



To: Dr Michael O’Flaherty, Commissioner for Human Rights, Council of Europe

From: No One Above (NOA) - a collective of survivors of the Al-Fayed trafficking enterprise

Date: 26 January 2025

**Subject: United Kingdom - systemic failures to prevent, investigate and remedy human trafficking and sexual exploitation linked to Mohamed Al-Fayed and Harrods: concerns under Articles 3, 4, 6, 8, 13 and 14 ECHR**

Dear Commissioner O’Flaherty

## **1. Introduction**

We write as survivors of a decades-long trafficking and sexual exploitation enterprise associated with the late Mohamed Al-Fayed, his brothers Salah and Ali Fayed, and a network of individuals and entities within their control. We make this submission through No One Above (**NOA**), a survivor-led organisation.

We recognise that your mandate is non-judicial and that this letter is not an application to the European Court of Human Rights. Our purpose is to provide detailed information about serious and ongoing structural failures of the United Kingdom to comply with its positive obligations under the European Convention on Human Rights, particularly Articles 3, 4, 6, 8, 13 and 14, in preventing, identifying, investigating and remedying human trafficking and gender-based violence.

The failures we describe are not isolated mistakes, but structural and long-standing weaknesses across policing, institutional failure, corporate oversight and access to justice systems. The issues raised fall directly within the Commissioner’s thematic priorities on human trafficking, violence against women and girls, accountability of law-enforcement authorities and the rule of law.

The information summarised here derives from survivor testimony, documented patterns of conduct, internal disclosures and communications with UK authorities.

We respectfully invite you to examine this case as a paradigm of how trafficking and sexual exploitation can be embedded in powerful institutions, and how systemic failures in policing, prosecution, access to justice and corporate accountability can sustain impunity over decades – despite extensive survivor testimony, public reporting and clear trafficking indicators.

We present below a detailed account of the trafficking enterprise, the roles of corporate actors, the UK’s failures to investigate and respond, the cross-border dimensions of the case and the ongoing violations of survivors’ rights under the ECHR. We also outline specific actions that fall squarely within your mandate.

NOA has submitted evidence to the Group of Experts on Action against Trafficking in Human Beings (**GRETA**), which has confirmed that our submission (on failure to recognise victims of trafficking in the Fayed case and failure to protect and investigate accordingly) will be referenced in its upcoming 4<sup>th</sup> Evaluation Round of the United Kingdom, as evidence of wider systemic failure.

## **2. Summary of the trafficking enterprise and corporate embedding**

A detailed summary of trafficking indicators as described by survivors is annexed to this letter.

Survivors' accounts describe a multi-perpetrator, multi-decade and multi-jurisdictional trafficking enterprise involving more than 400 women and girls, with the youngest known victim being 11 years old at the time of the abuse. The operation exploited Harrods and other Al-Fayed-controlled entities - including the Ritz Paris, Hyde Park Residences, West Heath School, yachts and private estates in France, Switzerland, Monaco, Scotland, the United States and Egypt - as conduits for recruitment, harbouring, coercion, medical control, transport and exploitation.

Women and girls were recruited through deceptive employment offers and contrived "PA" or Harrods-linked roles. Many posts were fabricated or hollowed out so that their primary function was to provide sexual access to the Fayed family and associates. Survivors report confiscation of passports, surveillance by security staff, threats to their own and their families' safety, forced or coerced participation in sexual acts, and near-total control over basic life activities.

Corporate actors within Harrods and related entities - including Human Resources staff, company doctors, security personnel, personal assistants, financiers, managers and lawyers - are described as facilitating this exploitation. They screened and channelled women into abuse-linked roles, arranged access, controlled victims' movement, conducted non-consensual sexual-health testing, arranged abortions and other medical care post-abuse, enforced NDAs, obstructed disclosure and normalised exploitation. Trafficking mechanisms were embedded into the ordinary operations of a major UK business.

These patterns fall squarely within the definition of trafficking in persons under the Palermo Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings (**ECAT**), and within the evolving Article 4 ECHR jurisprudence on trafficking, slavery, servitude and forced labour.

