hidden nature and complex needs of this population – particularly with regard to social stigma, inability to access support services and ineligibility for legal protection – necessitates a targeted approach to anti-slavery policies and programming. Drawing on evidence from survivors, affected communities and policy actors globally and in **Brazil, Kenya** and **Nepal**, the report highlights the need for comprehensive strategies. These should include legislative changes, community engagement and international cooperation to mitigate the risks associated with a lack of access to official documentation. It is also essential to address both the immediate challenges of legal invisibility and broader socioeconomic factors contributing to their vulnerability.

Key policy interventions include simplifying documentation processes, increasing awareness about legal documentation, training local registrars, deploying mobile registration units and improving inter-agency collaboration. The success of these strategies depends on sustained political will, adequate funding and the commitment of governments, international organisations and civil society. Prioritising the inclusion of marginalised and vulnerable populations in civil registration systems significantly reduces the risks of modern slavery and ensures that every individual has the right to a documented identity and the protections it offers.

The report concludes by identifying five strategic areas for promising policy interventions to address the links between a lack of access to official documentation and vulnerability to modern slavery. The main strategies identified include:



Enhancing support services: Establish legal clinics, paralegal support programs and mobile registration units to make legal documentation more accessible to excluded populations.



Promoting community engagement: Empower marginalised groups to lead advocacy efforts and build long-term partnerships with NGOs to improve awareness of and demand for legal documentation.



Improving data collection and research: Collect more reliable data on undocumented populations to support evidence-based policymaking, resource allocation and impact monitoring.



Strengthening collaboration and integration: Adopt a holistic human rights approach in designing identity initiatives and integrating them into border management, modern slavery prevention and civil registration systems.



Addressing policy gaps and barriers: Incorporate the needs of undocumented groups into national laws and policies, ensuring their access to universal rights. Implement people-centred digital systems with robust governance structures.

ABBREVIATIONS

AMADPOC	African Migration and Development Policy Centre
CPF	Cadastro de Pessoa Física (Individual Taxpayer Registry)
CRVS	Civil Registration and Vital Statistics
FAST	Finance Against Slavery and Trafficking
ID	Identity
ILO	International Labour Organization
INURED	Interuniversity Institute for Research and Development
IOM	International Organization for Migration
KES	Kenyan shilling (KES 133.06 = USD 1, historical rate during period of fieldwork)
KII	Key informant interview
KNCHR	Kenya National Commission on Human Rights
NGO	Non-Governmental Organisation
NIIMS	National Integrated Identity Management System (in Kenya)
NISER	Nepal Institute for Social and Environmental Research
NPR	Nepali rupee (NPR 133.24 = USD 1, historical rate during period of field-work)
OECD	Organisation for Economic Co-operation and Development
PID	Person of Indonesian Descent
RNM	Registro Nacional Migratório (National Migration Registry)
SDG	Sustainable Development Goal
UN	United Nations
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees
UNU-CPR	United Nations University Centre for Policy Research
UPI	Unique Personal Identification
USD	United States Dollar

CONTENTS

Executive summary	1
Abbreviations	3
Section 1: Introduction	6
Section 2: Understanding the pathways to a lack of documentation	12
Section 3: Documentation status and modern slavery risks	26
Section 4: Strategies to address the links between documentation and modern slavery	35
Section 5: Conclusions and policy implications	45
References	50



SECTION 1

INTRODUCTION

Between October 2023 and September 2024, UNU-CPR, supported by the Freedom Fund, undertook a mixed-method, action-oriented research project on the relationships between a lack of documentation and heightened risks of trafficking and modern slavery. There is growing recognition that people who lack official documentation are often unable to access their basic rights and entitlements, contributing to a myriad of complex challenges including social stigma, economic marginalisation and lack of political representation and legal protection. While there is extensive evidence on the impacts of modern slavery on those being exploited and survivors, little is known about whether, and if so how, a lack of official documentation can increase modern slavery risks.

To address this evidence gap, UNU-CPR conducted a detailed examination of the intersection between modern slavery and access to official documentation at the global level and in three focus countries – **Brazil, Kenya and Nepal** – that were deliberately chosen to assure representation of diverse communities and circumstances in the research. Its purpose was to increase understanding of the modern slavery risks faced by people who lack documentation as well as their specific vulnerabilities to human trafficking. It also aimed to identify practical solutions for policymakers, NGOs and donors, in the focus countries and globally, that are informed by the lived experiences of survivors of modern slavery.

This report synthesises the findings of the research on the modern slavery risks faced by people who lack access to official documentation globally and in the focus countries. For the purpose of this research, undocumented persons are people who either entirely or partially lack the necessary documentation to access their full spectrum of rights and entitlements. The report therefore includes evidence relating to individuals who are stateless, have irregular legal statuses or who possess specific documentation such as birth certificates but encounter substantial obstacles in acquiring other essential documents or entitlements.



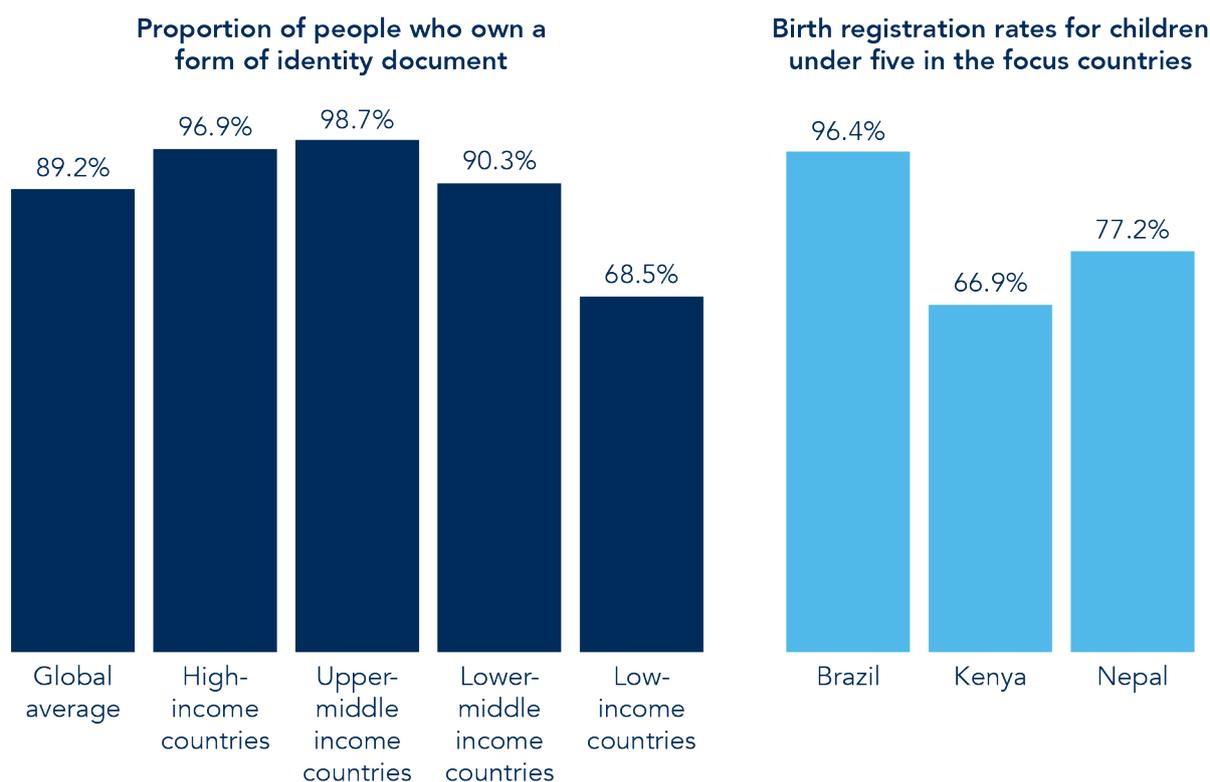
Birth registration in Amhara. ©UNICEF Ethiopia/2017/Michael Tsegaye

1.1 The scale of the problem

The importance of being documented is reflected in SDG 16.9, which calls on governments to “provide legal identity for all including free birth registrations” by 2030. This includes recording and registering 100 percent of births. This target acknowledges the critical role that documentation plays in a person’s ability to access a range of human rights, social services and developmental opportunities. A lack of documentation, from birth registration to identity papers, prevents hundreds of millions of people around the world from reaching their full potential and can put them at risk of exploitation. This dynamic ultimately entrenches poverty, inequality and other forms of injustice (World Bank, 2023).

Evidence from the literature review indicates that globally there is a significant number of people lacking official documentation (Crawley et al., 2024). In 2021, the World Bank estimated that one in nine (approximately 850 million) people around the world lacked official proof of their identity (World Bank, 2021). Notably, around half of this population are children and the majority reside in lower-income countries within Africa and South Asia. These data also show that people from disadvantaged groups – including women, younger people, less educated people, rural dwellers, migrants, refugees and people living in poverty – are more likely to be without official documentation. There are significant differences in access to documentation among the focus countries (Figure 1). For example, 96 percent of children under five are registered at birth in **Brazil**, compared to 67 percent in **Kenya** and 77 percent in **Nepal** (UNICEF, 2023).

Figure 1: Access to identity documents, globally and in the focus countries



(Source: World Bank, 2021; UNICEF, 2023)

In addition to the 850 million people who lack official proof entirely, there are many others who have a partial but insufficient set of documentation to access their full range of legal entitlements.

At the same time, nearly 50 million people, including more than 12 million children, are estimated to be in situations of modern slavery globally (International Labour Organization [ILO], Walk Free and International Organization for Migration [IOM], 2022). Women and girls comprise over half (54 percent) of those living in conditions of modern slavery, with the Asia and the Pacific region having the highest

number of people in modern slavery and the Arab States exhibiting the highest prevalence (ILO, Walk Free and IOM, 2022). Survivors of modern slavery often face re-exploitation due to their lack of access to documentation.

Although it seems likely that a lack of access to documentation could significantly increase vulnerability to modern slavery – particularly when it comes to limiting individuals’ ability to access justice, rights and services, and leaving them exposed to exploitative labour conditions – there is a sparsity of research looking specifically at the relationships between these two issues. That which exists suggests that the relationship between a lack of documentation and modern slavery risks is not always linear. Modern slavery risks can be exacerbated or mediated by various factors including poverty and material need, race and/or gender identities in contexts of patriarchy and racism, an individual’s capacity to assess risk (for example, due to mental health issues, disabilities, developmental age, etc.) and the existence or absence of family, community or other support networks. While labour abuses including bonded or indentured labour are well documented in all three of the focus countries, the extent and ways in which a lack of official documentation puts populations at risk of modern slavery remains underexplored.

This report therefore also highlights contextual or other issues beyond documentation that undermine access to rights and justice and increase the risks of trafficking and modern slavery. The findings of this research suggest that while access to official documentation can enable individuals to access their rights, it does not provide automatic protection against modern slavery. People who have documentation may still be exploited. Efforts to improve access to official documentation must therefore take place alongside, and become embedded in, broader efforts to address the economic, social and political inequalities and forms of marginalisation and exclusion that put individuals at risk of modern slavery.

1.2 Access to documentation in the focus countries

This research examines the extent and ways in which a lack of access to official documentation increases the risks of modern slavery among various undocumented populations in three focus countries – **Brazil, Kenya and Nepal** (Figure 2). These are countries where there is known to be a high incidence of modern slavery and where the Freedom Fund partners with frontline organisations and communities in slavery “hotspots.”



Figure 2: Documentation in the focus countries

Brazil	Nepal	Kenya
Reasons for lack of documentation		
<ul style="list-style-type: none"> Local governments deem some individuals “not legally entitled” (such as Bolivians working in factories). Eligibility Criteria: Difficulty meeting documentation requirements (such as a lack of a validated diploma). Practical/Social Barriers: Limited access to information, language barriers, complex bureaucracy. 	<ul style="list-style-type: none"> People who historically migrated in Nepal and have been living in Nepal for generations. People who are unable to meet documentation requirements (such as those who cannot produce the referral documents from parents). Policy gaps (such as for women who no longer live with their husband and/or his family). Social and information-related barriers – married women whose families are unwilling to support them in obtaining documents. 	<ul style="list-style-type: none"> Difficulties in confirming identity, especially for orphans and those living in border areas. Slow Refugee Status Determination process leaves individuals in limbo for many years. Challenges in replacing lost, confiscated or destroyed documents. Asylum seekers and refugees face detention for being undocumented or while their asylum documents are being processed.
Key documents		
<ul style="list-style-type: none"> Cadastro de Pessoa Física (CPF or Individual Taxpayer Registry): A Tax ID number issued by Brazil’s Special Department of Federal Revenue, common to all residents in Brazil. Registro Nacional Migratório (RNM or National Migration Registry) which is issued by the Federal Police. Documentation issued by local police to immigrants with regularised status, serving as an official identification document comparable to the Brazilian ID card. 	<ul style="list-style-type: none"> Citizenship certificates to access social security, justice, voting rights and other state services. 	<ul style="list-style-type: none"> Nationals: Birth certificate, National ID, passport. Migrant Workers: International passport, Work Permit. Asylum Seekers/Refugees: Proof of registration, Asylum Seeker Pass, Movement Pass, Refugee ID, Travel Document.
Subgroups at higher risk		
<ul style="list-style-type: none"> Bolivian, Haitian and Venezuelan migrants. Brazilian nationals who migrate internally. 	<ul style="list-style-type: none"> Migrants who cannot provide referral documents from their parents. People who are unaware of the importance of citizenship or who believe the financial cost is too high so they have never tried. Men who work in India as seasonal migrants, wives of such men or other migrant men. 	<ul style="list-style-type: none"> Border communities. Orphans. Refugees and asylum seekers in Kenya, especially in major cities such as Nairobi.

1.3 Research methodology

The research design was developed in collaboration with the Freedom Fund and country partners in the focus countries. It was decided to employ a mixed-method approach for collecting, reviewing and analysing qualitative and quantitative data to gain insights into the connections between modern slavery risks and access to official documentation. These methods included a global evidence review published in April 2024 (Crawley et al., 2024), followed by interviews and focus groups discussions with survivors and vulnerable individuals, and semi-structured key informant interviews (KIIs) at both the country and global levels (Figure 3) conducted between March and May 2024. The interviews were based on a standardised set of interview questions intended to address the complex relationships between a lack of documentation and the risks of modern slavery and to ensure comparability of the findings across the research sites.

