

Forum: Special Conference on Migration: A Movement for Change
Issue: Migration and human trafficking
Student Officer: Christina Kartali
Position: Deputy President

PERSONAL INTRODUCTION

Dear Delegates,

My name is Christina Kartali and I feel privileged to be the expert chair on this particular agenda topic. I am an IB student and, hoping to study Law and Political Science in the future, MUN enables me to form a consolidated understanding of many regrettable issues.

Human trafficking is one such problem and a major obstacle to safe migration. In recent months, as the Syrian refugee crisis has escalated, it has become a recurring news topic.

I hope this study guide will prove to be useful and facilitate the process of writing your resolutions. However, it must be noted that it is based on a compilation of notable sources which only go up to the 15/1/2016. As I am sure that a plethora of relevant articles will be published between the date aforementioned and the conference, I strongly recommend this study guide to be seen as simply a foundation and that personal research will follow its reading. This will not only bring you up to date on the issue but also allow you to adapt your ideas to your country's policy.

I strongly urge you to contact me via email (ckartali@campion.edu.gr) if in need of further guidance.

I eagerly anticipate meeting all of you at the conference.

Best Regards,

Christina Kartali

INTRODUCING TOPIC

Human trafficking, described as the nearest concept to “modern-day slavery”, is generally understood to refer to the process through which individuals are placed or maintained in an exploitative situation for economic gain. Trafficking can occur within a country or may involve movement across borders. Women, men and children are trafficked for a range of purposes, including forced and exploitative labour in factories, farms and private households, sexual exploitation, and forced marriage. Trafficking affects all regions and most countries of the world.

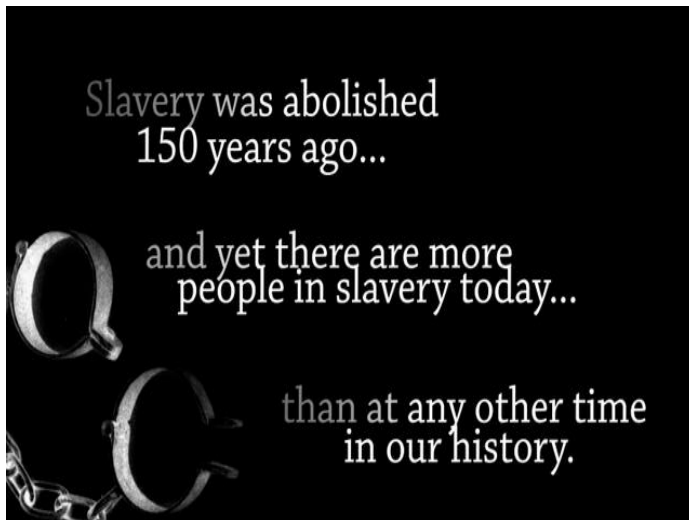


Inequalities within and between countries, increasingly restrictive immigration policies and a growing demand for cheap, disempowered labour are just some of the underlying causes of trafficking which have been identified. The many factors that increase individual vulnerability to trafficking include poverty, violence and discrimination.

The challenge for all countries, rich and poor, is to target the criminals who exploit desperate people and to protect and assist victims of trafficking and smuggled migrants, many of whom endure unimaginable hardships in their bid for a better life.

The links between migration and trafficking are well established. Refugees are vulnerable to trafficking in numerous ways. For one, numerous refugees pay smugglers to flee to safety, which is often coupled by a high risk of being trafficked after arriving to the recipient country. Physical and economic insecurity leaves refugees prone to gender-based violence, pressure to engage in survival sex, and accepting work for inhumane wages and conditions. The social and political marginalization of refugees leads to isolation, making individuals vulnerable to traffickers who may pose as friends or romantic partners.

From its earliest days to the present, human rights law has unequivocally proclaimed the fundamental immorality and unlawfulness of one person appropriating the legal personality, labour or humanity of another, while championing freedom of movement and the right to leave and return to one's own country. Governments therefore have a legal obligation towards trafficked people, as they do to refugees – regardless of their national status. However, trafficking often carries the stigma of sex work. Refugees similarly often face discrimination by people who believe they are “economic migrants” cheating the State's system.