## **3. Failures by UK authorities - ECHR concerns**

### **3.1 Articles 3 and 4 – failure to prevent, protect and investigate**

From at least the late 1970s onwards, survivors made complaints to the police, to Harrods management and to other authorities. Public reporting from the mid-1990s onwards highlighted serious concerns about abuse, corruption and governance failures within the Harrods enterprise. Yet:

- Early police files have reportedly been "lost during digitisation", despite duties to record and retain sexual-offence reports.
- At least 21 women and girls reported sexual violence and trafficking from 2005 onwards, but no prosecution or safeguarding followed.
- Cases were referred to the CPS on 4 occasions, but no prosecution or pattern recognition followed.

- Mohamed Al-Fayed was interviewed under caution in 2008 and 2013; nevertheless, no comprehensive safeguarding response or investigation occurred.
- Survivors have offered testimony to several UK parliamentary committees, but their offers were declined, contributing to the absence of any meaningful domestic forum for their claims.

Survivors and whistleblowers report historic police discouragement, pressure to withdraw complaints and, in some cases, collusion between senior officers and the Fayed family, including the use of police powers to harass ex-employees and silence survivors. Documented concerns include survivor testimony, a 1997 witness statement from a former Harrods security officer reporting bribery and a 1998 newspaper investigation describing policing powers being used against complainants. Contemporary corruption-related complaints submitted to the Independent Office for Police Conduct (**IOPC**) have been referred back to the Metropolitan Police itself.

At least 147 formal statements have been taken by the Metropolitan Police from survivors. Survivors are aware that these statements contain clear trafficking indicators. As far as survivors are aware, none of these have resulted in referrals to the National Referral Mechanism (**NRM**) or the opening of a trafficking-led investigation and the Metropolitan Police has declined to provide information in this respect. Survivors have now begun to self-refer to the NRM via first responder anti-trafficking NGOs.

In 2024–2025, the Metropolitan Police publicly framed its work as an investigation into historic sexual offences committed by Mohamed Al-Fayed and “over 5 individuals” who “aided and abetted” him. Internally, survivors were informed that their experiences may legally constitute trafficking, yet the investigation would remain confined to a Rape and Serious Sexual Offences (**RASSO**) framework. At least one survivor attempting to formally report trafficking and exploitation linked to Salah Fayed has been ignored by the Metropolitan Police. To our knowledge:

- No cases are being investigated under a trafficking or modern-slavery framework.
- No survivors have been referred to the NRM.
- The systemic, networked and corporate nature of the exploitation has not been the subject of a dedicated trafficking investigation.
- No safeguards have been put in place to mitigate risks associated with document retention or Harrods sharing intimate survivor information with the Fayed estate (whose executors are close family members of the accused) for the purpose of its counterclaim, despite ongoing criminal investigations in the UK and France.

France has now opened an investigation into aggravated human trafficking involving multiple victims. However, the Metropolitan Police informed survivors only that France was examining “the handling of sexual abuse allegations”, omitting the trafficking basis. This mischaracterisation raises concerns about the UK’s fulfilment of its duties under ECAT, including its obligations regarding ex officio investigations and international cooperation, as well as its procedural obligations under Articles 3, 4 and 13 ECHR.

Taken together, these long-standing failures amount to a pattern of institutional tolerance towards exploitation by powerful and well-connected individuals and state-linked institutions, creating a situation of de facto impunity.

We submit that the UK's long-standing and continuing failure to prevent ongoing harm, to identify victims, to treat credible allegations as trafficking, to investigate the wider enterprise and to cooperate effectively with other States constitutes a breach of its positive obligations under Articles 3 and 4 ECHR.

### **3.2 Article 8 – bodily integrity, medical privacy and coercive control**

Survivors describe non-consensual sexual-health testing, forced and coerced abortions, restrictions on access to independent medical care, intrusive surveillance of communications, and extreme control over clothing, appearance and movement. These interferences with bodily and psychological integrity, privacy and sexual autonomy, combined with the State's failure to protect against known risks, raise serious concerns under Article 8 ECHR.

### **3.3 Articles 6 and 13 – lack of effective remedies and access to justice**

In practice, survivors face no realistic pathway to justice through the UK civil courts. Key barriers include:

- a hostile costs regime and adverse-costs risk;
- the practical unavailability of affordable insurance for abuse litigation;
- the weaponisation of Part 36 settlement offers; and
- the absence of a specific civil tort of trafficking, forcing survivors to rely on fragmented causes of action that do not capture organised, corporate or long-running exploitation.