Once the data collection was completed, a thematic analysis and synthesis approach was used to analyse the data collected in the evidence review, key informant and semi-structured interviews. Inquiry through all stages of the research was based around the trends and practices of modern slavery within core themes and categories, with a more extensive analysis of sub-themes. Using these themes allowed for consistency in data collection and reporting across all research activities. The focus country partners led the analysis and writing up of the data collected to reduce the possibility of misinterpretation of the findings and extractive research processes.

Validation and engagement workshops were held in each country, at which the draft findings and recommendations were presented to service providers, policy officials, community leaders, survivors and other stakeholders. These events were aimed at validating the research findings, engaging a range of stakeholders in the research and gathering actionable recommendations to enhance the fight against modern slavery. A total of 64 people participated in the workshops. The discussion at these events has informed the analysis in this report, particularly regarding the policy and practice recommendations.



Figure 3: Research design

<p>A global evidence review that was standardised through a systematic search protocol developed to capture the issues of documentation including “undocumented,” “illegal” and “irregular” in languages appropriate to each country. Grey literature specific to the focus countries was accessed and reviewed locally to reduce linguistic barriers.</p>
<p>Interviews with survivors and vulnerable individuals who are best able to identify their own needs and often are in possession of creative solutions to reduce their vulnerability. Most importantly, survivor-centric policy and programming ensures that any anti-slavery agenda prioritises prevention and survivor support rather than reacting after exploitation occurs (or reoccurs).</p>
<p>Hybrid (virtual and in-person) semi-structured key informant interviews were conducted at the global level and in the focus countries. Respondents were selected using a combination of purposive and snowball sampling, seeking to ensure diverse representation across relevant sectors (national and key foreign governmental actors, non-governmental organisations and inter-governmental agencies).</p>

Figure 4: Data collection overview

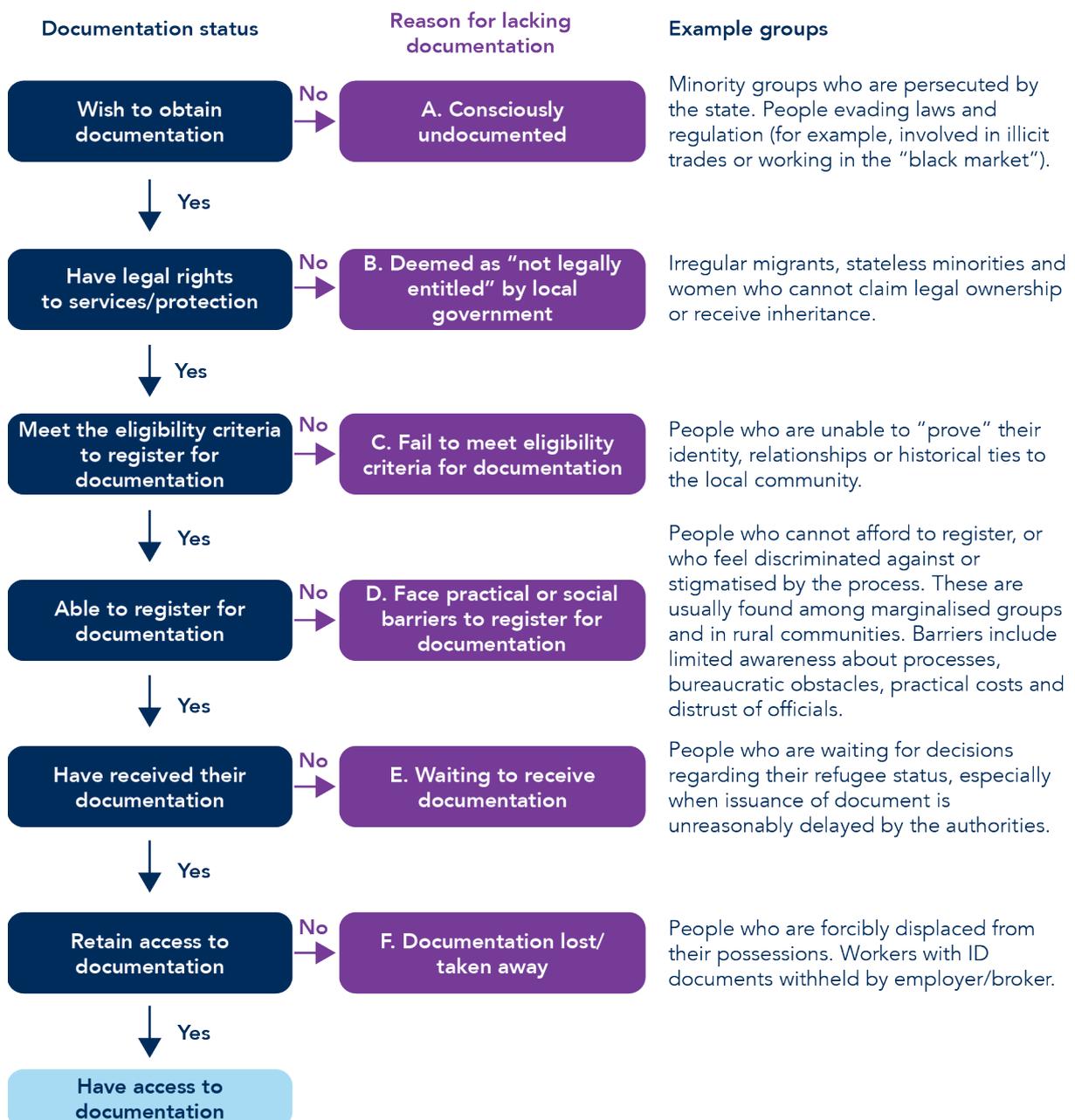
Global	<ul style="list-style-type: none"> • 7 interviews with UN actors and international financial institutions. • 12 interviews with non-governmental and academic institutions. • 1 interview with a government official.
Brazil	<ul style="list-style-type: none"> • 32 hybrid interviews with survivors of modern slavery and other vulnerable community or family members. • 24 key informant interviews with government officials, policymakers, service providers and non-governmental organisations.
Kenya	<ul style="list-style-type: none"> • Interviews and focus group discussions with 23 survivors of modern slavery and other vulnerable community or family members. • 16 key informant interviews with government officials, policymakers, service providers and non-governmental organisations.
Nepal	<ul style="list-style-type: none"> • 36 interviews with survivors of modern slavery and other vulnerable community or family members. • 20 key informant interviews with government officials, policymakers, service providers and non-governmental organisations.

SECTION 2

UNDERSTANDING THE PATHWAYS TO A LACK OF DOCUMENTATION

One of the central objectives of this research is to better understand the pathways to a lack of documentation; in other words, the processes that lead to individuals being or becoming undocumented. The existing literature highlights two main reasons for a lack of access to official documentation: (1) barriers to birth registration and (2) the challenges in accessing official documentation for those who migrate or who are forced to leave their countries of birth (Crawley et al., 2024). This research suggests that the pathways to a lack of documentation are more complex and lead to many potentially overlapping categories of people, both nationals and migrants, who lack access to official documentation (Figure 5).

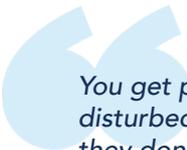
Figure 5: Reasons why people are undocumented: pathways and categories



2.1 People who are consciously undocumented

There are significant gaps in understanding why individuals might choose to be undocumented and how this increases the risks of modern slavery. Evidence from the literature review and the global KII suggests that within this subgroup some individuals opt for an undocumented existence as a means of escaping oppressive or discriminatory situations in their home countries. For these people, the decision to go “off grid” is fuelled by a desire for safety and freedom, as well as the pursuit of better economic opportunities and the chance to have a more dignified life (Andersson et al., 2018).

In **Kenya**, this research found that some parents choose not to apply for the documentation for their children from birth; for example, those living in the slums of Nairobi. Moreover, there are some communities in **Kenya** and other countries that do not have a habit of registering for legal documents. There are various factors unique to different populations that make it difficult for them to apply for documents; for example, those that are nomadic in hard-to-reach locations, especially those residing at the border. Geographical location, cost of time and money as well as the bureaucratic process of accessing documents at a local level have contributed to low registration. In both **Brazil** and **Nepal**, the importance of documentation and of holding the correct documents appears not to be fully understood. This issue is discussed further in Section 2.4 below.



You get parents who fail to apply for the birth certificate because they do not want to be disturbed or do the hard work of tracing relevant documents needed. Sometimes you get they don't have a baptismal card [a card provided by the Church as a record of baptism]. Others are children born at home, but the parents did not report the birth to the chief either because they did not know the process or they did not have the means to go and report to the registration centre. This is the case in Nairobi slums.

Kenya respondent

2.2 People who are deemed as not “legally” entitled by governments

Our review of the existing literature suggests that this subgroup is potentially significant in scale and includes, among others: irregular migrants, stateless minorities, women facing legal ownership challenges, and persons unable to secure birth registration documents (Crawley et al., 2024). For example, numerous countries refuse to allow birth registration where the parents are of different nationalities or are themselves undocumented, in turn creating a cycle of documentation challenges that affect future generations' access to rights and services. A substantial number of people in this category are migrants who often live “under the radar,” with the perceived benefits of staying outweighing the risks of returning to their home countries (Valdez et al., 2013). These circumstances lead to a heightened risk of modern slavery, a concern observed in various countries including **Brazil** (Araújo, 2022), **Kenya** (Zhang et al., 2021) and **Nepal** (Bhagat, 2023).

Evidence collected during the global KIIs confirms that a significant proportion of people in this category are undocumented migrants whose experiences are marked by participation in the informal economy, a fear of detection, constant mobility and the politically sensitive nature of immigration issues, all of which create challenges in gathering accurate data. For example, in **Brazil**, this research found a lack of legal provision for residence permits that applies to all foreign nationalities. Individuals must qualify under one of the specified regularisation categories, such as family reunification, work or study visas or humanitarian visas (for certain nationalities). The challenge is that not all individuals fit into these legal provisions, hindering the ability of those who don't to regularise their status and secure access to official documentation (Nogueira and Santos, 2022). This renders the process exclusionary (Redin and Bertoldo, 2020).

In **Kenya**, migrant workers sometimes have their documents retained by recruitment agents or their travel involves fraudulent documents, making it difficult for them to regularise their stay. Recruitment agencies operating in Kenya also benefit from the fact that migrant children are not eligible to receive documents such as a national ID because they are underage, thus leaving them further exposed to exploitation.

We also identified a significant issue in **Nepal** regarding members of migrant communities whose forebears settled in Nepal generations ago. Although some of them have been granted citizenship by the Nepali government, their citizenship is sometimes what is referred to as *angikrit*, a type of citizenship that is not based on lineage and is not transferable to children, thereby leaving the next generation without citizenship.

Cross-border marriages between Nepal and India are common, but significant gaps exist concerning women's citizenship issues. To begin, Nepali women who are married to Indian men must remain married for seven years before they are eligible for citizenship. Conversely, Indian women who marry Nepali men face a five-year waiting period and must renounce their Indian citizenship to acquire Nepali citizenship. In these instances, if their relationship ends before the waiting period is satisfied, or if their husbands refuse to cooperate, the women have no recourse for gaining or re-gaining citizenship.

In **Nepal**, the research also found that despite a recent amendment to Nepal's Citizenship Act 2063 (2006) – which is discussed in more detail later in this report – there is no provision for citizenship to be acquired through parents for married women who have separated from husbands and are living in the maternal home. As a result, women who did not have citizenship before they are married and are now separated from their husbands are at risk of becoming stateless.

A survivor's struggle for citizenship after escaping a violent child marriage

Samari (not her real name) was married when she was 12 years old to a Nepali man who worked in India. She lived with her husband and his parents in India for several years but faced severe domestic violence and could not live there any longer. Samari asked her brother to bring her back home so she could live with her own parents. She is now 76 years old. She has tried several times unsuccessfully to get citizenship. Her parents are citizens of Nepal and have the citizenship certificate. All her brothers also have a citizenship certificate through the parents, but she has been told by the District Office that she cannot secure citizenship from the parents because she is married. She has been told that she should secure citizenship from her husband, but she has no knowledge of his whereabouts.

There is also evidence that some people are unable to access documentation and are deemed not "legally" entitled by governments because of discrimination based on gender, ethnicity, religion or other factors. Globally, there is significant gender discrimination in terms of nationality laws, including in 25 countries where women are unable to pass nationality to their children on an equal basis with men (United Nations High Commissioner for Refugees [UNHCR] and United Nations Children's Fund [UNICEF], 2019). In many of those countries, women are also often unable to pass citizenship to their spouse, meaning that while women may be able to eventually obtain citizenship through marriage, the same is not necessarily true for men. This highlights the need for gender-inclusivity in advocacy and policymaking on the issue of access to official documentation.

For boys, even as they grow up and become adults, there is often no route out of statelessness. This creates a prolonged situation of limbo, which is not always seen as an issue in public discourse and advocacy. The fight for women's nationality rights often leaves boys and men as the invisible victims of this gendered policy. They tend to be significantly impacted, though this is largely anecdotal due to a lack of research.

Global KII

Finally, there is evidence that some people become stateless and are unable to access official documentation due to administrative errors, an inability to prove their link to a state or government requirements that cannot be fulfilled. In **Kenya**, this includes stateless communities whose members struggle with recognition by the state, as well as children born intersex being denied a birth registration because they do not conform to the binary mode of gender identification. In 2013, the High Court of Kenya heard the case of a baby that did not have a sex marker, ruling that the government must include intersex as a category (Republic of Kenya, 2013). In 2019, the High Court ruled in favour of intersex children, allowing them to be recognised within birth certificates. To sensitise the public, the Kenya National Commission on Human Rights (KNCHR) in 2021 provided guidelines on intersex persons.

Statelessness and access to official documentation

- Inability to prove links to a state, often associated with a lack of birth registration, as birth certificates provide essential information about birthplace and parentage. Numerous countries refuse to allow birth registration where the parents are of different nationalities or the parents themselves are undocumented, in turn creating a cycle of documentation challenges that affect future generations' access to rights and services.
- Administrative errors or gaps in nationality laws including poorly drafted or incorrectly applied laws that can exclude individuals, particularly those of unknown parentage, and especially in countries where nationality is acquired through descent.
- Loss of nationality or difficulties in accessing citizenship, for example due to extended residency outside one's home country, non-recognition of dual citizenship or involuntary revocation of citizenship due to legal or political changes. Respondents highlighted Nepal as a country where this is a particular problem, associated with the significant historical movement across the border with India.
- International border changes that render individuals stateless, especially when groups pre-date official statehood and lack universal recognition. These shifts often leave ethnic, racial and religious minorities struggling to prove their connection to the nation, perpetuating statelessness through generations.

