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HUMAN RIGHTS COUNCIL

DESCRIPTION OF THE COMMITTEE

In March 2006, the General Assembly voted to create the Human Rights Council, which would replace the much-criticized Commission on Human Rights. The Human Rights Council, like the Commission before it, addresses human rights violations around the world. The Human Rights Council is composed of 47 countries, which are elected by a majority of the General Assembly through a secret ballot. In an effort to remedy the controversy surrounding the Commission on Human Rights, member states of the Council are required to uphold human rights in their own countries and policies. Council members with “gross and systematic violations of human rights” may have their membership suspended. The Council meets at least three times a year.

TOPIC: TRAFFICKING IN HUMAN BEINGS

INTRODUCTION

When most people think of slavery, they recall the transatlantic slave trade that took place from the 1400s to the 1800s, when European slave traders kidnapped Africans and sold them into slavery in North America and the Caribbean. The Transatlantic slave trade was halted in the nineteenth century, but another type of slavery continues today: human trafficking. **Human trafficking** is a highly profitable illegal business in which people are coerced or tricked into traveling far from their homes to work for little or no money. These modern day slaves are disproportionately women and children who are forced to work as hard laborers, soldiers, domestic servants and prostitutes.

The same aspects of globalization that have helped legitimate businesses prosper have also allowed human trafficking to become a multi-million dollar industry. For instance, the cost of intercontinental transportation has decreased dramatically. Communication between distant regions is also rapid and inexpensive. Trafficking can therefore be conducted quickly, efficiently and inexpensively, creating large profits for illegal traffickers.¹

The victims of human trafficking are not the only ones hurt by this illegal practice—proceeds from trafficking are used to fund terrorism and corruption around the world. To date, member states have taken few steps to address the issue of human trafficking. It will be up to this committee to look at ways that human trafficking can be stopped, but most of all to harness **political will**—the willingness of member states—to address the issue.



“The fact that slavery—in the form of human trafficking—still exists in the 21st century shames us all.”

Antonio Maria Costa, Executive Director, United Nations Office on Drugs and Crime

Source: UNODC Report *Trafficking in Persons: Global Patterns*, April 2006.

BACKGROUND

US government estimates that 600,000 to 800,000 individuals are trafficked across international borders each year.² This number does not even include people who are forced into labor in their own countries. The International Labor Organization (ILO) estimates that 12 million people around the world may be engaged in some form of forced labor. Of these, at least 2.4 million were also victims of human trafficking.³ About 80 percent of the victims of trafficking are women and girls, and half are children under the age of 18.⁴

Some victims are kidnapped from their home countries. Other times traffickers use deception to trick people into agreeing to travel overseas. They promise the victims good jobs in their new locations. They often charge the victims a large sum of money to make the journey. Victims are usually young and poor, so they must borrow the cost of the journey from the traffickers. When they arrive in their new locations, the victims are forced to work indefinitely in bad conditions to pay off their debts.

Sometimes people from very poor areas sell their children to traffickers because they believe their lives will be better overseas. But this is rarely the case. Children who are trafficked overseas often face a life of prostitution or are used in illegal child pornography.

CRITICAL THINKING

Most victims of human trafficking are first victims of extreme poverty. What might be done to address this root cause of human trafficking?

Due to modern improvements in transportation and communication technologies, it costs relatively less to traffic a person today than it did two centuries ago during the Transatlantic slave trade. Slave traffickers are therefore making much higher profits than their counterparts from the eighteenth and nineteenth centuries.⁵ Compared to other illegal activities, the costs associated with starting up in the human trafficking business—sometimes called the “**barriers to entry**”—are very low. In addition, criminal sentences for those who are caught are much more lenient than for other forms of illegal trafficking, such as drug smuggling.⁶ For these reasons, human trafficking is a very attractive activity for criminal and terrorist groups.