The fight against human trafficking is also closely linked to the fight for the empowerment and protection of women, as females make up the vast majority of trafficked and exploited persons. 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

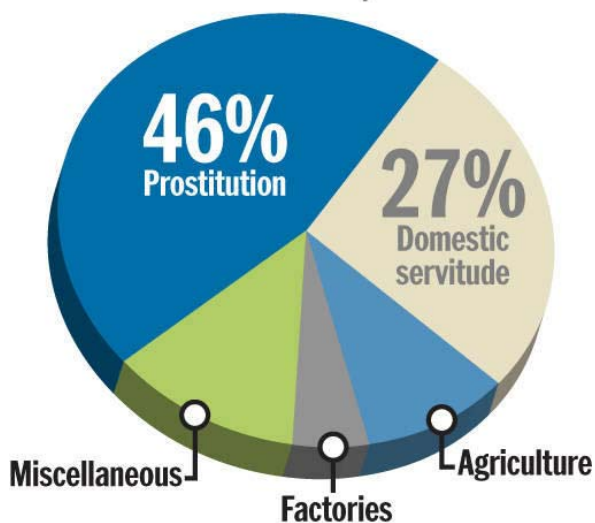
trafficked (for example, rape, forced marriage, unwanted or forced pregnancy, forced termination of pregnancy, and sexually transmitted diseases, including HIV/AIDS).

Though, trafficking involves both internal and international movement, the focus here should be mostly on international movement and particularly the stark connection between human trafficking and illegal immigration, as the movement of refugees, particularly from the middle-east towards Europe is ever-increasing.

In times of armed conflict, the need to move and the threat of trafficking can emerge very suddenly. Such was the case in mid-2006, during the armed conflict in Lebanon and this is now being repeated with the war in Syria. As journalist Firas Nasr described, the result is “a very dangerous nexus.”

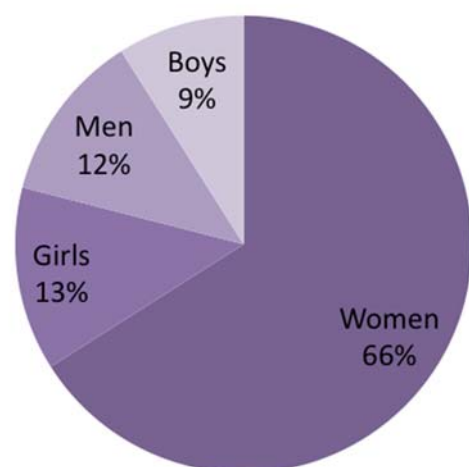
Human trafficking

where do victims end up?



SOURCE: US Department of Health and Human Services
DESERET NEWS GRAPHIC

Who Is Trafficked?



KEY TERMS

Migration – the movement of people from one place to another. It can be assisted or independent, within national borders or international by any means and with any purpose. Migration is very much determined by economic and trade as well as by political relations.

Globalisation - The worldwide movement toward economic, financial, trade, and communications integration. This fosters conditions that push people to migrate in search of work opportunities. However, new security discourses have made that movement more dangerous and complex, particularly following increased counter-terrorism efforts.

Trafficking - The Human Trafficking Protocol in the 2000 UN Convention on Transnational Organised Crime includes the definition of trafficking that is now widely used as an international standard.

Trafficking is the illegal movement of people, typically for the purposes of forced labour or commercial sexual exploitation.

It is a three-step process:

1. **Actions:** the recruitment, transportation, or receipt of persons;
2. **Means:** threat or use of force, coercion or deception;
3. **Purpose:** exploitation (e.g. sexual exploitation, forced labour, slavery, or removal of organs).

Political Refugee – a person who has been, or fears being, persecuted in her/his country and is forced to leave

Environmental or climate refugee – a person fleeing natural disaster

Internally Displaced Person – one who has been forced to move but has not left their country of origin.

Smuggled person – someone who travels voluntarily but illegally to another country with the assistance of a third party, whom he or she pays

Trafficked person – a person who is coerced, deceived or forced to move within her/his country or to another country for the purpose of exploitation

Undocumented migrant – a person who does not have legal immigration status in a transit or destination country (or even in a different region of her/his own country). A person can enter a country without legal status, or can enter with status and lose it later. (We prefer using the term “undocumented migrant” to the term “illegal migrant”. Illegal is a description for something a person does, rather than for the person his/herself.)