The role of the state in creating the contexts within which people are not considered “legally” entitled was highlighted by global KIIs as a primary reason for a lack of access to documentation. Actors from the legal identity community (experts and organisations focused on ensuring access to civil registration systems for legal identity, including government bodies and NGOs) also observed that certain populations might be intentionally excluded from civil registration due to political decisions or discriminatory practices. They provided examples of specific groups that are deliberately left out of registration systems in Bangladesh, Cambodia and Pakistan.

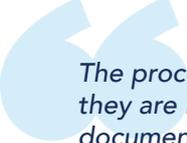
In Asia Pacific, the main groups at risk of statelessness are stateless minorities or marginalised groups based on ethnicity, religion or other social identities. These are often ethnic communities that have been oppressed for generations and remain marginalised, excluded from the state system. Citizenship laws are determined by dominant groups who draft and interpret these laws, deciding who becomes a citizen and who does not.

Global KII

2.3 People who fail to meet eligibility criteria for documentation

Individuals failing to meet eligibility criteria for documentation form a diverse group, including those unable to establish identity, relationships or historical ties to their local community. This group overlaps with those deemed as not being “legally” entitled to documentation (Section 2.2) as well as those facing social or practical barriers to registration (Section 2.5).

It is clear from this research that eligibility regarding citizenship is complex in **Kenya**, particularly in the border regions where a vetting process is undertaken by identification committees to determine whether or not an individual is a Kenyan national. The committee includes local chiefs or their deputies, community elders and an official from the National Registration Bureau to determine the nationality of people born in the border communities. There have been reports of discrimination towards selected ethnic and religious minorities through the vetting process. Respondents reported that eligibility issues often arise among the Somali-Kenyan population, especially those from northeastern Kenya, as they cannot trace their lineage. This creates challenges in securing access to official documents.



The process is exhaustive, meaning a person aged 18 has to struggle to prove that indeed they are Kenyans and have to look for the chief who knew the family and produce different documents to prove their claim.

Kenya respondent

In 2024, the Kenyan government announced new ID registration guidelines that dissolved the vetting committees (Musau, 2024). However, in line with other research (Lugulu, 2023), respondents suggested local-level bureaucracy and corrupt practices may have led some people to remain undocumented, as they continue to experience delays in receiving their documents and lack the financial means to pay a bribe for their application to be processed in a timely fashion.

In **Brazil**, there was evidence that migrants sometimes fail to meet the eligibility criteria for documentation; for example, because they have served time in the penal system. There have also been difficulties in regularising the status of unaccompanied children and adolescents. These eligibility issues impact some groups more than others. For example, unlike nationals of other countries, a Haitian parent wanting to regularise the migratory status of a child must obtain authorisation from the other parent or else request legal custody of the child. This presents additional eligibility challenges.

In **Nepal**, issues of eligibility are closely connected to historical migration between India and Nepal, and particularly the decision of King Mahendra, the ninth king of Nepal who ruled between 1920 and 1972, to give land to the people of Indian origin. This distribution of land led to a huge wave of migration from India. Citizenship law at the time was flexible and required only five years of stay in Nepal. According to key informants, a land reform act limited the amount of land that could be owned and tied land ownership to citizenship. Over time, this has resulted in large numbers of people in the Bardiya, Saptari and Rautahat districts being deemed ineligible for citizenship, detailed below.

Groups unable to secure Nepali citizenship

- People who were not able to acquire naturalised citizenship during the citizenship distribution campaigns in 2013. This may be because they were working in other parts of the country and did not come to their place of residence when the citizenship was distributed. Another reason could be they do not realise the importance of citizenship because they were not supported by their landlords, who were required to confirm that they were living and working on the land, or because preference was given to the younger generation.
- People who migrated to Nepal from India and cannot trace documentation of their parents in India as required by the citizenship laws.
- People who migrated within Nepal and have lost contact with their parents, leaving them unable to establish their eligibility for citizenship through the parents. This issue is present in each of the areas in which the research was undertaken and affects more women than men.
- Girls who opted for self-initiated marriage and were disowned by their parents. As a result, their parents are unwilling to share or sign referral documents.
- Women whose husbands, parents and/or in-laws are not willing to support their citizenship application, in part due a belief held in some communities that once a woman has citizenship she will have legal rights to property and can exercise other rights such as reporting gender-based violence to the police.

People facing economic hardships may also struggle with meeting eligibility criteria for documentation. Homelessness and poverty can exacerbate the difficulties in obtaining necessary documents, further marginalising these vulnerable populations. These issues are discussed in the section that follows.

2.4 People who face practical or social barriers to register for documentation

There is extensive evidence from the literature review and interviews with key informants and survivors that people can face a myriad of challenges when registering for documentation. These barriers can be broadly categorised as: a lack of awareness and knowledge, bureaucratic obstacles, practical barriers including costs, and discrimination and social norms. Many of these barriers are more commonly associated with marginalised populations.

Lack of awareness and knowledge

A critical factor contributing to low birth and civil registration levels is a lack of awareness and knowledge about the value and importance of documentation. This includes a lack of understanding of the benefits that come with registration, such as access to government services and legal rights. The barriers are likely to be highest where there are low literacy rates.



Illiteracy is a big problem, so awareness of rights and the importance of documentation is low. People don't make efforts to get documentation because there is neither awareness nor an easy system to gain access to these documents.

Global KII

In **Nepal**, this study identified a sizeable group of people who are eligible but have not applied for citizenship because they have not felt the need to do so or did not understand the benefits. People in this category were mainly young men who worked in brick kilns and seasonally migrate to India, coming home only for certain periods for the year. They reported that since they are always working, they

have not had the time to go to the ward – the smallest administrative division within local government, municipalities and rural municipalities – to inquire about citizenship and had never made an application, despite being eligible through their parents.

In **Brazil**, key informants described a lack of understanding of the documentation process, as well as challenges posed by language barriers. There was also evidence of confusion about the papers that are needed to apply for official documentation.

We also found evidence that some people do not understand the importance of documentation. As a result, they either fail to apply for documentation even when eligible or do not look after their documents once they have them. In **Brazil**, for example, some people do not get a Registro Nacional Migratório (RNM or National Migration Registry) because they think that having a Cadastro de Pessoa Física (CPF or Individual Taxpayer Registry) is sufficient. This raises questions about what constitutes the most important document from country to country. In **Nepal**, some people are eligible for citizenship but do not consider it to be important and/or did not take time to make an application despite being eligible. This group includes the brick kiln workers referenced above. In such cases, wives of migrant workers who stay in Nepal are also unable to secure citizenship without a husband's citizenship certificate (see also 2.4 below).

Some respondents described the struggles migrants encounter in accessing information about the process of obtaining official documentation. There are challenges for migrants in understanding what is needed to secure the RNM and CPF in Brazil, including where to seek assistance and how the documentation process operates. In this context, newcomers rely heavily on community support networks. These problems are often compounded by language barriers. As noted in one of the global KIs, many countries provide civil registration services only in the majority language, which serves to exclude those who do not speak it.



When I arrived here, I didn't speak a word of Portuguese. This initially made things extremely difficult, especially finding a job and navigating daily life. I had to rely on other Haitians to help me translate and understand.

Brazil respondent

Bureaucratic obstacles

There is considerable evidence, from both the literature review (Crawley et al., 2024) and the data collection, of bureaucratic obstacles that undermine the possibility of people securing access to documentation. The complexity and bureaucratic nature of the registration process deters people from registering births and obtaining other essential documents. This includes the need for multiple visits to registration offices and the requirement of additional documents like marriage certificates.

In **Brazil**, there is evidence that many migrants remain undocumented due to significant bureaucratic obstacles, including the need to obtain documents such as passports, marriage certificates and criminal records which are typically issued by consular offices. This means that the process extends beyond national requirements and legislation and encompasses the operational capacity of consular offices of the migrants' home countries (see also Jasper, 2024). As noted above, one particular challenge faced by Haitian migrants involves the requirement, during a specific period, to provide documentation proving their parental status for regularization. This means that an individual must obtain either a consular certificate or a birth certificate recognised by the consulate in order to apply for official documents in Brazil. Although this requirement was recently removed through an intervention by the Federal Public Defender's Office (Defensoria Pública da União), it highlights the bureaucratic obstacles faced by various subgroups in accessing documentation. These aspects are underscored by a study conducted with Bolivian migrants which found that difficulties in accessing documents from their country of origin, as well as a lack of information about Brazilian legislation and limited opportunities within Brazilian society, contribute to the undocumented status of these immigrants (Araújo, 2022).



Every day there is a bureaucracy, a change in the laws. Sometimes the documents become more difficult to obtain, and now, to renew, there are a lot of steps to do, like paying money.

Brazil respondent



Regularising my residence status was one of the biggest challenges. The process is long and involves numerous documents and checks. During this time, you are in a precarious situation, without access to fundamental rights.

Brazil respondent

Nathalie's experience of trying to secure documentation in Brazil

Nathalie (not her real name) is a Haitian migrant who has lived in Brazil since 2013 with her husband and three children. It took her eight years to receive the proper documents from the Haitian embassy in Brasilia to access the official documentation she would need to obtain a decent job. One of the key documents is the Cadastro de Pessoa Física (CPF or Individual Taxpayer Registry). The process of obtaining a CPF was cumbersome and exhausting: she lived two hours away from the Federal Police office and could not afford public transportation. Originally a nursing professional in Haiti, she has had other jobs in Brazil: as a cleaner, a domestic worker and, finally after almost a decade, in a pharmaceutical laboratory. She described numerous forms of discrimination she experienced in the country over a period of nearly 10 years, many of which she attributes to a lack of documentation. "The lack of documents forced me to do a series of jobs that normally I would not have done. These were jobs like lifting bags of cement. These jobs are not recognised by the state, they are not registered with the Ministry of Labor, no log is signed. Finally, after working for two months, the boss did not pay me all the money, he only gave me partial payment. There was no authority to which I could appeal because this work is not recognised by the state. This money is lost, I have no hope of recovering it."

Key informants involved in assisting migrants also highlighted difficulties they observed while providing support, including language barriers and delays in scheduling appointments at the Federal Police for documentation purposes (see also Montinard, 2019). These challenges lead some individuals to seek out intermediaries to help them secure access to documentation, often for a significant fee.

In **Kenya**, the research found that Kenyan nationals who are orphans or are in the care system struggle to prove their place of birth and often undergo a tedious vetting process to prove their identity and secure official documentation. For orphans to access documents, including birth certificates, they are expected to go to the community where they grew up and ask a local chief or member of the community to verify that they are from that community. Respondents reported that this process can be blocked by bureaucratic or corrupt practices. Orphans and those aging out of the foster/residential care system are often not provided with the documents that would allow them to access a national ID when they turn 18 years of age.



Orphans who have been neglected and have no one to help, they have no documents at all, they either end up in the streets. There is one girl we came across and she had suffered a lot, she was an undocumented orphan with no relatives. Every time she needed help, she kept telling stories to prove that she was Kenyan. Even though she wanted to get an ID, the vetting process alone would have made her die of frustration. The vetting is very frustrating since you have to convince people like the area elder, the chief, of your existence. You must have some form of proof of documents.

Kenya KII

In **Nepal**, there was clear evidence of the gap between what the citizenship law says should happen and what happens in practice. Although Nepal's Citizenship Act 2063 Amendment Bill (Citizenship Amendment Act) enacted in 2022 has provisions for citizenship to be passed to children, this has not been implemented in all the study sites. As a result, women who have citizenship but do not live with their husbands are unable to pass citizenship to their children.

Practical barriers including costs

Practical barriers include accessibility issues, such as the distance to registration offices, especially in rural and remote areas, which limit access to registration services for many individuals.

In **Brazil**, those without documentation often reside in remote areas. It is worth noting, for example, that three out of 10 locations where migrants were rescued from modern slavery in São Paulo were situated in the eastern region of the city, which is distant from most public services (Boas and Talarico, 2021). Several respondents spoke of challenges in obtaining documents because there are no federal offices in the areas where they live. This means that they must travel long distances often at considerable costs, further complicating the process of securing access to documentation.



... a lot of people stay in [place] and don't go out for anything; they just do everything there. They're working there, they live there, their children study there, and that's when the person ends up in a kind of shell and doesn't get regularised. This is very, very present for the Bolivian community.

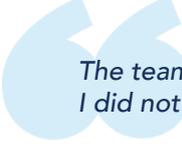
KII Brazil

Poverty also emerges from both the existing literature and the data as a significant impediment to registration, as families in impoverished conditions frequently lack the resources required to navigate administrative processes, cover associated costs or access registration offices. This economic constraint perpetuates a cycle of low registration, particularly prevalent in the world's poorest countries. Across various regions, children from wealthier households are 1.5 times more likely to have their births registered than children from economically disadvantaged households (Organisation for Economic Co-operation and Development [OECD], 2019).

There is evidence from **Brazil** that the situation of those lacking documentation is intricately linked to a broader context of social vulnerability that is prevalent in a significant portion of Brazilian society and primarily driven by chronic poverty (Phillips, 2013). Ethnographic research in Brazil has also highlighted the cultural, financial and bureaucratic obstacles faced by people from marginalised backgrounds when attempting to apply for documents (Andrade, 2022).

In **Nepal**, marginalised groups, including Dalits and indigenous populations, face additional challenges due to their remote locations and social ostracisation, making access to registration facilities difficult. There is ample evidence to suggest that these groups face historical and systemic exclusion from documentation processes (Forum for Women, Law and Development, 2014; Dhakal et al., 2021). They are economically disadvantaged, socially marginalised and reside predominantly in rural areas.

While the cost to apply for a citizenship certificate – in terms of travel cost and costs for a form and photo – are affordable to even the most impoverished people, some respondents in **Nepal** perceived the citizenship process to be expensive and have therefore chosen not to apply for official documentation. This was particularly clear among the Dalit groups in Rautahat District. Others, however, claimed they were forced to pay bribes and thereby encountered financial constraints that left them unable to acquire citizenship documents.



