IISMUN'17

UNHRC - Background Guide

Agenda: Human Trafficking

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Letter from the Executive Board

Honorable Delegates,

Greetings! Welcome to this simulation of United Nations Human Rights Council (UNHRC). The Committee agenda for this year is, 'HUMAN TRAFFICKING.'

UNHRC is one of the most important bodies of the United Nations, which is responsible for promoting and protecting all the human rights around the world. Having meticulously picked out the agenda for this meet, I am hoping to see a riveting course of debate within the committee.

Background knowledge of the topic is more or less your key to success. However, this background guide is by no means the end of research. Also delegates, your speeches should be laden with realistic, pragmatic details in order for you to have an influence on the committee. The agenda is a broad one and I expect the delegates to discuss its various facets over the course of the conference.

Awards will solely be handed out on the basis of merit, so if you know me prior to the conference, please do not expect me to be partial.

Lastly, I wish you all the best in your preparations for this conference, and hope we can bring about an unforgettable three days. Please do not hesitate to contact the members of the dais. I will be happy to answer all of your questions.

Regards,

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Introduction

Human Rights Council works to make sure that all the people know about their rights and can use them. Every person has the right to live, be treated fairly and have a say in the way his or her country is run. This organ of United Nations makes sure that all the people have the same rights and helps people if their rights were taken away.

Human trafficking involves an act of "recruiting, transporting, transferring, harbouring or receiving a person through a use of force, coercion or other means", merely for the purpose of exploiting them. Human trafficking has become a major problem in the global community. Internationally, human trafficking is linked to illegal arms trade and is the second largest crime in the world (following the drug trade). This issue violates numerous human rights and poses a great threat to the victims. The smuggling of migrants and human trafficking for commercial exploitation and slave labour are just two of the quickest growing international issues in recent years. Exploitation usually comes in forms of forcing trafficked victims into **prostitution, slavery, or servitude, or tricking victims into debt bondage.** It is estimated that nearly eighty percent of trafficking involves sexual exploitation and approximately nineteen percent involves labour exploitation.

Types of Trafficking:

- **Forced Labor:**
  The International Labor Organization estimates that 18.7 million people are subjected to forced labor, 14.2 million of whom are exploited in activities such as agriculture, construction, domestic

work, and manufacturing, and 4.5 million of whom are exploited for sex. Forced labor is work or service that is extorted from someone under the menace of any penalty and work or service that the person has not offered voluntarily. Types of forced labor include debt bondage, involuntary servitude, peonage, and slavery.

i) **Debt bondage:**

Debt Bondage is a type of forced labor, involving a debt that cannot be paid off in a reasonable time. The employer/enforcer artificially inflates the amount of debt, adds exorbitant interest, and/or charges for living expenses, deducting little or nothing from the debt and increasing the amount of time the individual must work. This results in a cycle of debt where there is no hope for freedom. Debt bondage is also known as peonage, debt slavery, or bonded labor.

ii) **Involuntary Domestic Servitude:**

Involuntary servitude occurs when a domestic worker becomes ensnared in an exploitative situation they are unable to escape. Typically in private homes, the individual is forced to work for little or no pay while confined to the boundaries of their employer's property. These workers may endure such abuses as confiscation of travel documents; threats of arrest or deportation; isolation from family or any other type of support network; and subjection to psychological, physical, and sexual abuse.

- ## Sex Trafficking

Sex trafficking is the recruitment, transportation, or harbouring of persons through the use of force, fraud or coercion for the purpose of sexual exploitation. Sexual exploitation occurs in various settings,

including (but not limited to) brothels, strip clubs, massage parlours, on the street (sometimes coined "track"), or in private homes. Individuals can be trafficked domestically and across international borders. According to the **International Labour Organization,** 4.5 million individuals are exploited for sex. Women and children are the most common victims found to be trafficked for sex. More recently, however, LGBT identifying individuals, especially transgender individuals, are increasingly found to be victims of sexual exploitation.