HISTORICAL INFORMATION / TIMELINE

Human trafficking and exploitation have been in existence across the globe for thousands of years. From the ancient Greek and Romans to the medieval times, and up until today, humans have been subject to various forms of physical and sexual slavery. Below are some of the more salient points in history related to human trafficking.

1400s-1600s–

Although forms of slavery existed before the 1400, the 1400s marked the start of the European slave trading in Africa with the Portuguese transporting people from Africa to Portugal and using them as slaves. In 1562, the British joined in on the slave trade in Africa. The development of plantation colonies increased the volume of the slave trade. Later on throughout the 1600s, other countries became more involved in the European slave trade. These included Spain, North America, Holland, France, Sweden, and Denmark

1904-

In 1904, the International Agreement for the Suppression of "White Slave Traffic" was signed and put into action. The purpose of this agreement was to protect women, young and old, from being involved in "white slave traffic." White slavery referred to forcing or deceiving a white woman or girl into prostitution. Some people argue, however, that this act was only put into place in order to control the number of European women who were seeking to find jobs abroad. Still, the agreement stands as a moral action against the trafficking of women.

1927-

The League of Nations was founded after WWI, and had the goal of maintaining world peace and also focusing on international issues such as human trafficking. The "suppression of White Slave Traffic" was changed to "traffic in women and children" so that everyone was included with no discrimination due to race. Children of both genders were also recognized as victims of trafficking. In addition, two major studies were conducted, one in the West and one in the East, in an attempt to find out the real status of trafficking in these areas. Factors that were measured included the number of women engaged in prostitution, the demand, and the surrounding environment of the women who were trafficked. Information was also gathered about the traffickers. This was a step toward gaining more insight about the issue of human trafficking.

1932-

During WWII, Japan had set up a horrifying and outrageous system where women all across Asia were forced into sexual slavery. The women were housed in what were known as "comfort stations." The conditions in these stations were atrocious, with each woman detained in a small cubicle, and received beatings and other tortures if they were defiant. Because of this, many women ultimately died of disease, malnutrition, exhaustion, suicide, etc. The stations were also surrounded by barbed wire, making escape impossible. The Japanese government set up these stations in hopes of preventing rape crimes in public, to

prevent the spread of STDs, and to provide comfort for soldiers so they wouldn't tell military secrets.

1956-

In 1956, India initiated the Immoral Traffic (Prevention) Act, which persecutes the third parties involved in trafficking. These activities included running brothels, living on earnings from sex work, capturing and imprisoning people into prostitution, etc. It can be argued, however, that this Act failed to protect the women who may have been forced into prostitution. Many of the arrests that were made were for sex workers were for soliciting, and they ultimately lost everything. Furthermore, many were forced from brothels into more dangerous areas. Although this Act made an effort to control trafficking, it was clear that it needed to be reformed.

1995-

In 1995, the United Nations held the fourth World Conference to address the issue of trafficking of women. In this meeting, a major accomplishment was the fact that trafficking was actually recognized as an act of violence. Most importantly, actions to be taken were also developed. These included enforcing international conventions on trafficking and human slavery, addressing the factors that encourage trafficking, setting up effective law enforcement and institutions who would work to eliminate trafficking both nationally and internationally, and implementing programs including educational and rehabilitation institutions to provide for the social, medical, and psychological needs to victims of trafficking.

2008-

In 2008, a case emerged where several migrants were found to be illegally smuggled into Thailand by traffickers. Fifty-seven of these migrants suffocated to death while being transported after being confined in a seafood container where the air-conditioning system malfunctioned. There were 67 survivors of the journey, and they told of how they had hopes of finding work in Thailand, but conditions in the lorry suddenly became unbearable. The driver ignored protests by the passengers, fearing that the police would be suspicious at checkpoints, and fled the scene when he realized that individuals had collapsed.

2009-

In 2009, a large human trafficking ring was busted in Taipei, Taiwan. The case involved several young females who were brought to the U.S. illegally with fake passports. They then used these fake passports to obtain visas. They were discovered by the National Immigration Agency and the U.S. Department of Homeland Security. A total of 74 suspects from the trafficking ring were brought in for investigation.

2011-

President Obama declared January to be Human Trafficking Awareness month, and Jan. 11, 2011 was named National Human Trafficking Awareness Day. On this day, various individual, as well as group events took place in an attempt to increase awareness about human trafficking among the general public. The Alliance to End Human Trafficking, an anti trafficking coalition, began a campaign to ask the government to take a serious look at

trafficking by renewing the Trafficking Victims Protection Act. The goal was not only to increase awareness, but to initiate action as well.