The team came. They said they will give me citizenship if I give them NPR 27,000 (~USD 203). I did not have that much money so they did not give me the citizenship.

Nepal respondent

Differences between the perceived and actual costs of citizenship

Manisha (not her real name) is 25 years old. She has three children who are ages 7, 4 and 1. She was married when she was 16 years old. Her husband is a seasonal migrant in India and works at other times in a brick kiln in Nepal. Her children do not go to school because they do not have birth registration and they cannot receive the nutritional allowance. Manisha told us that she has not applied for citizenship because she believes it would cost NPR 5,000 (~USD 38) and that is too much for her to be able to pay. When the research team calculated the cost of citizenship, they estimated that it would be less than NPR 300 (~USD 2), an affordable amount for Manisha given her daily wage and the fact that her children would then be eligible for the nutritional allowance. She had never checked how much it would cost to apply for citizenship even though the ward office (the local unit of the government) is within walking distance of her home.

Discrimination and social norms

Deep-rooted cultural norms and social practices, particularly those affecting women and girls, can impede the registration of vital events. Gender norms significantly shape individuals' interactions with authorities, posing an additional hindrance to the documentation process. In Rautahat District of Nepal, the research found that husbands and their parents often refuse to allow wives and their children access to citizenship. In some instances, male and female respondents shared that the husband's parents have asked for NPR 5,000 (~USD 38) to provide access to citizenship certificates. In addition, there were cases where married women who do not live with their husbands are unable to produce the referral documents and thus cannot get citizenship.

Rina's experiences of trying to secure citizenship in Nepal

Rina (not her real name) lives without a husband in Saptari and has a son and a daughter. After she gave birth to her children, her husband abandoned her for another woman and her in-laws threw her out of the house with the children. Rina has been living with her brother in a small room of his house. She asked her in-laws for a reference so she can secure citizenship, but they do not want to give it to her. In fact, they will not talk to her. Rina travelled to see her husband in another district, but he also refused to speak to her. Her husband's relatives, who are empathetic towards her, tried to speak to other family members and convince them to give her and her children citizenship. However, they refused, arguing that Rina and the children could claim property from them if they helped her gain citizenship. Rina is seeking help from her local ward chairman but he says he cannot do anything in the husband's district. Her daughter is now married and does not have citizenship. Her son is also without citizenship and understands the implications, pleading with Rina to speak with his father and secure the birth registration so that he will not get thrown out of school. According to the Birth, Death and Other Personal Event Registration Act, 2033 (1976), it is mandatory to register the birth of a child within 35 days of birth. The birth registration process can be completed by presenting evidence of the child's birth, such as a hospital record or a letter from a traditional birth attendant, regardless of the parents' citizenship status. However, despite the law, the researchers found evidence that local officers often refuse to issue a birth registration certificate if the mother lacks citizenship, insisting on either the mother's or the father's citizenship documents. As a result, if the mother possesses neither her own citizenship nor her husband's, her child is denied a birth registration certificate.

In **Kenya**, ethnicity and religion were also identified as factors limiting access to documentation with Somali-Kenyans living in the border communities often struggling with the vetting process. The inability of individuals to trace their lineage makes the process even more difficult for them. There were reports that those requiring documents sometimes have to bribe the authorities to speed up the process or release key documents, although it was not possible to verify these claims. Kenyan nationals also highlighted discriminatory policies associated with the ID vetting process that cause many to miss out on securing access to documentation (Commission on Administrative Justice, 2024).



I went through this and was sent to the chief of my village in Busia for a letter and he said he did not know me which is true since I have lived in Nairobi. The same process is followed for anyone who lacks a birth certificate and cannot even apply for a passport.

Kenya KII

In **Brazil**, the fieldwork uncovered evidence of racism and xenophobia impacting on the ability of migrants to secure access to documentation, even where “legally” entitled. One aspect highlighted in the interviews and documented in reports is that racism functions as a vulnerability factor (FAST and INURED, 2023). The populations most vulnerable to modern slavery in Brazil are poor people, black people and indigenous people from the interior of the country (Repórter Brasil, 2021). Haitian migrants highlighted the ways in which racism is present as a daily reality for many migrants in Brazil, who face blatant discrimination based on their nationality, race and skin colour. This form of discrimination can manifest itself in different ways, including an inability to access documentation.

Survivor interviews further illustrate how perceived discriminatory treatment by service providers deters black and Bolivian migrants from pursuing documentation. There was evidence from the KIIs that rescued Bolivian survivors of modern slavery were reluctant to seek help for obtaining documentation due to distrust or fear of discrimination from service providers. They particularly feared stereotyping by federal police based on their race and nationality (Repórter Brasil, 2021). Both documented and perceived racial discrimination by institutions and public agencies are well-recognised within the research community and by advocates (Ferreira, 2022; Suzuki and Passat, 2020), but how these biases are institutionalised, creating barriers to accessing documentation, remains underexplored. The insights provided by survivors illuminate the profound mistrust and fear of institutions tasked with addressing documentation issues among those vulnerable to modern slavery. These issues are exacerbated by other structural barriers such as geographic isolation, literacy and immigration status, complicating the sensitisation to and understanding of the documentation process (notably RNM and CPF).

Racism and discrimination emerge as barriers when they are embedded in bureaucratic inefficiencies, in the indifference and insensitivity of service providers, and in the scarcity of accessible government services in impoverished or remote areas of metropolitan São Paulo, where many vulnerable populations reside. Additionally, economic constraints pose significant challenges, as the costs associated with obtaining and maintaining documentation are often prohibitive for economically disadvantaged individuals. Recognising and advocating for solutions to the impacts of racism and discrimination on the documentation challenges faced by those vulnerable to modern slavery are essential for policy improvements and the provision of more accessible services.

2.5 People who are waiting to receive documentation

There is evidence from the existing literature that people waiting to receive documentation, including refugee status and residency permits, face prolonged uncertainty that hinders their access to essential services and rights (Crawley et al., 2024). In some cases, the inability to access documents stems from humanitarian crises or ineffective bureaucratic systems. For instance, in Venezuela, the struggle to meet the demand for identity documents has resulted in many citizens being without them, thereby deepening vulnerabilities and undermining access to employment, education and healthcare (Praag, 2019). It seems likely that these delays increase the risks of modern slavery. For example, displaced Venezuelans, especially vulnerable groups such as poor women and children, frequently become targets for traffickers (IOM, 2019). This was confirmed by respondents at the global level.



During this time, people may not be entitled to anything, increasing their risk of exploitation. Traffickers know who to target in these vulnerable situations. The lack of specific status or documentation means individuals may not be entitled to welfare or a safety net, increasing the risk of exploitation and trafficking.

Global KII

In **Brazil**, there is evidence that despite specific regulatory frameworks aimed at ensuring the regularisation of migrants of certain nationalities such as Bolivians, Haitians and Venezuelans, many continue to lack proper documentation due to the challenges outlined in the previous sections. Accordingly, many of them have been waiting years to secure access to documentation despite being eligible.

Evidence from **Kenya** highlights delays faced by nationals as well as asylum seekers and refugees in securing documentation. For nationals, delays are due to an inability to provide the authorities with the required documents, delays in the scheduling of interviews and an inability to pay the fees. Respondents also described some corrupt practices on the part of officials. The delays facing asylum seekers and refugees are well documented. Indeed, the government's failure to process the claims of these individuals has become a focal point of concern (Nyamori, 2018). As of January 2023, **Kenya** reported a total of 577,492 registered refugees and asylum seekers, many of whom struggle to secure the necessary documentation to access employment and services. The Refugee Status Determination process, now managed by the Department of Refugee Affairs and previously handled by UNHCR, is lengthy and cumbersome. Respondents reported waiting up to a year for documents that should be processed within 90 days. Further, some respondents reported being denied vital documents like the Asylum Seekers Pass, which is essential for accessing services. The slow issuance of these documents compounds the challenges faced by this group, with bureaucratic hurdles further complicating their circumstances. Respondents highlighted significant challenges in obtaining refugee IDs or Asylum Seekers Passes, noting the lengthy processing times. These delays in issuance severely impact their access to essential services and opportunities. The lack of official documentation undermines access to the labour market and the potential contribution of refugees to the local economy (UNHCR, 2023). Given that a significant portion of the refugee population is of working age, it seems likely that delays in providing documentation will also increase vulnerability to modern slavery. This was reflected in the global KIIs.



When people flee situations of conflict or war without proper documentation, they face significant challenges in regaining or obtaining official status, such as asylum or refugee status. The speed of this process varies by country, and during these periods, individuals may not be entitled to any protections, increasing their risk of labour exploitation or trafficking. Even if they weren't initially trafficked into a country, their vulnerability is greatly heightened. Traffickers are well aware of who to target and where to find people who are desperate and extremely vulnerable in these situations.

Global KII

2.6 People whose documentation is lost/taken away

Our global KIIs largely corroborated the findings of the literature review (Crawley et al., 2024) when it comes to the various factors contributing to the loss or confiscation of documentation. These factors range from misplacement to forced displacement and the withholding of documents by employers. Forced displacement presents a significant challenge as people often flee without their identification documents, resulting in substantial difficulties in proving their identity and legal status in a new country. The lack of official documentation presents numerous difficulties for displaced individuals, including limited access to essential services, heightened vulnerability to exploitation and obstacles in securing legal protection and rights (Manby, 2016; Johnstone, 2019; Medina-Rosales, 2021).

There is evidence from **Kenya** that displaced individuals often struggle to prove their identities and establish legal status, hindering access to education, healthcare and employment opportunities and increasing vulnerability to modern slavery. Others do not take care of their documents because they do not realise their value or have them taken away by others to extort bribes. Documents may be lost when they are shared in order to access humanitarian aid. But the loss of documentation does not only affect refugees and asylum seekers. When nationals who are parents lose their documents and are unable or choose not to replace them, this has a significant impact on their children's registration and access to opportunities. Moreover, there is evidence that nationals who migrate to the Gulf countries for work sometimes have their documents confiscated by recruitment agencies and employers, limiting access to services and non-exploitative employment. Some respondents reported that documents are confiscated at the port of entry.

Meanwhile, the withholding of documentation by employers or recruitment agencies represents a serious violation of human rights and labour standards, one that puts individuals at increased risk of modern slavery. Such actions afford employers undue control, hindering workers from pursuing alternative employment or reporting abuses. This not only constitutes a breach of UN conventions but also stands as an affront to the dignity and autonomy of workers. In all three focus countries, the researchers found instances of worker documentation theft.

In many countries the process of replacing documents that are lost or taken away can be slow and frustrating. Reacquiring lost or destroyed documents often involves lengthy and complicated legal processes that are particularly burdensome for those lacking resources or legal knowledge. In **Kenya**, to replace a lost document the applicant must provide a police abstract and another supporting document; in the case of a lost passport, it requires an affidavit and a national ID card. The cost of replacing the lost document varies but can be expensive for people of limited means. At the time of the research, birth certificates were still free to replace while the cost of replacing a national ID was KES 300 (~USD 2), but obtaining a replacement passport cost around KES 12,000 (~USD 90). On top of this, discussions were underway to increase by twentyfold the fees for applying for birth certificates, national IDs and passports, a change that would disproportionately affect financially constrained populations. However, in November 2023, the High Court suspended the implementation of these fee hikes, as outlined in the Kenya Gazette Notice. The suspension was due to a failure to include adequate public participation in the decision-making process (Muriuki, 2023).

Meanwhile, the non-monetary penalties associated with policies for replacing lost documents, intended to act as a deterrent, also render some individuals without documentation. For example, a child whose birth certificate is lost, and for whom no efforts are made to replace it, faces exclusion from government services and the fulfilment of basic needs (UNICEF, n.d).

80-year-old Ratna Maya Thapa from the Central Region of Nepal shows her voter registration card after walking for one and a half hours to cast her ballot in the Nepalese Constituent Assembly elections. © UN Photo/Nayan Tara.



SECTION 3

DOCUMENTATION STATUS AND MODERN SLAVERY RISKS

The existing literature highlights the central role of official documentation in vulnerability to exploitation, pointing to various economic, social, cultural, legal and crises-related dimensions (Crawley et al., 2024). It is generally held that lack of access to services and rights traps people in low-wage, unregulated sectors and fosters exploitation. Social isolation, cultural disconnection, racial and ethnic discrimination, and legal barriers are widely presumed to contribute to heightened vulnerability.

Despite these widespread acknowledgments, notable research gaps exist in **Nepal** and **Kenya** regarding the intersection of slavery, forced labour and citizenship. In **Brazil**, there is a focus on the vulnerability of workers who lack documentation, but knowledge gaps persist with regard to migrants from countries in Latin America and the Caribbean and other regions. Meanwhile, international policy frameworks inconsistently address lack of documentation as a risk factor for modern slavery, reflecting gaps in the existing evidence. Unpacking the relationships between documentation status and modern slavery risks is therefore essential for developing strategies to combat exploitation and protect vulnerable populations in the focus countries and beyond.

3.1 Factors exacerbating vulnerability to modern slavery for undocumented individuals

Economic factors

Findings from the focus countries confirm the significant economic challenges faced by individuals without documentation and their increased vulnerability to modern slavery.

Employment

Perhaps not surprisingly, one of the primary economic risks for modern slavery identified in the focus countries is the lack of access to formal employment opportunities due to a lack of access to documentation. This pushes individuals into low-wage, high-risk, unregulated jobs, particularly in sectors where exploitation is known to be pervasive. Employers in these sectors often exploit the undocumented status of workers, threatening to report them to migration authorities if they complain about poor working conditions or demand fair wages, creating a significant power imbalance.

Evidence from the KIs in **Brazil**, supported by global data, indicates that migrants and refugees, especially from marginalised ethnic groups, often end up in precarious employment. Poverty and severe socioeconomic conditions force individuals to accept unfavourable work conditions out of desperation.



I want to leave now, but as I told you, I couldn't find a job and I needed to pay the bills, there's my daughter in Venezuela who needs it...

Brazil respondent

Migrants, particularly those from Haiti, find themselves in high-risk sectors like construction where firms often have lax requirements about hiring workers with limited documentation and language skills. This environment fosters a cycle of "underemployment," where workers are engaged in jobs that offer low wages and lack labour rights. Numerous respondents described the challenges they face in accessing necessary work documents and validating their diplomas from their home countries, which hinders their access to skilled jobs and forces them into high-risk sectors. Here, the link between a lack of access to documentation and vulnerability to modern slavery is clear.