Harrods has indicated that it will rely on limitation defences and Part 36 tactics. Meanwhile, the only existing “redress” mechanism is Harrods' own 2025 internal Scheme, which:

- recognises only isolated sexual assaults by Mohamed Al Fayed and wrongful medical testing;
- denies trafficking and the wider corporate enterprise;
- excludes many survivors (including those abused by other members of the Fayed family);
- requires extensive personal disclosures from survivors, while providing no transparency in return;
- mandates that survivor information be passed to the Fayed estate (whose executors are close family members of the alleged abusers) for the purpose of counterclaiming; and
- lacks independence, external oversight or procedural safeguards.

This leaves survivors without any State-based independent scheme and with only an institution-controlled, opaque process in practice.

In practice, the combination of police inaction, prosecutorial reluctance and the absence of an independent state remedy has produced an accountability vacuum that has shielded perpetrators from scrutiny for decades and continues to do so today.

We submit that this situation is incompatible with Article 13 ECHR and with the requirement of practical and effective access to a court under Article 6(1).

### **3.4 Article 14 – discriminatory patterns**

The failures described disproportionately affect women and girls, many of whom were economically precarious. Over decades, State authorities have shown a pattern of reluctance to act on credible trafficking indicators where powerful men and prestigious institutions are implicated.

Structural discrimination is further reflected in policy frameworks. Trafficking of women and girls is not meaningfully integrated into the UK's Violence Against Women and Girls (VAWG) strategy, and the CPS VAWG strategy continues to treat modern slavery largely as a separate category rather than recognising it as a core gendered harm. The strategy focuses on individualised harm and frontline responses, while leaving intact the structural conditions that allow systemic, high-status abuse to persist without consequence. These gaps contribute to misclassification of trafficking cases and impede gender-sensitive safeguarding, constituting discrimination contrary to Article 14, taken together with Articles 3, 4, 6, 8 and 13 of the Convention.

Survivors also note a stark contrast between the State's historic responsiveness to litigation protecting the Fayed's financial and reputational interests and its neglect of survivors' rights.

#### **4. Corporate responsibility and State obligations**

Since 2010, Harrods has been wholly owned by Qatar Holding LLC, a subsidiary of the Qatar Investment Authority (QIA). As a State-owned entity, QIA's conduct is attributable to a State under international law. Allegations, NDAs and internal complaints and evidence existed or were knowable at the time of acquisition, yet no meaningful human-rights due diligence has been disclosed. The absence of transparent review or remedial action reinforces concerns about the lack of accountability.

Survivors report that the financial, governance and operational environment within Harrods - including opaque cash flows, the creation of non-productive roles, records of sexual health testing, NDAs, and high staff turnover - created conditions in which abuse and trafficking indicators could have been detected but were not. This context underscores the need for State-level scrutiny of corporate structures that enable exploitation.

#### **5. Continuing violations**

Mohamed Al-Fayed is deceased, but his network of perpetrators and enablers and the institutions that facilitated exploitation, remain. Survivors continue to live:

- without recognition as trafficking victims;
- without access to independent, survivor-centred remedies; and
- under the authority of institutions that have not been held to account.

The Metropolitan Police has stated that it has reviewed over 50,000 pages of evidence, yet there has been no shift towards a trafficking-centred investigative framework, despite recognition of trafficking indicators by French authorities reviewing the same facts. The persistence of these barriers despite extensive survivor testimony and long-standing public reporting indicates an entrenched culture of institutional non-responsiveness when allegations concern wealthy or politically influential figures or states.

The ongoing failure to investigate the trafficking enterprise, to cooperate fully with foreign proceedings, to provide accessible civil justice, or to establish an independent redress scheme constitutes, in our view, a situation of continuing violations of Convention rights.

#### **6. Requests to the Commissioner**

In light of the above, we respectfully ask that you:

- a) Examine the Al-Fayed/Harrods case

As an illustration of systemic failures in the UK's implementation of Articles 3, 4, 6, 8, 13 and 14 ECHR in trafficking and violence-against-women contexts, including the misclassification of complex trafficking enterprises as isolated sexual assaults.

