



Social, Humanitarian & Cultural Issues (SOCHUM)

Topic 1: Human trafficking for debt bondage and forced labour

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1. Definition of Key Terms

Persecution: hostility and ill-treatment, especially because of race, political or religious beliefs

Debt bondage: when a trafficked person owes money to his or her trafficker for transportation, visa fees, safe passage through borders, food, clothing, housing, drugs and is expected to repay it. The trafficked person has no control over the accounting of the debt. A trafficker may arbitrarily increase the amount a trafficked person owes at any time, while promising that he will go free as soon as the debt is paid - which it might never be.

Post-traumatic stress disorder: a severe anxiety disorder or emotional illness that results from exposure to extremely traumatic events that cause intense fear, such as frightening, life-threatening, violent, or very unsafe experiences. Victims of human trafficking can acquire this condition as a result of their trafficking experience.

Fraud: a knowing misrepresentation of the truth that induces another person to act to his or her detriment.

Transfer: a human trafficker moving a trafficked person from one location to another for the purpose of exploitation. May also involve transferring a trafficked person to another trafficker for the purpose of exploitation.

2. Introduction

Human trafficking is a global criminal activity that involves the trade of people for profit, exploiting individuals of all genders, ages, and backgrounds. This heinous crime is pervasive and occurs in every region of the world. Traffickers employ tactics such as violence, fraudulent employment agencies, and false promises of education and job opportunities to trick, coerce, and deceive their victims. Perpetrators, whether organized networks or individuals, capitalize on the vulnerability, desperation, or the pursuit of a better life by their victims.

The UN Trafficking in Persons Protocol, supplementing the United Nations Convention against

Transnational Organized Crime, defines human trafficking as "the recruitment, transport, transfer, harbouring, or receipt of a person by means such as threat or use of force or other forms of coercion, abduction, fraud, or deception for the purpose of exploitation."

This definition comprises three core elements:

1. The act of trafficking, encompassing recruitment, transportation, transfer, harbouring, or receipt of persons.
2. The means of trafficking, involving threats or use of force, deception, coercion, abuse of power, or taking advantage of a position of vulnerability.
3. The purpose of trafficking, which invariably centres around exploitation.

3. Background Information

Human trafficking and migrant smuggling are two distinct yet interconnected crimes, both involving illegal activities that treat individuals as commodities. However, there are key differences between the two:

1. Objective and Exploitation:

- Human Trafficking: The primary aim is exploitation, which may involve forced labour, sexual exploitation, or other forms of abuse. Trafficking victims can be migrants or non-migrants.
- Migrant Smuggling: The main objective is to facilitate the illegal entry of individuals into another country. Smuggling itself does not necessarily involve exploitation; it is about assisting individuals in crossing borders.

2. Crossing Borders:

- Human Trafficking: Victims can be trafficked within their home country or across international borders.
- Migrant Smuggling: Always involves crossing national borders, as it is about assisting individuals in entering another country illegally.

3. Awareness and Consent:

- Human Trafficking: Victims may not be aware of the exploitative conditions they will face, and their consent may be obtained through deception, coercion, or force.
- Migrant Smuggling: Generally involves individuals who are aware of and consenting to being smuggled across borders, even though the act itself is illegal.

4. Routes and Methods:

- Both Crimes: Criminals may engage in both human trafficking and migrant smuggling, using similar routes and transportation methods. Some individuals may start as smuggled migrants but later become victims of trafficking.

It's crucial to recognize these distinctions to develop effective strategies for prevention, prosecution, and victim protection in combating these illicit activities.

4. Timeline of events

For much of human history, slavery was a prevalent and legal practice across cultures and continents, where one group would often exploit another. However, the 19th and 20th centuries witnessed the emergence of an international movement dedicated to abolishing slavery in all its forms. While slavery is no longer legal globally, human trafficking persists in every country.

1500-1866: Transatlantic Slave Trade

- Portugal initiated overseas voyages to Africa in the 16th century to purchase or capture people for enslavement. Other European nations followed suit.
- The Transatlantic Slave Trade (1525-1875) saw around 12.5 million slaves transported globally, with 10.7 million reaching the Americas.
- Owning African slaves was legal until Britain outlawed slavery in 1807.

1850-1900: Traffic of Chinese Women into the United States

- Chinese immigrants came to the U.S. during the mid-1800s for jobs related to the California Gold Rush and the Central Pacific Railroad construction.
- The Page Act of 1875 aimed to limit Asian immigration and prevent the trafficking of women. It marked a halt to immigration, particularly of Chinese women.

1900-1910: International Agreement for the Suppression of "White Slave Traffic"

- After the abolition of the African slave trade, concerns about European women forced into prostitution led to the signing of the Mann Act in 1904.
- In 1910, the International Convention for the Suppression of White Slave Trade was signed by 13 countries to make this form of trafficking illegal.

1919: International Labor Organization

- The International Labor Organization was established in 1919 to set standards for working conditions.