There are employers who refuse to hire us if we do not have all the documents in order. Without them, we are forced to work in precarious conditions and often without social protection.

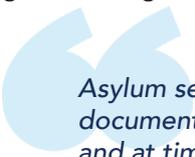
Brazil respondent

Peter's experiences of working in Brazil

Migrants' experiences in the construction industry in Brazil are often marked by various forms of exploitation. Peter (not his real name) arrived in 2015 as a third-year engineering student from Haiti. His hope was to gather enough money and experience to resume his engineering school in Brazil. This dream quickly shattered after he started working in the construction sector, where he has remained because he could not validate his engineering studies to enter university. Among the challenges he highlighted were long working hours, low wages and cases of injustice, such as lack of payment for overtime worked and threats of dismissal when he tried to demand his rights from employers. Peter spent a large amount of time working and struggling to regularise his status in Brazil, which has meant less time to care for family and meet their needs. Not having the proper documentation crippled his dream: "It was affecting, because it was me who had to take care of everything, send money to pay for school, but I couldn't. It bothered my heart. I even said that I would be obliged to return to my country. It weakens me physically."

In **Nepal**, there was evidence that individuals lacking access to documentation work predominantly in the informal sector, thereby perpetuating cycles of poverty and marginalisation. Moreover, it is clear that a lack of access to citizenship significantly restricts individuals from seeking employment abroad in the Gulf and Southeast Asian countries. Skilled young workers are unable to pursue higher-paying job opportunities overseas due to their inability to obtain passports or process foreign employment applications. Discrimination is also prevalent; individuals without citizenship are often underpaid compared to their documented counterparts in formal sectors.

Kenyan nationals, especially those under 18 working without documents, face significant risks such as job loss, non-payment or delayed salaries. One respondent told us that seeking job opportunities requiring a national ID is costly and often necessitates paying for an affidavit to resolve conflicting name issues. For asylum seekers and refugees, obtaining a work permit at a cost of USD 2,000 is essential to access these opportunities. Moreover, to apply for a work permit, they first need a refugee ID. According to the Kenya Citizenship and Immigration Act (2011/2012), they must apply for a Class M work permit to work, trade or conduct business in the country. Employers must justify employing a refugee over a national, demonstrating that the refugee possesses specific skills not available locally. Additionally, employers must outline a plan for skill transfer to nationals, enabling them to eventually assume the role. The requirement for key documents, including a tax Personal Identification Number for the Class M permit, serve to reduce a person's agency and limit their employment opportunities to the informal sector where there is evidence of exploitation and abuse (Vuni and Iragi, 2023). The informal sector in Kenya is a space where government policies have limited impact. This sector is characterised by bureaucratic and corrupt practices that further restrict subgroups' access to documentation. These challenges highlight the urgent need for reforms to improve access to legal documentation and safeguard the rights of vulnerable populations in Kenya.



Asylum seekers accept being exploited either labour or sexually since they have no documentation and at times this is their survival coping mechanism. The host communities and at times employers exploit them since they have more control.

Kenya KII

Economic participation

Lack of access to documentation severely limits economic participation. Individuals without official documentation are ineligible for government benefits such as food security programs, free education, healthcare insurance, pensions and housing schemes. This exclusion from essential services undermines their quality of life and increases vulnerability to modern slavery.

In **Nepal**, those without citizenship certificates face significant economic challenges. They cannot acquire assets like land and houses, register businesses or access government employment and social protection schemes. For example, a 78-year-old man in Bardiya lost his land after his brother-in-law's death because his nephews laid claim to it. A 21-year-old salon owner in Rautahat feared police harassment due to his inability to register his business because he does not have a citizenship certificate. A 45-year-old woman in Saptari was unable to obtain low-interest loans for her farm due to lack of documentation (discussed further below). In addition, there was evidence that Indian border police sometimes refuse entry to individuals without citizenship certificates. This restriction has significant impacts on those who rely on daily cross-border trade for essentials, making their lives more difficult and expensive.

In **Brazil**, Haitian migrants face similar challenges. Without proper documentation, they struggle to access social welfare programs such as Bolsa Família, which provides financial aid to low-income families on the condition that their children attend school and receive regular health check-ups to reduce poverty and improve living conditions. Additionally, they often face difficulties securing access to healthcare, as hospitals frequently require documentation for treatment despite legal frameworks stating otherwise. For instance, a Haitian migrant working in the informal sector mentioned never receiving government aid because his employer did not file the necessary paperwork. Another migrant had to wait months to see a doctor due to not having a residency card, leading to avoidable health problems and stress.

Limited access to education due to a lack of official documents was found to significantly hinder economic participation in both **Kenya** and **Nepal**.

In **Kenya**, nationals without documents cannot access further educational opportunities that require both birth certificates and IDs. For example, one respondent lost a scholarship opportunity because his birth certificate and national ID had different names. Children of parents without national documents miss out on education opportunities, as seen in the case of care leavers whose vulnerabilities affect their own children. The process of obtaining documentation is expensive and time-consuming, leading many to remain undocumented despite the known limitations and potential vulnerabilities, with a pervasive fear of legal consequences if they don't have documentation and don't fully understand the requirements and opportunities.



I had my first child at 15 years old. She was taking exams in Grade 3 under the new Competency-Based Curriculum but didn't have a birth certificate. Thankfully, her teacher helped her take the exams. I'm often told there's an issue with my ID, and I fear this will affect my child's ability to get a birth certificate since my documents are not genuine. Because of this, my child has missed opportunities, like participating in a talent show. The school wouldn't allow her to travel with the others, citing the lack of documents and potential impact on the school if something were to happen.

Kenya respondent

In **Kenya**, victims of trafficking also experience challenges in accessing services. One key informant from an NGO highlighted the case of Ugandan migrant girls who needed skills development but faced delays in obtaining documentation from the Ugandan High Commission, affecting their opportunities to continue their education and advance their future prospects. The NGO took steps to address the documentation issue but the girls continued to encounter significant delays in the process.

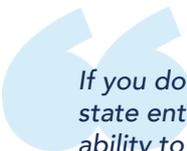
In **Nepal**, according to the Birth, Death and Other Personal Event Registration Act, 2033 (1976), the birth registration process can be completed by presenting evidence of the child's birth, such as a hospital record or a letter from a traditional birth attendant, regardless of the parents' citizenship status. However, in practice, there is evidence that parents without citizenship certificates have been unable to register their children's births. Children without birth certificates are barred from school admission, particularly after pre-primary, resulting in high dropout rates, child labour, early marriage for girls and work in informal jobs. Boys sometimes negotiate with schools to study up to grade 8, but they need birth registration certificates for government board exams. Without these, they drop out and take odd jobs in informal sectors like nearby brick kilns, increasing child labour in risky jobs. All this has contributed significantly to intergenerational poverty and marginalisation.

Access to financial services

Additionally, the lack of official documentation severely restricts access to financial services, exacerbating economic instability. Those without official documents are often unable to open bank accounts, apply for loans or participate in formal financial systems. This exclusion forces them to rely on informal financial mechanisms through which they are vulnerable to predatory lending practices and exorbitant interest rates. Without access to secure financial services, people lacking documents have limited and often costlier options to save money and invest in their future, or even to establish basic financial stability, making them more susceptible to exploitation.

In **Nepal**, the research found that some community saving groups in Rautahat exclude those without citizenship documents from becoming members or accessing loans. This was an unexpected finding as these groups are meant to be non-discriminatory. This exclusion forces undocumented persons to seek financial support from informal sources, where interest rates are exorbitantly high and often based on personal relationships.

One of the global key informants, a statelessness expert, highlighted the ways in which growing concerns about illicit financial flows has increased the difficulties for individuals without documents to move money, in turn making them more vulnerable to modern slavery. In Bangladesh, for example, there is a "moral panic" about the Rohingya using financial transaction systems due to concerns that funds will be used to support criminal activities. In such contexts, small, practical items like SIM cards and financial apps become essential for survival. Their absence can significantly heighten the risk of trafficking and modern slavery. Yet, these are often difficult to acquire without proper documentation.



If you don't have documents, it creates all manner of problems in your interactions with both state entities and the private sector. It's about accessing economic support and also the ability to sign an employment contract, lease, register a business or get a SIM card, which may be required to access financial services. It plays out at any point where a person may be required to prove their identity, which can happen in many different ways across countries.

Global KII

Social factors

Social factors play a crucial role in increasing the vulnerability of individuals without documentation to modern slavery. Social isolation is a significant factor, as those without documentation often live on the fringes of society, disconnected from support networks and community resources. This isolation is intensified by the fear of deportation, which prevents undocumented people from seeking help or reporting exploitation. Without social connections, they are less aware of their rights and the institutions that could assist them, making them easy targets for traffickers and exploitative employers.

Socially, the lack of documentation restricts access to education and employment and disenfranchises individuals from participating in political and legal processes. In **Nepal**, key informants noted that this results in a lack of political advocacy for their causes, as representatives have no voter-based incentive to support non-citizens. While local leaders in Rautahat and Bardiya have shown support for these communities, it has been due to personal ethics rather than institutional policies. In Saptari, women seeking

citizenship referrals from their in-laws faced disappointment, as local leaders refused to support them. This exclusion not only deteriorates their quality of life but also makes them more reliant on exploitative arrangements for survival, thereby increasing their vulnerability to various forms of exploitation and trafficking.

Discrimination and stigma further compound the vulnerability of individuals without documentation, especially among marginalised racial and ethnic groups. These groups face systemic barriers that prevent them from accessing documentation and essential services. Social stigma associated with their undocumented status and ethnic or racial identity deters individuals from seeking assistance, even when in dire need. This discrimination extends to public services and legal systems, where undocumented individuals may fear bias or unfair treatment, resulting in social exclusion and a lack of trust in authorities. This creates an environment where exploitation thrives unchecked, trapping individuals in cycles of abuse and modern slavery.

Racial and ethnic discrimination significantly impact the ability of individuals to obtain documentation, thereby increasing their risk of exploitation. Global key informants provided examples of certain ethnic groups, such as the Roma in Europe and the Rohingya in Asia, facing systemic barriers to obtaining legal identity documents. Discriminatory practices and policies often prevent these groups from accessing citizenship and necessary documentation, leaving them stateless and highly vulnerable to trafficking and modern slavery. In **Brazil**, testimonies from migrants highlight the pervasive racism and xenophobia in Brazilian society, contributing to their degrading treatment and reinforcing their marginalisation (Figure 6).

Figure 6: Experiences of degrading treatment and social marginalisation in Brazil

<p>Vulnerability and racism</p>	<p>Key points: Racism significantly contributes to modern slavery in Brazil. Populations most affected include poor, black and indigenous people, especially from rural areas.</p> <p>Labour market discrimination: Black migrants, particularly Haitians, often occupy the lowest positions, facing exploitation and severe discrimination.</p>
<p>Testimonies of discrimination</p>	<p>Haitian migrant experiences: Encounter lower wages and discriminatory treatment based on race and nationality.</p> <p>Domestic labour exploitation: Many Brazilian women, especially black women, endure decades of unpaid domestic work, reflecting deep-seated racial and social inequalities.</p>
<p>Xenophobia as a vulnerability factor</p>	<p>Key points: Haitian and other migrants from the global south face heightened exploitation and discrimination. Acts of xenophobia include refusal to share public spaces and derogatory treatment based on nationality.</p>
<p>The impacts of linguistic discrimination</p>	<p>Language barriers: Non-Portuguese speakers, especially Creole-speaking Haitians, face employment and social integration challenges and are often paid less and subjected to ridicule.</p> <p>Stigmatisation of Creole: Hostility and contempt towards Creole speakers impact psychological and social well-being, perpetuating exclusion and marginalisation.</p>
<p>Implications</p>	<p>Key points: These forms of discrimination worsen economic vulnerabilities and increase the risk of modern slavery. Addressing these issues requires robust anti-discrimination policies and greater awareness to promote diversity and inclusion in Brazilian society.</p>

Legal factors

Legal factors significantly intensify the vulnerability of individuals without documentation to modern slavery. The lack of official documentation creates substantial barriers to securing legal identity, which

is essential for accessing rights and protections. Existing legal frameworks often fail to address the unique needs of stateless persons and those lacking documentation, leaving them in a legal limbo. Without proper identification, these individuals cannot engage with the formal justice system, making it difficult to report exploitation, seek legal recourse or access essential services such as healthcare and education.

Procedural complexities, bureaucratic inefficiencies and corruption further hinder individuals without documentation from obtaining necessary legal identity documents. This creates a cycle of vulnerability, where individuals are unable to prove their identity, leaving them exposed to exploitation and abuse without any means of legal protection. Additionally, discriminatory nationality laws and practices in some countries prevent certain groups, such as women or ethnic minorities, from acquiring documentation, thereby perpetuating their statelessness and increasing their risk of modern slavery. The absence of accessible legal support and the fear of interacting with authorities due to their undocumented status further isolate these individuals, preventing them from escaping exploitative situations and reinforcing their vulnerability to modern slavery.

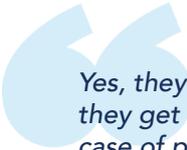
In **Brazil**, many migrants who participated in this study lacked access to information about their legal rights, making them more susceptible to unfair and abusive working conditions. Without adequate knowledge of their rights, they may unwittingly accept such conditions.



I didn't even know that I had the right to breaks during my working hours. My employer never informed us of our rights.

Brazil respondent

Interviews with key informants in **Nepal** revealed significant barriers to accessing formal justice mechanisms among those without documents, heightening their vulnerability to modern slavery. Respondents indicated that the absence of citizenship certificates precludes individuals from formally lodging complaints with the police or courts. Consequently, these individuals often must rely on informal conflict resolution, mediated by local committees or community leaders. While these local entities strive to provide fair settlements, the undocumented status of these individuals limits their options, compelling them to accept the decisions of these committees without the opportunity to pursue formal legal recourse. This situation often disadvantages them, as opposing parties are aware of their inability to escalate matters legally and may exploit this to negotiate outcomes more favourable to themselves.



Yes, they cannot take the matter to the court. We try to do as much as possible to ensure they get full justice. We call the police in our committee. The police call us when there is a case of person without citizenship certificate so we all work together here to ensure he gets justice. But the other party would know that they cannot take the matter to the court or formally lodge complaints to the police and so they take advantage of that and try to settle matters in the way that benefits them.