But terrorist cells and organized crime groups are not the only ones benefiting from this horrific practice. Corrupt officials in states where human trafficking takes place often take bribes from traffickers. Sometimes human traffickers give officials cash payments to look the other way



when trafficking takes place. But other times, corrupt officials are actually closely involved with the human trafficking business, profiting directly from the sale of victims into forced labor. For these reasons, human trafficking encourages corruption and damages the **rule of law**.⁷

Trafficking of people violates these basic human rights:

- To physical and mental integrity;
- To life, liberty and security of person;
- To live without slavery or servitude;
- To live without cruel and inhuman or degrading treatment;
- To just and favorable remuneration (payment for work);
- To work, to free choice of employment, to just and favorable conditions of work;
- To a standard of living adequate for health and well-being; and
- To social security.

Source: Amnesty International, USA, www.amnestyusa.org/women/trafficking.

Impact on Victims

The people who become victims of trafficking, mostly women and children, endure a great deal of physical and psychological pain and humiliation. They are often confined by their captors and have their identification documents taken away. They may be raped, sexually abused, or forced into prostitution or pornography. To silence them, traffickers often threaten to tell the victim's family that he or she is working as a prostitute. Traffickers also take advantage of victims' fear of being deported or arrested if they go to the authorities.⁸

Elena's Story

Elena grew up in a rural area in the southern Philippines. "Our life was difficult there. It was hard to earn money," Elena says. Her parents are farmers, and their income is too small to support Elena and her brothers and sisters. When Elena was just 15 years old, her parents sold her to a recruiter to who would take her to work in Manila, the capital city of the Philippines.

"I didn't want to come to Manila, but my parents wanted me to," Elena says. "I told them I was too young, but they said it would not be noticed — I could pass for 18. The recruiter had already paid my parents 500 pesos (about US\$10). I told them to return the money to the recruiter, but they had already spent it."

Elena became a domestic servant for a family in Manila, where the man of the house raped her. Ultimately she escaped and was discovered by Visayan Forum Foundation (VF), a non-governmental organization (NGO) that helps vulnerable migrant working children. But there are many others like Elena who do not get help. Every year four million people enter Manila through the North Harbor alone (where Elena entered). And a growing number of young children are trafficked into the worst forms of child labor — prostitution, domestic work, factory work and construction — which endanger their health and safety.

Source: Excerpted from "Elena's Story," UNICEF, Voices of Youth, www.unicef.org/voy.



Combating the Trafficking of Human Beings

There are many different ideas on ways to reduce trafficking in humans. Most proposals involve trying to reduce either the *supply* of people who are vulnerable to being trafficked or the *demand* for trafficked individuals. One proposal is to **legalize** prostitution, which is currently against the law in some countries and not in others. Supporters of legalizing prostitution say that if the practice were allowed, there would be less demand for illegally trafficked individuals. The reason, they say, is that police would be more likely to detect signs of human trafficking if the prostitution industry were fully regulated by the government. Yet others do not believe this approach will be effective. Illegally trafficked prostitutes will simply work on the **black market** for less money than “official” prostitutes, they say. Moreover, many countries feel that prostitution is physically and emotionally harmful to young women—and something that governments should not condone.⁹

NGOs have argued for greater penalties for traffickers and stricter enforcement. They also lobby for reducing or eliminating penalties for trafficking victims who are forcibly involved in criminal activities such as prostitution. One challenge is that it is often difficult to determine who is a victim of trafficking unless they come forward. Several NGOs have launched awareness campaigns so that victims understand that they will not be penalized, and come forward without fear of prosecution.

Other policy makers have suggested that the supply side of the modern slave trade should be targeted. They point out that by promoting economic growth in very poor regions, people will have alternatives to going overseas for jobs and will be less vulnerable to traffickers. But the process of development can take a very long time, and may not have an immediate impact. In the meantime, hundreds of thousands of people will continue to become victims of trafficking each year.

Another proposal for combating human trafficking is to publicize the names of countries that have bad records with human trafficking. Sometimes called “naming and shaming,” this method relies on countries to report honestly about which governments are not cooperating in the fight against human trafficking. “Reputation matters in today’s global economy, a reputation for harboring criminals is something no state wants,” explains Ethan B. Kapstein, a writer for *Foreign Affairs* magazine.¹⁰

CRITICAL THINKING

What might happen if prostitution were widely legalized? Do you think the number of women and children who become prostitutes would decrease? Why or why not?