Child Labor

Globally there are **168 million** child labourers, over half of whom (85 million) are in hazardous work conditions. It is possible for minors, individuals below the age of 18, to participate in work that does not negatively affect their health, personal development, or schooling. However **"child labour"** frequently refers to work that does have a deleterious effect on children's health, including depriving them of a childhood and reaching their potential. This work may be mentally or physically dangerous or harmful to children, or it may interfere with their schooling. As children are more easily manipulated and require fewer resources to survive, the use of child labour increases with poverty, globalization, and the demand for cheap labour.

More extreme forms of child labour include enslavement and trafficking. Children may be abducted, sacrificed for the betterment of the family, or promised an education by their trafficker. They are trafficked into domestic work, sexual exploitation, hazardous child labour, begging, and other illegal activities such as stealing, illegal adoption, or early marriage.

Child labour is separate from forced labour more generally because exploitation does not necessarily come directly from another

individual. Hazardous working conditions effectively debilitate minors to a great extent.

Commercial Sexual Exploitation of Children (CSEC)

Sex trafficking includes the commercial sexual exploitation of children. Trafficking involves the exploitation of a child for sex by an adult, usually accompanied by a payment to the child or one or more third parties. CSEC does not require the presence of force, fraud, or coercion; rather, any form of sexual exploitation, ranging from sexual favors to commercial sexual exploitation, is considered CESC. Sex trafficking has devastating consequences for minors, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and possible death.

Child Soldiers

There are hundreds of thousands of child soldiers worldwide. Child soldiers are defined as individuals below the age of 18 who are, or have been, recruited or used by armed forces or groups in any capacity. The definition includes both boys and girls who are used as fighters, cooks, porters, messengers, spies, or for sexual purposes. Perpetrators not only include rebel groups, but also government forces and paramilitary organizations. Child soldiers endure extreme psychological and physiological damage, making reintegration into their communities and life in general very difficult. Slavery, servitude, forced marriage, servile forms of marriage, child marriage, enforced prostitution and the exploitation of prostitution are also trafficking-related practices that are prohibited under international human rights law.

Human rights most relevant to trafficking

• The prohibition of discrimination on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status

• The right to life

• The right to liberty and security

• The right not to be submitted to slavery, servitude, forced labour or bonded labour

• The right not to be subjected to torture and/or cruel, inhuman, degrading treatment or punishment

• The right to be free from gendered violence

• The right to freedom of association

• The right to freedom of movement

• The right to the highest attainable standard of physical and mental health

• The right to just and favorable conditions of work

• The right to an adequate standard of living

• The right to social security

• The right of children to special protection

Different human rights will be relevant at different points in the trafficking cycle. Some will be especially relevant to the causes of trafficking (for

example, the right to an adequate standard of living); others to the actual process of trafficking (for example, the right to be free from slavery); and still others to the response to trafficking (for example, the right of suspects to a fair trial). Some rights are broadly applicable to each of these aspects.

Trafficking as a violation of human rights

As noted above, many of the practices associated with modern-day trafficking is clearly prohibited under international human rights law. For instance, human rights law forbids **debt bondage** the debt is used as a means of controlling and exploiting them. Human rights law also prohibits **forced labour**, defined as: "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself [herself] voluntarily". And all other violations stated above.

Note - Delegates, as this is the HUMAN RIGHTS COUNCIL you are expected to relate the 'violence against women' with human rights.

The human rights of trafficked persons

Both the Charter of the United Nations and the Universal Declaration of Human Rights confirm that rights are universal: they apply to everyone, irrespective of their race, sex, ethnic origin or other distinction.

But, International human rights law recognizes that certain groups require additional or special protection. This may be because of past discrimination or because their members share particular vulnerabilities. In the context of

trafficking, relevant groups include women, children, migrants and migrant workers, refugees and asylum seekers, internally displaced persons, and persons with disabilities. Sometimes, members of a group will be specifically targeted for trafficking.