Nepal KII

3.2 Place of work and vulnerability

Evidence from the focus countries suggests that vulnerability to exploitation among those who lack access to documentation varies significantly depending on the context and region. While no single sector or industry is universally prone to the exploitation of those who lack access to official documents, certain sectors are commonly associated with higher risks. These include agriculture, factory work and "4D" jobs (dirty, dangerous, difficult and demeaning), which often involve transitions between formal and informal economies, amplifying the risk of exploitation.

In **Brazil**, the sectors most at risk for modern slavery and labour exploitation are agriculture and extractives, textile sweatshops, construction, domestic work, the informal sector, manufacturing, meatpacking, restaurants and cleaning (Redin and Bertoldo, 2020; Medeiros, Lamara and Levy, 2019). These sectors affect predominantly migrant workers, particularly those from Haiti, Bolivia, Venezuela and other countries in the region. Vulnerabilities in these sectors are exacerbated by poor working conditions, long hours, low wages and various forms of abuse (Figure 7).

Figure 7: Sectoral vulnerabilities to modern slavery in Brazil

Sector	Location	Demographic/vulnerabilities	Key issues
Agriculture	Rural areas	Common accusations of modern slavery	Poor working conditions, low wages
Textile	São Paulo	High prevalence among migrants	Long hours, low wages, unsafe environments, undocumented status
Construction	Various regions	Predominantly Haitian migrants	Wage exploitation, unpaid overtime, unsafe working conditions
Domestic work	Urban and suburban areas	Black women, undocumented migrants	Lack of time off, forced live in conditions, harassment
Informal work	Urban areas	High among migrants due to market barriers	Precarious conditions, need to pay bribes, risk of extortion
Manufacturing	Urban areas	Bolivian and Haitian migrants	Long hours, unsafe environments, low wages, violence
Meat packing	Agro-industrial regions	Haitian, Senegalese, Angolan and Venezuelan migrants	Physically demanding, high accident rates, health issues
Restaurants	Urban areas	Migrant workers, undocumented nationals	Long hours, unpaid overtime, inadequate living conditions
Cleaning	Various regions	Haitian migrants	Long hours, unpaid overtime, abuse of power by employers

In **Kenya**, young women and children are particularly vulnerable to exploitation in the domestic work sector. Young men also face the risk of labour abuse, with reports of non-payment and overwork, especially for those under the age of 18. There are also reports of some Kenyan nationals having their national IDs confiscated by employers as a means of control, particularly in domestic work, building construction sites and the informal sector.

In **Nepal**, this research focused on specific case study areas where vulnerable populations are found largely in the informal sector – including brick kilns – and wage labour in agriculture. These sectors are characterised by a lack of formal employment contracts, poor working conditions and limited access to social protections, making workers particularly susceptible to exploitation and abuse. Brick kilns, for example, often rely on labourers who work in harsh conditions for low wages. Many of these workers belong to marginalised communities and they frequently face issues such as debt bondage, inadequate housing and lack of access to healthcare and education.

3.3 Psychological and physical impacts of a lack of documentation

The lack of documentation has profound psychological and physical impacts on individuals, significantly increasing their vulnerability to modern slavery. Psychologically, the constant fear of deportation and the stress of living in hiding take a severe toll on mental health. This project's fieldwork across three countries revealed that undocumented individuals frequently suffer from chronic anxiety, depression and a deep-seated sense of insecurity. The uncertainty about their future and the inability to access mental health services aggravate these conditions, leaving them in a state of constant psychological distress. This mental strain diminishes their capacity to resist exploitation and seek help, trapping them in cycles of abuse. Evidence from the literature review underscores the need for a deeper exploration of these nuanced psychological effects to fully grasp the challenges faced by those without documentation (Crawley et al., 2024) and uncover insights that could guide effective interventions tailored to these unique challenges (Hack-Polay et al., 2021).

Global respondents noted that advocacy is challenging due to the risk of detention faced by those with insecure legal status. Evidence from the focus countries also highlights the intersection of mental health issues and social stigma, with a lack of access to documentation significantly impacting individuals' resilience and ability to advocate for their rights. The fear of detention and deportation creates a pervasive sense of insecurity, hindering the capacity of those lacking documentation to fight against exploitation and to support their communities effectively. This situation underscores the need for policies that address legal status, provide robust mental health support and protect against social stigmatisation.



There's a major resilience question for those directly impacted by this issue, especially in terms of advocacy. Over the years, I've seen how difficult it is for people to continue advocating for their own issues and supporting their communities when they are also facing personal crises. If they have insecure legal status, they are at risk of detention, which adversely affects their ability to advocate against exploitation. For example, if you dare to make a fuss about your treatment, attention could quickly turn to you, with someone asking for your documents and threatening detention or deportation. The fear of this risk can prevent people from speaking out against exploitation. This dynamic is apparent in the advocacy space, affecting how much individuals dare to put themselves forward.

Global KII

Individuals without documentation also face numerous physical health challenges due to their restricted access to healthcare services. Fear of being reported and deported prevents them from seeking medical treatment, leading to untreated illnesses and chronic health conditions. The demanding and often hazardous working conditions in informal sectors further undermines their physical health. Without access to healthcare, injuries and illnesses go untreated. Malnutrition is also common, as economic instability and lack of access to social services make it difficult for individuals without documentation to secure adequate nutrition. These physical hardships weaken their ability to endure and exit exploitative conditions, making them more deeply affected by modern slavery.

3.4 Prevalent forms of exploitation among undocumented subgroups

As noted in Section 3.2 above, those without documentation face a greater risk of severe exploitation. They often endure inadequate working conditions, such as long hours without overtime pay and are often assigned the most gruelling tasks, particularly in construction and agro-industry. Many migrants work informally, experiencing significant delays in receiving their salaries, sometimes waiting months or not receiving any payment at all. Domestic workers frequently face extended hours without rest or

decent pay and subjected to various forms of harassment, leading to severe health issues. Additionally, migrants are subjected to forced labour, human trafficking and trapped in cycles of debt bondage. They also face prejudice and discrimination, insults and ridicule, and being assigned the lowest-paid, most challenging jobs. In many contexts, this exploitation is compounded by systemic racism and xenophobia, which further degrade their treatment in the labour market and society.

In **Kenya**, there is extensive evidence that refugees experience challenges in securing documentation due to the sluggish process of Refugee Status Determination (Crawley, 2024; Nyamori, 2018; Norwegian Refugee Council, 2021). Delays in processing documents can leave people in limbo for many years. This includes those looking to replace documents that have been lost, confiscated or destroyed. People seeking international protection who are without documentation cannot access social services and face higher risks of exploitation by employers, criminals and others. There are reports of asylum seekers and refugees being detained for being illegally present in the country while their asylum documents are being processed. Asylum seekers in major cities such as Nairobi reside in informal settlements that expose them to physical abuse and sexual exploitation.

In **Nepal**, a lack of citizenship has often resulted in bonded labour conditions. In **Brazil**, the main forms of exploitation depicted in Figure 7 include wage exploitation and poor working conditions in agriculture, construction, manufacturing and cleaning; long working hours in textile/sweatshops, manufacturing, restaurants and cleaning; unsafe working conditions in textile/sweatshops, construction and manufacturing; forced labour and harassment in domestic work and cleaning; precarious employment and extortion in the informal sector; health issues and physical demands in the meat-packing industry; and lack of legal protection for undocumented workers in textile/sweatshops, domestic work and restaurants.



IEBC Officials check through ID card and compare names from manual register.
© David Mbiyu/Alamy Stock Photo

SECTION 4

STRATEGIES TO ADDRESS THE LINKS BETWEEN DOCUMENTATION AND MODERN SLAVERY

This section reviews the strategies that are already in place to ensure access to documentation and to address the links with modern slavery. It also reflects on policies that may deepen the documentation issues faced by individuals and subgroups or that hinder efforts to combat modern slavery.

As noted in the global evidence review published earlier in this project, most of the literature on this issue suggests that facilitating access to documentation serves a dual role as both a preventive and protective mechanism (Crawley et al., 2024). Ensuring access to documentation not only helps to mitigate risks of modern slavery but also strengthens rehabilitation efforts, acting as a deterrent against the recurrence of exploitation, such as when documentation is provided to people in situations of modern slavery. However, the emphasis in many programs often leans more towards prevention than protection, as these initiatives are not often crafted with a specific anti-slavery focus.

Increasing birth registration emerges as a central preventive strategy from this research. Legislative changes, awareness campaigns, financial incentives and digital solutions can boost registration rates. Support services for survivors of modern slavery play a crucial role, but there is a lack of literature assessing these specific documentation programs. Policies that worsen documentation challenges for some people need to be addressed, including discriminatory requirements and insufficient safeguards to protect those working informally.

4.1 Addressing the nexus: documentation and modern slavery risks

Global informants noted that there are often differences in the ways in which different sets of policymakers and advocates – legal identity experts, trafficking experts and statelessness experts – approach the issue of documentation in the context of modern slavery. Despite the overlap in their work, there is often insufficient collaboration, leading to fragmented practices. Some respondents noted a lack of awareness among policymakers and practitioners about the links between a lack of documentation and modern slavery risks, while others cited political inaction as a factor undermining action to address the links where they are known.



When we talk about the benefits of civil registration, particularly birth registration, we often mention that it provides access to services and rights and potentially reduces the risk of trafficking. But this is often included as a vague benefit without solid evidence to support it... Many countries have national Civil Registration and Vital Statistics (CRVS) strategies, but they rarely mention trafficking unless it's in a generic sense. People acknowledge the lack of documentation but don't fully understand the implications and the processes needed to obtain documentation. There is not much interaction between the communities working on these issues.

Global KII

Discussions with actors from the legal identity community suggest that while civil registration is recognised as beneficial for accessing services and rights, its role in reducing trafficking risks is often vaguely acknowledged and lacks robust evidence. Others emphasised the need for a more holistic approach to human rights when designing and implementing identity initiatives.

The disconnect between sectors, particularly among civil registration and national ID officials, reflects a tendency to prioritise business processes – operational procedures and organisational priorities – over human rights concerns. This focus on efficiency and expediency in tasks like quickly registering popula-

tions and managing identity documents often overshadows considerations of human rights and broader social impacts. Consequently, it undermines efforts to address documentation and exploitation risks. Additionally, a divergence in approaches among international organisations such as the World Bank and the UN can frustrate efforts to link documentation challenges with broader social and human rights concerns.

Respondents noted varying levels of understanding within national government departments, influenced by their focus areas or the contexts in which they work. For example, while border management and police officers are generally aware of the issues, civil registration and national ID officials were perceived to prioritise business processes over human rights concerns. This difference in awareness and coordination can derail projects aimed at connecting documentation challenges with exploitation risks. Respondents highlighted the need for a holistic approach to human rights, improved system integration and meaningful collaboration across sectors to protect vulnerable populations and address the complex links between documentation and modern slavery.



When dealing with identity management systems, including civil registration, civil identification, and linkage with vital statistics, you need the cooperation of around 14 or 15 different government institutions, either as producers or users of the information from birth registration and civil identification. Getting all these entities to work in the same direction requires a lot of time, negotiation, and incentives for collaboration. Projects with the biggest positive impact have had resources to thoroughly plan the stages. We also need to stop operating in silos.

Global KII

4.2 Understanding the problem

Global respondents highlighted significant gaps in data regarding the number of individuals without documentation, which hampers targeted interventions. Accurate and detailed data can inform policy-making, resource allocation and the development of effective strategies to address these challenges. Comprehensive data collection and research are therefore critical in understanding the scope and impact of the issue. The lack of robust data also affects the ability to monitor and evaluate the effectiveness of interventions aimed at improving documentation access and protecting vulnerable populations from exploitation and statelessness.



We lack qualitative and contextual data on the different forms of risks that various communities in the region face... right now, the number of stateless people reported by states and the UNHCR is extremely unreliable. However, it would be great to collate this data with trafficking data to understand how many trafficked individuals are actually stateless. This quantitative data would be extremely helpful for advocacy and programmatic actions. It would also assist civil society organisations in convincing different government components to work together. Additionally, comparative analysis of data across countries in the region would be extremely helpful. The current data on statelessness is often misleading, making it difficult to rely on. However, any data that provides a correlation between statelessness and trafficking would be incredibly valuable.

Global KII

Ensuring data accuracy and accessibility requires collaboration between government bodies, international organisations and local NGOs to create a coordinated and informed response. Several strategies were identified to address these policy and practice gaps.



Comprehensive data collection initiatives: Implement national and regional surveys to identify and document the number of stateless persons and undocumented individuals. Partner with international organisations such as UNHCR, IOM and UNICEF to leverage their expertise and resources.



Integrated data management systems: Develop systems that combine information from civil registration, immigration and social services to create a complete picture of undocumented populations, ensuring interoperability across different government agencies and regions.



Engaging local NGOs and community leaders: Involve grassroots organisations in the data collection process to ensure accurate and culturally sensitive information is gathered using community surveys and participatory mapping techniques. Establish and support community-led efforts to identify and map vulnerable communities, advocate with government officers and ensure individuals obtain proper documentation.



Training and standard operating procedures: Provide training for government officials, NGO workers and community leaders on data collection methodologies. Develop standard operating procedures and guidelines for consistency.



Advocacy and public awareness: Advocate for the inclusion of data collection and management in national action plans and policy frameworks related to statelessness and documentation. Conduct public awareness campaigns to highlight the importance of data and engage media and civil society in advocacy efforts.

4.3 Community engagement and advocacy

Evidence from the focus countries highlights a clear need for robust community engagement and advocacy. The most effective practices emphasised a multisectoral approach that actively listened to affected communities and collaborated with grassroots actors. This strategy is critical to raising awareness, challenging discriminatory practices and driving legal reforms. It is particularly effective in empowering stateless individuals and marginalised groups to lead advocacy efforts and drive change.

Increasing community awareness about the importance of documentation and the processes to obtain it, while simultaneously building trust in governmental systems, is essential for sustainable progress. Evidence from the focus countries suggests that long-term partnerships, trust-building and providing support for NGOs are key strategies for addressing the challenges faced by those struggling to secure access to official documentation. By shifting power relationships and empowering affected individuals, a more inclusive and effective approach can be developed to tackle the issues associated with a lack of official documentation. Respondents highlighted that when affected individuals lead human rights campaigns, the outcomes are efficient and effective. Examples include the successful passage of **Nepal's** Citizenship Amendment Bill and Malaysia's reform on citizenship from overseas-born children, both of them achieved through grassroots efforts and collaboration with governments.