RELEVANT UN ACTION

The United Nations Convention against Transnational Organized Crime

Adopted by General Assembly resolution 55/25 of 15 November 2000, it is the main international instrument in the fight against human trafficking. It opened for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003.

States that ratify this instrument commit themselves to taking a series of measures against transnational organized crime, including fighting domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.

Countries must become parties to the Convention itself before they can become parties to any of the Protocols stated below.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

This was adopted by General Assembly resolution 55/25. It entered into force on the 25th of December 2003. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking in persons' cases. An additional objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights. To see whether the country you are representing has ratified the protocol, check here: <https://www.unodc.org/unodc/en/treaties/CTOC/countrylist-traffickingprotocol.html>

The Protocol against the Smuggling of Migrants by Land Sea and Air

Adopted by General Assembly resolution 55/25, it entered into force on 28 January 2004. It deals with the growing problem of organized criminal groups who smuggle migrants, often at high risk to the migrants and at great profit for the offenders. A major achievement of the Protocol was that, for the first time in a global international instrument, a definition of smuggling of migrants was developed and agreed upon. The Protocol aims at preventing and combating the smuggling of migrants, as well as promoting cooperation among States

parties, while protecting the rights of smuggled migrants and preventing the worst forms of their exploitation which often characterize the smuggling process.

COUNTRIES AND ORGANISATIONS INVOLVED

Turkey - Turkey is along the most-used route for passage into Europe by Middle-Eastern and Asian refugees. In a summit on November 29th with EU leaders, Turkey agreed to increase patrols in the Aegean Sea and on the land borders with Greece and Bulgaria, as well as crack down on human-trafficking gangs in return for an “initial”€3 billion to help it handle the crisis. Much of that money would go directly to groups helping refugees in Turkey or to programs set up by the Turkish government to house, train and integrate migrants. The country has absorbed over 1 million Syrian refugees since 2011 and is considered by many to be the key player in controlling the influx of refugees into Europe and ensuring a human-trafficking hot-spot is extirpated.

Syria - Scholars have begun to document trafficking of Syrian refugees, producing sobering results. Susan Bartels and Kathleen Hamill of Harvard University recently published a report on Syrian Refugees in Lebanon. Based on 67 interviews of families, government officials, and nongovernmental aid agencies, the researchers find that numerous women have been trafficked for sex and children have been exploited for labor. Another study by the International Centre for Migration Policy Development examining the impact of the Syrian civil war and refugee crisis on trafficking in persons finds similar results.

Nepal - Human trafficking is a very serious concern in the country of Nepal. The most booming type of human trafficking taking place is the trafficking of women from Nepal to India. Almost 5,000 to 10,000 Nepali women and girls are trafficked just to India every year. It is considered to be the busiest route of human trafficking in the world. Nepali girls are favoured in India because of their light skin colour. Apart from India, Nepal also has human trafficking connections and routes to other countries across the globe.