1921: International Convention for the Suppression of Traffic in Women and Children

- After World War I, the League of Nations was founded to address human trafficking. In 1921, 33 countries signed the International Convention for the Suppression of Traffic in Women and Children.

1949: United Nations Convention for the Suppression of the Traffic in Persons

- After World War II, the United Nations adopted the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others in 1949, the first legally binding international agreement on human trafficking.

2000: United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons

- In 2000, the United Nations adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, expanding the definition to include modern-day slavery, organ harvesting, and forced labour.
- In March 2007, the United Nations launched the Global Initiative to Fight Human Trafficking (UN.GIFT) to promote a global approach. As of December 4, 2007, 116 nations had signed the Protocol.

5. Major Countries Involved

Since 2003, the United Nations Office on Drugs and Crime (UNODC) has been compiling global statistics on identified victims of human trafficking. These statistics underscore the widespread occurrence of human trafficking across all regions of the world. States can function as countries of origin, transit, destination, or a combination of these roles for trafficking victims. It is essential to note that the data collected reflects victims who came into contact with authorities, providing insights into detected cases rather than the actual prevalence or the undisclosed number of victims. Data from the 2022 Global Report on Trafficking in Persons reveals that in 2020, approximately 50,000 human trafficking victims were identified and reported by 141 countries. Regions such as Europe, the Middle East, North America, and select countries in East Asia and the Pacific serve as destinations for trafficking victims originating from diverse locations. Notably, in 2020, 65 percent of victims identified in Western and Southern Europe were individuals trafficked from various countries of origin. During the same period, victims hailing from East Asia and Sub-Saharan Africa were identified in numerous countries across almost every region globally. While Central and South-Eastern European victims were notably identified in large numbers, their presence was predominantly observed in European destinations.



6. UN Involvement

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, was adopted by the United Nations General Assembly in 2000. Serving as a supplementary framework to the United Nations Convention against Transnational Organized Crime, this Trafficking Protocol stands as the singular international legal instrument explicitly addressing human trafficking as a criminal offense. The Protocol's key objectives encompass the prevention and combatting of trafficking, the protection and assistance of victims, and the promotion of cooperative efforts among ratified countries to achieve these aims. Crucially, the Trafficking Protocol establishes the world's inaugural definition of human trafficking, mandating ratifying States to criminalize such practices.

UNODC plays a pivotal role within the United Nations system in addressing the criminal

dimensions of human trafficking. Leveraging its expertise and knowledge, UNODC supports UN Member States in the ratification and implementation of the UN Protocol on Trafficking. The organization's experts in crime prevention and criminal justice actively contribute to the formulation of national laws and policies on human trafficking. Additionally, they provide training and guidance to diverse officials, including police officers, border control guards, labor inspectors, and specialists in victim support. Through the guidance and mechanisms instituted by UNODC, countries enhance their capabilities to investigate and prosecute human trafficking cases, dismantle the criminal networks involved, trace illegal proceeds, and safeguard and assist victims.

THE PROTOCOL

The UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons stands as the primary global instrument in the fight against human trafficking. Adopted by the United Nations in November 2000 as an integral component of the United Nations Convention against Transnational Organized Crime, this Protocol represents a groundbreaking legal framework.

Being the first legally binding instrument globally recognized, it provides a comprehensive definition of human trafficking. This definition serves as a critical tool for identifying victims—men, women, or children—and detecting all forms of exploitation that constitute human trafficking. Countries endorsing this treaty are obliged to criminalize human trafficking and formulate anti-trafficking laws in accordance with the Protocol's legal provisions.

Moreover, these nations must ensure the provision of protection and assistance to victims of human trafficking, with a commitment to fully respecting their rights.

Human trafficking is a significant challenge within the EU, standing out as a priority for Europol and law enforcement agencies in EU Member States. It is a focal point in the EMPACT priorities, Europol's designated crime areas, during the 2018–2021 EU Policy Cycle.

Furthermore, the EU Strategy on eradicating human trafficking for the period 2012-2016 outlines five key strategies: identification, protection, and assistance to victims; intensified prevention of trafficking in human beings; robust prosecution of traffickers; enhanced coordination and cooperation among key actors, including policy levels; and increased knowledge and effective responses to all forms of human trafficking.

Europol strategically and operationally supports efforts against organized criminal gangs engaged in human trafficking across at least two EU Member States. In 2007, Europol initiated an operationally focused project addressing human trafficking, with twenty-five countries now actively participating. By 2014, law enforcement in these countries made 3,820 contributions to Europol's dedicated team on human trafficking, representing a notable 65% increase from the previous year.

7. Useful Links

<https://www.europol.europa.eu/crime-areas/trafficking-in-human-beings>

<https://www.unodc.org/unodc/en/human-Trafficking/Human-Trafficking.html#:~:text=FAQs,every%20region%20of%20the%20world.>

<https://www.unodc.org/unodc/en/human-trafficking/faqs.html>

<https://www.osce.org/files/f/documents/5/c/19223.pdf>

https://paradisevalley.libguides.com/human_trafficking/history