When affected persons lead human rights campaigns to address statelessness or advocate for law reform, the efforts have been more efficient and effective, resulting in positive reforms... the multi-stakeholder approach – where governments and activists work together, and campaigns led by those with lived experience – have been particularly effective. In countries with limited political will, when affected individuals lead the campaign, it tends to yield positive results.

Global KII

Global respondents and those in **Brazil** and **Nepal** also highlighted the importance of community and civil society initiatives, such as paralegal support programs, which have sometimes been successful in helping individuals without official documents navigate the complex processes of obtaining docu-

mentation. These programs can also contribute to efforts to gather data that can be used to support advocacy efforts and identify systemic issues in the implementation of nationality laws.

In **Nepal**, a hybrid model involving civil society groups and local government judicial committees has been effective. People who do not have citizenship can acquire it if the local committee of seven people attests that they have been staying in the place for generations. While key informants reported some instances of this process, none of the study participants had used this mechanism. There are also civil society and local government judicial groups who oversee cases of justice violations for people without citizenship who cannot lodge formal complaints. They coordinate with the police and local judicial committees to settle cases, providing access to justice for individuals without citizenship certificates. In instances where husbands and their families deny citizenship to daughters-in-law, there was evidence that chief district officers have intervened by bringing the families into their offices and ensuring the daughters-in-law receive their citizenship documents.

In **Brazil**, respondents highlighted the importance of having access to free legal support. Given the challenges those without official documents face in accessing labour justice, respondents felt it was essential to establish spaces where they can lodge complaints, receive support navigating the justice system and file labour lawsuits. For example, one community leader told us that it took him two years to navigate the documentation process due to financial constraints. However, there are now a number of institutions that make individuals aware of their rights and the importance of securing access to documentation.



I needed someone who spoke better than me, who could direct me to a lawyer to help me get what I deserve. Because in every country in the world, there are laws. If I work, I think I have the right to speak, I have the right to defend myself.

Brazil respondent

In **Nepal**, NGOs working with women have been particularly successful in helping them obtain their citizenship. The free assistance, advice and support offered by these organisations significantly eases the process. For example, one community leader told us that it took him two years to navigate the documentation process due to financial constraints. However, there are now a number of institutions that make individuals aware of their rights and the importance of securing access to documentation.

A Bolivian domestic workers union leader in Brazil

Community-based organisations that serve migrants in Brazil, such as the Domestic Workers Union of the Municipality of São Paulo, underscore the importance of providing support and advocacy for those unable to access official documentation and who face labour exploitation. The union provides important advice to migrant domestic workers, urging them to obtain legal documents upon their arrival in the country. This advice is instrumental in helping them navigate the system and avoid exploitation. One of the union leaders, a Bolivian woman who has lived in Brazil for 28 years and who was herself abused, shared a powerful account: “They [employers] even threaten, especially the migrants, that if they report that they are not receiving everything properly, they will report them to the Federal Police because they are undocumented. So, they keep quiet. [...]. There are threats. That is why we say: ‘Once you arrive in Brazil, you have to hurry up and get your documents,’ as I just told you that there are places that help you get your documents. So, we advise those who come here to the union, ‘if you know that someone is coming from another country, advise them, say that in such and such a place there is a place where they can get the document, that they won’t charge.’”

4.4 Civil and birth registration

The importance of civil and birth registration was highlighted by global respondents, who emphasised its importance for the inclusion of vulnerable communities and for preventing exploitation and modern slavery. This is in large part because it serves as a gateway to other official documents including national IDs. Many respondents emphasised that birth registration should be universally accessible, straightforward, free of charge and not require excessive documentation. Immediate registration at health facilities when a child is born facilitates prompt access to official documentation.

Addressing vulnerabilities within civil registration systems is therefore vital. While there is a strong international policy framework around birth registration, there is also evidence that implementation often faces significant challenges. More attention and investment are needed as donor focus often skews towards digitalisation and national ID systems over more basic and essential civil registration components. Respondents emphasised the importance of multi-stakeholder and agency collaboration in designing effective registration programs.



Although governments are beginning to realise this, progress is slow. However, there are positive examples, such as Rwanda, Malawi, Tanzania, Kenya, Namibia, and Ivory Coast, where birth registration rates have significantly improved. The left-out pieces that need attention include gender equity and the inclusion of vulnerable and marginalised populations.

Kenya KII

One respondent gave the example of a project in Bolivia with UNICEF, which created an illustrated procedure manual to help registrars perform their tasks correctly. Another emphasised the importance of tailoring projects to local needs, citing examples from Ivory Coast, Mozambique and Tanzania. In Lebanon, Syrian refugees faced challenges obtaining Lebanese birth certificates, leading to advocacy efforts to simplify registration processes. This benefited both refugees and Lebanese citizens. Similar efforts in Jordan streamlined procedures for marriage and birth certificates, benefiting both refugees and Jordanians. This promoted a rights-based approach to documentation, emphasising the importance of legal identity for accessing education, employment and legal protections.

Evidence from the focus countries highlights the complexities of implementing birth registration programs in different contexts, the necessity of tailored solutions and the role of advocacy in simplifying procedures. Effective policy programs require cooperation among various stakeholders, including NGOs, government agencies and international bodies. Integration of databases and systems can enhance the efficiency and accessibility of registration processes, provided they are implemented with robust governance structures and sensitivity to marginalised populations.

In **Nepal**, respondents highlighted an effective scheme in Bardiya, where local government officials have collaborated with schools to provide interim birth certifications. These certifications are accepted by schools, enabling parents to admit their children and allowing young people to continue their education up to graduation. Similar interim documents for mobility are also issued by the local government; these can be used by people to go across the border to India for various services. In Rautahat, a groundbreaking initiative allows for the birth certification of children without requiring the mother's citizenship certificate. In cases where many women do not have citizenship certificates, the local government issues a birth registration certificate for the children if one parent has citizenship. If the other parent lacks citizenship, the document will outline the parents' names and note the absence of citizenship. This birth registration certificate is valid like any other, and the local government has negotiated with schools to accept this document.

Additionally, the recent amendment to the Citizenship Law in **Nepal** no longer requires the whereabouts and citizenship of the father for a child to obtain citizenship. A mother can now pass her citizenship to her child through a self-declaration stating that the father cannot be identified. While this is an improvement over the previous law, which prevented mothers from passing citizenship to their children,

it remains discriminatory. The amendment does not apply to children born to Nepali mothers while they are abroad, such as when a woman gives birth while working overseas. Furthermore, the requirement for a mother to declare that the father “cannot be identified” is still in place, whereas fathers do not need to make such declarations if the mother is not living with them. This poses significant challenges, especially for women who may know the father but do not want their child to gain citizenship through him due to estrangement, rape or other reasons. This situation is particularly difficult for Nepali women married to Indian men with whom they have an estranged relationship. Due to cross-border family ties, the husband’s family can pose a threat, as falsely claiming that the father “cannot be identified” is punishable by law.

In **Kenya**, the government has made significant strides in simplifying its identification process through the introduction of the Unique Personal Identification (UPI) system and the National Integrated Identity Management System (NIIMS), commonly known as Huduma Namba. These initiatives aim to create a comprehensive digital ID system, integrating various services such as health and social security into a one-stop shop. Additionally, Huduma Centres across the country provide decentralised government services, facilitating applications for birth certificates, national IDs and passports through the eCitizen platform. These measures are designed to streamline processes and make it easier for citizens to access essential documentation. Despite this, numerous challenges persist, leaving many Kenyans still unable to access documentation and register for essential services. Public awareness about the importance of civil registration and the procedures involved remains low, contributing to low birth registration rates. Resource limitations, particularly in hard-to-reach areas, hinder the ability of civil registrars to reach some populations. Additionally, conflicting policies and legal challenges create confusion and impede progress. The exclusion of individuals without foundational documents, difficulties faced by border communities and orphans, data protection concerns and a general lack of public consultation highlight the complex landscape of Kenya’s digital identification efforts. Continuous monitoring, resource allocation and public awareness campaigns are essential to overcoming these challenges and ensuring the success of Kenya’s digitisation initiatives.



ID documents for overseas worker in Myanmar.
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4.5 Mobile registration drives

Evidence gathered at the global level highlights the critical role mobile registration units can play in overcoming geographical barriers and ensuring that vulnerable populations, particularly those in remote or underserved areas, can access formal documentation processes. These units significantly improve accessibility and efficiency by providing on-the-spot registration services, reducing the need for people to travel long distances to become registered. They promote inclusion by targeting marginalised groups such as indigenous populations, stateless persons and the children of migrants, while enhancing awareness through public campaigns about the importance of documentation. Successful implementation hinges on collaboration between government bodies, international organisations and local NGOs.

While mobile units offer the flexibility to operate in various environments, it should be noted that challenges such as legal and procedural barriers, cultural stigma and technological needs must be addressed. Evidence from the Philippines, Latin America and **Nepal** shows how mobile registration units have increased access to documentation, helping to protect individual rights and prevent exploitation. Periodic visits by mobile registration units to remote communities provide opportunities for registration that would otherwise be inaccessible, thereby improving documentation rates and reducing vulnerabilities. It is essential, however, that such efforts are cognisant of social and cultural issues associated with specific local contexts.



Removing obstacles for those entitled to citizenship certificates is crucial and requires careful implementation. Additionally, constant vigilance around caste and gender issues is necessary. Whether in academic work, data gathering, advocacy or technical support, it's essential to consider these dimensions. For example, while mobile teams can help isolated populations obtain documentation, without addressing caste and gender literacy such solutions may fall short. Effective programming must understand and address issues like untouchability. We've seen cases where people were denied citizenship certificates simply because they were deemed 'untouchable.' Therefore, technical solutions alone aren't enough; combating untouchability is vital. Programming should acknowledge these social realities to be effective.

Global KII

4.6 Awareness raising and training of officials

Evidence from the focus countries suggests that raising awareness about documentation and training officials when new laws are introduced is critical to ensuring effective implementation and compliance. This process involves a multifaceted approach, starting with comprehensive educational campaigns to inform both the public and relevant stakeholders about the changes in legislation. It includes creating accessible resources and guides that clearly explain the new laws and their implications. Also essential are targeted awareness campaigns for affected populations and subgroups. These campaigns ensure that individuals know their rights and understand the importance of proper documentation. Training programs for officials must also be developed to provide them with the necessary knowledge and skills to enforce the laws correctly. These programs should include practical workshops, case studies and regular updates to keep pace with any further amendments or related developments. Effective communication and collaboration among government agencies, NGOs and community leaders are essential to ensure that the training is thorough and that awareness is widespread, ultimately fostering a culture of compliance and accountability.



To expedite the issuance of Nagarikta [citizenship documents in Nepal] to eligible individuals, there need to be fewer procedural obstacles. Progressive reforms are often not understood by local officials, so two key interventions are necessary: informing communities about the changes in the law to ensure they know it should be easier to obtain documents, and educating local officials to ensure they follow the law. Non-governmental organisations are leading this work by advocating for adherence to the law and assisting communities. Despite reforms, there is scepticism about their impact, as the ability to obtain documents was always supposed to be a right, questioning the effectiveness of these changes.

Global KII

4.7 National laws and policies

National laws and policies play a pivotal role in shaping the lives of people who lack access to documentation (Crawley et al., 2024). The findings of the global evidence review produced earlier in this project are reinforced by evidence from the focus countries showing that gaps in national legislation regarding access to official documentation can have serious consequences such as hindering access to vital services like healthcare and education, limiting employment prospects and undermining access to rights and justice. Existing legal frameworks often fail to cater to the needs of stateless persons and groups lacking access to official documentation, with procedural complexities further hindering the ability to obtain legal identity. Moreover, governance issues including corruption can undermine implementation efforts.



If we're going to succeed with identity management projects, we have to look at governance. Technology is really easy... But as long as you don't pay people properly for doing a job, you will have corruption at the lowest levels [of government].

Global KII

Several examples of good practice were identified during fieldwork, illustrating the ways in which national laws and policies can increase access to documentation.

One notable example is the Foundling Recognition and Protection Law enacted in the Philippines in 2022. This law grants Filipino citizenship to children who have been abandoned or deserted and whose biological parents are unknown. This group includes infants and young children discovered without any identification, and whose parentage cannot be ascertained (foundlings), within the Philippines or through its consular offices abroad. The law addresses the critical issue of legal documentation among these vulnerable individuals, securing their legal identity and enabling access to essential services such as education and healthcare.

Another significant policy initiative involves the Persons of Indonesian Descent (PIDs), who are people from northern Sulawesi islands in Indonesia who have settled in the southern Philippines, many of them generations ago. Due to non-compliance with reporting requirements in both countries, many PIDs face the loss of their Indonesian nationality and are not considered Filipino citizens, putting them at risk of statelessness. In 2014, the Philippines and Indonesia, with support from UNHCR, launched a project to resolve the nationality issues of PIDs. Around 9,000 PIDs were registered and offered legal assistance, roughly 30 percent were able to secure Indonesian citizenship and 29 percent gained Filipino citizenship (Villa and Wiratri, 2023). However, 41 percent had incomplete documentation, and their status is still undergoing review (Ramos-Jimenez, 2022).

In **Kenya**, the revised Refugee Act of 2021 has been lauded as critical for addressing documentation concerns for asylum seekers and refugees. Respondents told us that the Act provides good recommendations for improving the documentation process, including creating alert systems to update asylum seekers and refugees on the status of their applications. Additionally, the Socio-Economic Hubs for Integrated Refugee Inclusion in Kenya, known as the Shirika Plan, represent the government's innovative approach to refugee management by transforming camps into integrated settlements. This plan aims to address the documentation issues experienced by asylum seekers and refugees by easing the pressures on hosting areas and creating integrated human settlements with access to basic services.

The governments of **Brazil** and **Nepal** have also taken important steps to increase access to official documentation.