- b) Assess the UK's compliance with positive obligations to:
- prevent and investigate trafficking;
  - identify and protect victims;
  - provide effective remedies and access to court;
  - ensure that gendered and status-based discrimination does not undermine these duties.
- c) Engage with UK authorities, including the Home Office, the Metropolitan Police and the Crown Prosecution Service, to seek:
- a trafficking-led investigation into the Al-Fayed enterprise, including corporate and financial aspects;
  - meaningful cooperation with French authorities and other jurisdictions involved;
  - formal recognition of survivors as victims of trafficking;
  - development of an independent, survivor-centred redress mechanism, separate from Harrods.
- d) Consider a country visit to the United Kingdom, focusing on:
- law-enforcement and prosecutorial responses to trafficking;
  - the role of corporate actors and financial institutions in enabling exploitation;
  - structural barriers to access to justice and redress.

We note that several of the failures described here mirror concerns raised in successive GRETA evaluations of the United Kingdom, including shortcomings in victim identification, inconsistent application of trafficking frameworks and barriers to effective remedies.

We would welcome the opportunity to provide further information, including survivor testimony, documents relating to the Harrods Scheme, and materials previously submitted to domestic and international bodies (including GRETA and UK parliamentary committees).

Yours sincerely,

No One Above (NOA)

## Annex – Trafficking Indicators in the Al-Fayed Case, From Victim Accounts

*This annex sets out the key acts, means, and purposes of trafficking present in survivor testimonies linked to Mohamed Al-Fayed and Harrods.*

<b>Acts (What Was Done)</b>
<ul style="list-style-type: none"> <li>• Recruitment of girls and young women under false pretenses (e.g., fictitious jobs, opportunities at Harrods, career help).</li> <li>• Harboring in controlled environments such as Harrods, residences, or private events.</li> <li>• Transportation of some women to other locations (domestic and international, including via private aviation).</li> </ul>

<b>Means of Control (How Victims Were Subjugated)</b>	
<i>Survivor accounts reveal multiple overlapping methods of coercion, intimidation, and control:</i>	
<b>Coercion &amp; Threats</b>	Threats and intimidation by security teams.
	Threats to family members.
	Threats of physical harm or further sexual abuse.
	Threats of being trafficked to others.
	Threat of actual imprisonment (as punishment).
	Verbal humiliation.
	Forced to participate in humiliating acts.
	Abusive speech.
	False accusations.
	Forced participation in criminal acts (e.g. drug possession).
<b>Grooming &amp; Abuse of Vulnerability</b>	Grooming by Al-Fayed and Harrods staff.
	Grooming of family members.
	Imposition of forced gifts and/or money.
	Some victims describe no choice of where or when to sleep, eat, wash, activities (e.g., visiting doctors, dentists, etc.).
	Restriction of food, monitoring of body weight, choice of clothing, make-up, hairstyle.
	Being forced to conceal evidence of abuse.
<b>Non-consensual Administration of Drugs</b>	Forced drug use to ensure dependency.
	Covert drugging.
<b>Financial Control</b>	Withdrawal of salary or control of remittances.
	Threat of withdrawal of job/salary.
	Intentional establishment of family dependency on victim.
<b>Surveillance &amp; Isolation</b>	Restriction of movement.
	Monitoring and restriction of communications.
	Awareness of surveillance.
	Restriction of independent medical access.
	Removal to foreign countries where victims lacked language skills or safe access to help.
	Some victims' families were surveilled when access allowed.
	Being forbidden from speaking to others.
	Confiscation of letters and lack of access to telephones.
	Confiscation of passports.

<b>Control of Documents &amp; Travel</b>	Control by private jets or transport.
	Control by limiting information – victims describe not being told where they were being taken.
<b>Legal &amp; Informational Control</b>	Coerced NDAs.
	Non-consensual medical testing and forced medical procedures.
	Image-based abuse.
	Coercion to withdraw or refrain from making police reports.

<b>Purpose (Why It Was Done)</b>
<ul style="list-style-type: none"> <li>• Sexual exploitation of women and children by Al-Fayed and associates.</li> <li>• Maintenance of a system of control and silence around the abuse, ensuring ongoing access to victims.</li> </ul>