Persons with disabilities can also be targeted for certain forms of exploitative labour and begging.

Women and girls are trafficked into gender-specific situations of exploitation such as exploitative prostitution and sex tourism, and forced labour in domestic and service industries. They also suffer gender-specific forms of harm and consequences of being trafficked (for example, rape, forced marriage, unwanted or forced pregnancy, forced termination of pregnancy, and sexually transmitted diseases, including **HIV/AIDS**).

child victims of trafficking

Because of the applicability of the Convention to all children under the jurisdiction or control of a State, non-citizen child victims of trafficking are entitled to the same protection as nationals in all matters, including those related to the protection of their privacy and physical and moral integrity.

Bloc Positions

Asian Bloc: Many of the developing nations do not have the same education or economic stability as the developed nations do. Japan, for example, is a main destination country for trafficked victims from countries such as Philippines and Thailand. Hence, it is estimated that 200,000 to 225,000 women and children are trafficking within the Southeastern Asian region every year. Most of the trafficking destinations are within the region.

African Bloc: The African Bloc is similar to the Asian Bloc since the lesser developed nations lack the education and economic stability of more developed nations. In many countries such as Ghana, a family is often rebuked for offering a virgin female for sexual servitude. Hence, trafficked women are not eligible to the name of "wife." African nations need cost-effective solutions since regions in Africa lack the basic necessities and infrastructure.

Latin America Bloc: Deficient economic conditions and social problems create conditions which are favourable to human trafficking. Interpol accounted that nearly 35,000 women are trafficked from Colombia annually. Organized criminal networks are sometimes related to illegal armed parties, and have made much of internal trafficking victims vulnerable. Within the Latin American nations, children are heavily trafficked, sometimes in conjunction with Latin America's drug trafficking problems.

Middle Eastern Bloc: Keep in mind that cultural differences may come into play. For example, In India, there is currently no official electronic database for victims of human trafficking, and this is unfortunately an issue due to cultural traditions. Children are given common names with no surname; hence, have no access to official/identification paperwork. In addition, nearly fifty percent of Indian children drop out of school by the secondary system and never graduate. This has increased the causes to join trafficking. In addition, Iraqi women fleeing the Iraq War turn to prostitution as a last resort and others are trafficked abroad to countries such as Turkey, Jordan, and Qatar. Great prices are offered for virgins.

Western Bloc: The Western bloc primarily consists of Western Europe, Canada, and the United States. This bloc is the most developed; despite these conditions, it is important to remember that this does not mean human trafficking does not exist in this region. Your country will most likely

have laws established regarding human trafficking. The nations in the Western Bloc can provide majority of the resources needed to aid other nations and non-governmental organizations (NGOs).

Points to Consider

- What has your nation done in the past to help eradicate human trafficking?
- Has your nation ratified all protocols, conventions, and documents trying to combat human trafficking?
- How can the help of nations, organizations, and the United Nations be combined in order to successfully work in specific aforementioned regions?
- What aid can your country provide?
- How can your country help to improve the law and system within your country and how can you suggest your thoughts to other nations?
- What new solutions can your nation implement/suggest to the international community that is feasible yet economically cost effective?
- How are human rights violated in human trafficking how we can protect them?
- Human rights of trafficked people.
- The obligation of states to identify, protect and support victims of trafficking
- Special measures for trafficked children: protection and support

- Special measures for trafficked women: protection and support
- Obligations related to the return of trafficked persons

Delegates should consider these and other critical questions and concerns mentioned here and devise solutions from a country perspective that aim to intensify efforts to eliminate all forms of violence against human trafficking and the ways to combat them.

Delegates, the agenda for the committee is a very sensitive issue and the Executive Board expects you to present your views without hurting the sentiments of other delegates. Do not hesitate to ask any query or seek any guidance. GOOD LUCK!

References

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Regards,
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