Brazil: migratory regularisation and legal support

The Federal Public Defender's Office in Brazil offers legal advice and assistance with migratory regularisation, advocating for individuals in lawsuits and ensuring they are not required to present documents unobtainable from their countries of origin. This institution has enabled people to apply for migration regularisation by presenting a self-declaration of affiliation, particularly benefiting Haitian migrants facing difficulties in obtaining parentage documents. Challenges in accessing consulate services have been mitigated through organised task forces by various consulates to expedite document issuance. For example, consulates in Haiti, Bolivia, Paraguay and the Philippines have organised task forces to facilitate the support process. Additionally, the Federal Police's Operação Horizonte (Operation Horizon) simplifies the process for immigrants seeking to regularise their documents, providing appointments to institutions and prioritising urgent cases. The Paraná State Information Centre for Migrants, Refugees and Stateless Persons (Centro de Informação para Migrantes, Refugiados e Apátridas do Paraná) has also signed a cooperation agreement with the Federal Police, enabling the Centre to open a service desk at the Immigration Police Station in Curitiba. This partnership aims to improve services for migrants. Another significant development was the bilateral treaty between Brazil and Bolivia in 2004, allowing regularisation for Bolivians in Brazil and Brazilians in Bolivia.

Nepal: Citizenship Amendment Act

Notwithstanding the implementation challenges noted earlier in this report, especially with regard to gender, key informants in Nepal agree that recent policy amendments have addressed many issues and paved the way for previously excluded groups to obtain citizenship. In Bardiya, the local government has issued various types of interim identity cards to facilitate cross-border mobility, school enrolment and other needs. These provide certification of residence to people without citizenship to move across the border and are recognised by the border police in India. However, they are currently for one-time use only. In Rautahat, the local ward office has implemented measures to reduce costs associated with obtaining citizenship, providing free photocopy services and forms. Additionally, they have established a support centre where people without formal education can receive assistance in applying for citizenship. Another notable practice is the distribution of old-age allowances to elderly citizens who do not have citizenship certificates. In Bardiya, some municipalities provided these allowances from their own funds, equal to the state-provided amount. Although this practice stopped last year, it was highlighted as an example of local government support. During the height of the COVID-19 pandemic, local governments distributed support to all individuals, including those without citizenship certificates, ensuring no one was excluded.

4.8 Policies that exacerbate documentation challenges and gaps in programming

While there are strong calls for sustained international cooperation and funding to support legal identity initiatives, many strategies encounter obstacles such as limited funding, insufficient political will and the challenge of aligning national policies with international standards. Moreover, some government policies can serve to undermine efforts to increase access to official documentation.

Bureaucratic and systemic barriers and inefficiencies within civil registration processes often impede reform efforts. Cultural and social stigma also prevent marginalised groups from accessing documentation services, and addressing this often requires societal changes that can be complex and slow-moving. Coordination among stakeholders – including NGOs, government agencies and international bodies – often lacks cohesion, leading to disjointed efforts and inefficiencies.

In **Brazil**, a recent shift in the CPF issuance policy has emerged as a significant bureaucratic challenge. The CPF is required to open bank accounts and access public welfare services. Under the new policy, obtaining a CPF before securing the National Migratory Register will no longer be possible. This change is expected to increase the difficulty for migrants in obtaining a CPF, potentially compounding issues related to undocumented status.

In **Nepal**, despite recent amendments to the Citizenship Act noted earlier in this report, there are still gaps in policy and challenges in implementation, particularly with regard to gender. There are also concerns that because of the open border between Nepal and India, many people will apply for citizenship in Nepal while still holding citizenship in India, which is not permitted by either country. This creates anxieties among officials for whom there are stringent penalties if they grant citizenship to Indian nationals and thereby causes delays in issuing citizenship certificates.



There is no national system to verify if the person holds citizenship of India. How are we to know who has citizenship of India? All is based on the declaration by the person who applies for the citizenship. However, if we make one single mistake, the fine is quite high – we lose our jobs and end up in prison. So, for people who apply, it looks like a slow process, but we need to do our verifications.

Nepal KII

There is also evidence that technological challenges can further complicate these issues. While digitalisation is often viewed as a solution, implementation may be hindered by inadequate infrastructure, digital illiteracy and concerns about privacy and data protection. In addition, digital systems can become barriers when they are not user-friendly or sensitive to gender equity and marginalised populations. Interconnected systems can also lead to the misuse of civil registration records, such as penalising mothers married before 18.

Ensuring the digitalisation of identity programs tailored to the specific needs of affected communities is crucial for improving accessibility, inclusivity, trust, efficiency and security, thereby enhancing the overall effectiveness and acceptance of these systems, particularly for populations at risk of modern slavery and human trafficking. Legal processes must align with international recommendations and best practices, addressing challenges to ensure everyone can register births without unnecessary barriers. Reviewing systems from a gender and equity lens can achieve universal coverage, ensuring mothers have equal rights in birth declarations.

SECTION 5

CONCLUSIONS AND POLICY IMPLICATIONS

The right to legal identity is enshrined in SDG 16.9, yet hundreds of millions of people struggle to access the official documentation needed to claim legal rights and basic services. The absence of official documentation not only renders them invisible, it creates fertile ground for exploitation and modern slavery. Recognising and addressing this connection is critical to shaping policies that not only provide legal identity but also tackle root causes and strengthen the resilience of vulnerable populations. This project's global review of the existing literature (Crawley et al., 2024) identified significant gaps in the understanding of the scale, causes and consequences of these interconnected issues. This research has begun to address this gap by engaging with a wide range of actors, including survivors and vulnerable communities at the global level and in the three focus countries.

By way of conclusion, the main findings of the research are summarised and the policy implications are highlighted. Addressing the risks linked to a lack of documentation requires comprehensive strategies including legislative changes, community engagement and international cooperation. This report calls for a concerted effort from all stakeholders to implement these strategies effectively and ensure that every individual has the right to official documentation.

5.1. Paths to documentation

This research highlights the complex and diverse pathways that lead to a lack of documentation (Section 2). Each of these pathways reflects systemic issues, including bureaucratic inefficiencies, discriminatory practices, socioeconomic challenges and legal obstacles. By unpacking them and the confluence of factors that cause different groups to be or become undocumented, this research underscores the need for comprehensive and inclusive policies that address the root causes of documentation gaps and thereby reduce these groups' vulnerability to modern slavery and exploitation.

Among the paths identified, **people who are deemed as not "legally" entitled by governments** stand out as particularly significant. This category includes irregular migrants, stateless minorities and individuals facing legal ownership challenges, often due to discriminatory nationality laws and practices. These systemic issues create substantial barriers to obtaining documentation, perpetuating cycles of exclusion and vulnerability. Additionally, extensive **evidence indicates that there are many people who face practical or social barriers to register for documentation.** This category encompasses challenges such as a lack of awareness and knowledge about the importance and process of obtaining documentation, as well as about associated bureaucratic obstacles, discrimination, social norms, accessibility issues, high costs and language barriers. Economic hardships further heighten these challenges, preventing individuals from being able to meet the costs associated with documentation processes.

These barriers highlight how legislative decisions, socioeconomic conditions and systemic inefficiencies intersect to prevent individuals from securing legal documentation, exacerbating their vulnerability and exclusion. Addressing these barriers requires a comprehensive approach that includes, in the short term, improving access to documentation processes, simplifying administrative procedures, raising awareness and reducing economic barriers. Longer-term efforts must focus on enhancing legal frameworks, devising more equitable documentation schemes and strengthening advocacy in affected communities to ensure that everyone has the necessary official documentation to protect their fundamental rights. Additionally, addressing discriminatory cultural and gender norms is crucial to ensuring that all individuals have equal access to official documentation.

5.2 Documentation status and modern slavery risks

This report draws on primary research from **Brazil**, **Kenya** and **Nepal** to illustrate the profound economic, social and legal challenges caused by the lack of official documentation and that leave people dangerously exposed to the risks of modern slavery (Section 3). In all three focus countries, being unable to obtain legal documentation restricts access to formal employment, forcing individuals into precarious, unregulated jobs with high levels of exploitation. These economic hardships are further worsened by the inability of people without documents to access essential services such as healthcare, education and financial systems, perpetuating cycles of poverty and marginalisation. In **Brazil**, migrants, particularly from Haiti and Venezuela, are pushed into low-wage, high-risk sectors such as construction and agro-industry, where they face severe exploitation and discrimination. In **Nepal**, people without documents often end up in situations of bonded labour and unable to seek higher-paying job opportunities abroad. In **Kenya**, the lack of documentation among nationals and displaced people limits access to job opportunities and essential services, forcing them into the informal sector, where they face exploitation akin to modern slavery.

Social factors, including isolation, discrimination and stigma, further compound the vulnerability of people lacking official documentation. Marginalised ethnic and racial groups face systemic barriers that prevent them from accessing documentation and thereby increase their susceptibility to exploitation. This is particularly evident in **Brazil**, where both internal and cross-border migrants frequently expressed mistrust and fear of the institutions responsible for providing legal documentation, impeding their access to identity documents and reinforcing their exclusion.



Camp of displaced people of Luo ethnicity, access is authorized upon presentation of a resident card provided by Kenya Red Cross. © BSIP SA / Alamy Stock Photo

The lack of official documentation also creates substantial barriers to accessing rights and protections and to engaging with formal justice systems. This legal limbo leaves individuals exposed to exploitation without any means of legal recourse or protection. Procedural complexities, bureaucratic inefficiencies and corruption further hinder access to necessary legal documents, trapping individuals in cycles of vulnerability and exploitation.

Both the psychological and physical impacts of lacking documentation are significant, with individuals experiencing chronic anxiety, depression and untreated health conditions. The demanding and hazardous working conditions in informal sectors further deteriorate their physical health, making them more susceptible to severe forms of modern slavery. The intersection of mental health issues and social stigma due to lack of documentation significantly impacts individuals' resilience and ability to advocate for their rights.

The inability to access legal documentation reinforces patterns of marginalisation, poverty and exploitation that trap millions of people. The links between documentation gaps and modern slavery are clear: when people are denied legal identity, they are stripped of their rights, forced into informal and often exploitative work and left without access to basic services and legal recourse. Addressing these complex issues requires urgent, comprehensive and coordinated reforms.

5.3 Promising policy interventions

The evidence gathered for this research highlights the need for immediate action to ensure that all individuals, especially the most vulnerable, have access to the protections afforded by official documentation. Failing to address the heightened risks of lacking documentation and exposure to modern slavery would enable these cycles of vulnerability and exploitation to persist. The time to act is not just now – it is long overdue.

Findings from the existing literature suggests that the hidden nature of this population as well as their complex challenges – ranging from social stigma and inability to access support services to ineligibility for legal protection – requires a more targeted approach in anti-slavery policies and programming (ILO, Walk Free and IOM, 2022). This is particularly important for at-risk populations such as children and female-headed households in lower-income regions. The intersectionality of modern slavery risks among those lacking official documentation demands a holistic approach that addresses both the immediate challenges of legal invisibility and broader socioeconomic factors contributing to their vulnerability.

The possession of verifiable legal identity transcends bureaucratic necessity, proving indispensable for equitable development and access to services in an increasingly digital world. As noted earlier in this report, SDG 16.9 articulates a global commitment to achieving legal identity for all by 2030. The World Bank Group, UN agencies and other organisations further emphasise the importance of universal coverage and accessibility of identification systems through the Principles on Identification for Sustainable Development. Recognising the link between modern slavery and the lack of official documentation is essential to developing effective policies that not only address legal identity but also work towards eliminating the conditions that perpetuate exploitation. Modern slavery, too, has been demonstrated to be a drag on development, reinforcing the urgency of a concerted effort to address the multifaceted challenges faced by those existing on the fringes of legal recognition (Cockayne, 2021).

To address these challenges, it is imperative to implement comprehensive strategies that encompass legislative reforms, community engagement and international cooperation. Key policy interventions include simplifying the documentation process and increasing awareness about the importance of legal documentation. Training local registrars, employing mobile registration units and fostering inter-agency collaboration are essential steps to improve documentation rates and reduce exploitation risks. The success of these strategies hinges on sustained political will, adequate funding and the commitment of all stakeholders, including governments, international organisations and civil society. Prioritising the inclusion of marginalised and vulnerable populations in civil registration systems significantly reduces the risks of modern slavery and ensures that every individual has the right to a documented identity and the protections that come with it.

This report concludes by identifying five key strategic areas that offer the most promising policy interventions to address the links between a lack of official documentation and vulnerability to modern slavery.

Promising policy interventions



Enhancing support services: Establish legal clinics, paralegal support programs and mobile registration units to make legal documentation more accessible to excluded populations.



Promoting community engagement: Empower marginalised groups to lead advocacy efforts and build long-term partnerships with NGOs to improve awareness of and demand for legal documentation.



Improving data collection and research: Collect more reliable data on undocumented populations to support evidence-based policymaking, resource allocation and impact monitoring.



Strengthening collaboration and integration: Adopt a holistic human rights approach in designing identity initiatives and integrating them into border management, modern slavery prevention and civil registration systems.



Addressing policy gaps and barriers: Incorporate the needs of undocumented groups into national laws and policies, ensuring their access to universal rights. Implement people-centred digital systems with robust governance structures.

Reducing the risks of modern slavery for people without access to official documentation requires a multifaceted approach that addresses both immediate gaps and systemic barriers. Two of the most promising interventions to expand access to documentation are increasing birth registration and simplifying procedures for national identity documents. These need to be supported by legislative reforms, awareness campaigns and financial incentives. Breaking down silos between different government departments and organisations is crucial for fostering collaboration, data sharing and integrated approaches. Simplifying bureaucratic processes, reducing costs and eliminating discriminatory requirements are also critical steps. Public campaigns, educational programs, advocacy, community engagement and training can raise awareness about the importance of documentation and the barriers faced by marginalised populations, and spur actions to address these challenges.

Pursuing these comprehensive strategies can lead to a future where no one is left invisible and every person has the legal identity they are entitled to. For at-risk individuals, having official documentation would facilitate access to essential services, protection against exploitation and pathways for survivors to exit from situations of modern slavery and reclaim their lives. With a united commitment and coordinated actions by governments, international organisations and NGOs, the path forward is clear: a world where barriers of exclusion are torn down and where the inherent and universal rights of every person are respected, protected and celebrated.

GOVERNMENT OF NEPAL
MINISTRY OF HOME
DEPARTMENT OF IMMIGRATION
IMMIGRATION OFFICE
BELAHIYA NEPAL

TEMB

BABH

SONA

SONA

SONA

SONA

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