INTERNATIONAL ACTION

The Work of the United Nations

The UN has a long history of opposing the trafficking of human beings. In 1949, the General Assembly passed the *Convention for the Suppression of the Traffic in Persons and of the*



Prostitution of Others. Then, in 2000, the UN General Assembly updated the *Convention Against Transnational Crime* by adopting the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children*.

In March 1999, the UN Office on Drugs and Crime (UNODC) launched the Global Programme against Trafficking in Human Beings (GPAT), a cooperative effort of the UN Interregional Crime and Justice Research Institute (UNICRI) and the UNODC. GPAT was designed to help individual member states do their part to stop trafficking in human beings. The program helps to inform states about the role of terrorist and criminal groups in human trafficking. GPAT primarily focuses on the use of judicial (court) systems in the fight against trafficking. As one of the only programs that centers on the criminal justice aspect of the problem, GPAT is helping states to address this issue by prosecuting offenders.¹¹

The UN has struggled with two main problems in the effort to end human trafficking. The first is that many states choose to focus on other issues that they believe to be more pressing, such as security issues. The delegates in this body must therefore create the political will to address the issue of human trafficking. Second, it has been difficult for member states to agree on an official legal definition for human trafficking. One reason is that it is often difficult to distinguish between those who are moved voluntarily across borders and those who were tricked or coerced into going. Article 3 of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons defines trafficking, but with complicated language that states have found difficult to incorporate into their national laws.¹²

Definition of “human trafficking” according to Article 3 of the Protocol

“the recruitment, transportation, transfer, harboring or receipt of persons, by means of the use of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation.”

Source: Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children

The Work of Nongovernmental Organizations

Several nongovernmental organizations (NGOs) have dedicated their efforts to ending the trafficking of human beings. ECPAT, which stands for “end child prostitution, child pornography and trafficking of children for sexual purposes,” is a network of NGOs that focuses specifically on ending trafficking and sexual exploitation of children. Amnesty International is an organization that has worked to educate the public about human trafficking as a human rights violation. The Global Alliance against Traffic in Women, Human Rights Watch, and the “Not for Sale” campaign are just a few of the other organizations that have contributed to the movement against human trafficking.



National Reactions

In 2000, the United States passed the *Trafficking Victims Protection Act* (TVPA) which imposes stronger penalties in the US for trafficking persons and provides funds to assist victims of human trafficking. However, the US is criticized for allowing their allies to violate laws against trafficking. The US also maintains a *Trafficking in Persons Report* that categorizes countries based on their efforts to fight trafficking. Sweden and the Netherlands have made efforts at prosecuting more traffickers.

But over all, the efforts of national governments against human trafficking have been very weak. A few countries are actively taking part in the trafficking by accepting bribes. Many other countries choose not to make human trafficking a top priority. But the modern slave trade cannot be halted without the cooperation of countries where the victims originate, as well as the countries to which they are trafficked.

RECOMMENDATIONS FOR FORMULATING A RESOLUTION

Delegates may consider the following when drafting resolutions:

- Identifying and meeting the needs of victims of human trafficking;
- Forming strategies to decrease demand for trafficked persons, as well as strategies for decreasing supply of trafficked persons through better enforcement of laws;
- Ways to target corrupt officials in order to eliminate government involvement in human trafficking;
- Encouraging countries to pass and enforce national legislation against human trafficking;

QUESTIONS TO CONSIDER

1. What laws does your country have against human trafficking? How well are they enforced? How many traffickers are prosecuted each year?
2. Are citizens of your country victims of human trafficking?
3. Are victims of human trafficking brought into your country?
4. Are officials in your country's government involved in human trafficking?
5. Are there any criminal or terrorist groups in your country that benefit from human trafficking?

TERMS AND CONCEPTS

Human trafficking: the illegal transport of people across national borders for the purpose of exploiting them

Political will: the desire or willingness of a country or political entity to deal with a particular issue

Barriers to entry: the costs associated with starting a business in a particular region or industry

Rule of law: the idea that everyone in a society, including leaders, must follow the law and will face consequences in a fair court if they do not.

Legalize: to make something legal that was previously illegal

Black market: an illegal market that takes place outside of government approval

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