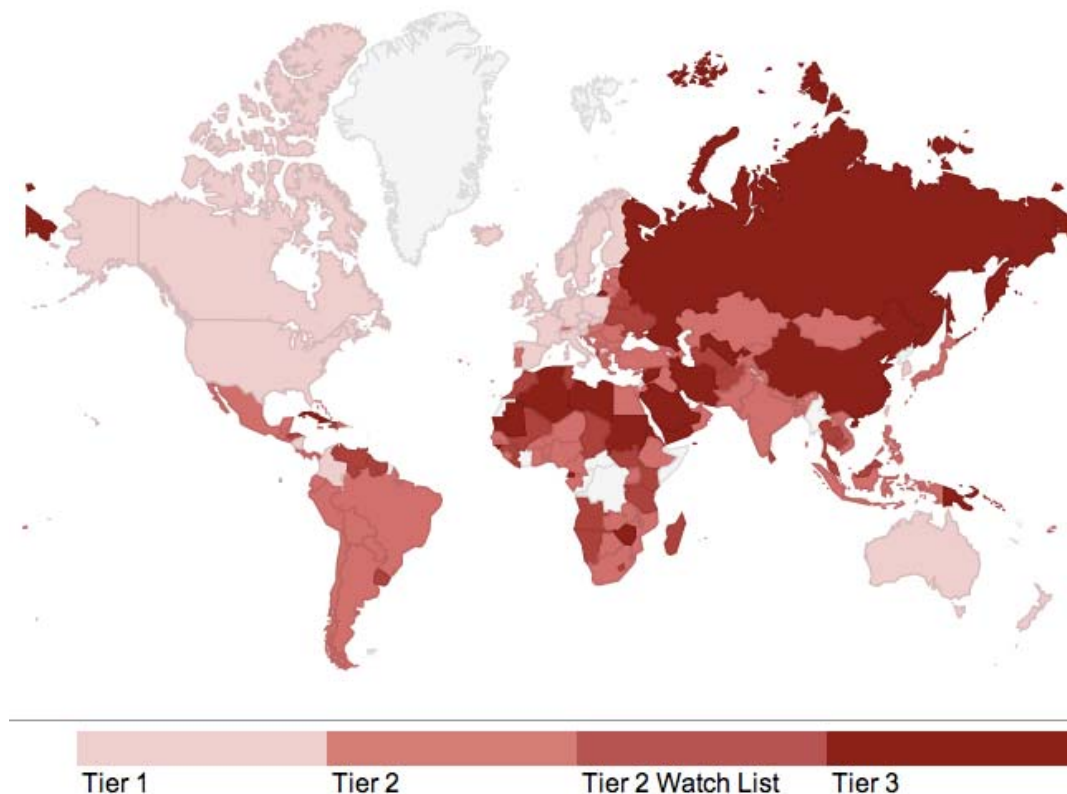
Russia- In Russia, there are estimates that 50,000 children are involved in involuntary prostitution, said David Abramowitz, vice president for policy at Humanity United, an advocacy group. What's more, about one million people there are thought to be exposed to exploitive labor conditions, including extremely poor living conditions, the withholding of documents, and nonpayment for services. For the past 3 years, Russia has maintained a 3rd-tier rating in the annual global human-trafficking report (lowest rating).

Human Rights Watch has pointed out that some of Russia's labor abuses have occurred during the preparations for the 2014 Winter Olympics in Sochi, with some migrant workers enduring "12-hour shifts with one day off per month, having their passports confiscated, being denied employment contracts, and facing unsanitary and overcrowded employer-provided accommodations, with up to 200 migrant workers living in a one single-family

home.”

Other countries with high human-trafficking:

- Bangladesh
- India
- Pakistan
- Uganda
- China



United Nations Office on Drugs and Crime

UNODC offers practical help to States, not only helping to draft laws and create comprehensive national anti-trafficking strategies (See above “Relevant UN action”.) but also assisting with resources to implement them. States receive specialized assistance including the development of local capacity and expertise, as well as practical tools to encourage cross-border cooperation in investigations and prosecutions.

UNODC's strategic approach to combating trafficking in persons and the smuggling of migrants is founded in the full and effective implementation of its Protocols, and can be best understood as having three interdependent and complementary components:

(1) research and awareness raising;

- (2) promotion of the Protocols and capacity-building; and,
- (3) the strengthening of partnerships and coordination.

UNODC also produces issue papers on trafficking in persons and migrant smuggling and engages in both broad and targeted awareness-raising on these issues, notably through the Blue Heart Campaign against Human Trafficking. Finally, UNODC initiatives on strengthening partnerships and coordination occur through its participation in inter-agency groups such as ICAT, UN.GIFT and GMG and its management of the UN Voluntary Trust Fund for Victims of Human Trafficking.

The Polaris Project

The Polaris Project was officially founded in 2002 by Katherine Chon and Derek Ellerman, two seniors from Brown University. After learning about the existence of a brothel near their college, these two individuals began to envision a society where modern day slavery is eliminated. Their vision became a reality through the Polaris Project, which today, is a leading non-profit working to stop human trafficking. Their key developments include a national, toll-free hotline where they receive information or reports regarding human trafficking, advocating for more legislation, raising awareness, and training law enforcement to deal with trafficking issues.

POSSIBLE SOLUTIONS

Government policy can affect whether people have access to justice, whether employers are required to treat workers well, and whether women or working-class people have equal access to livelihood and migration opportunities. Progressive policy facilitates safe migration, while unthinking policy can cause “collateral damage” and even facilitate or create opportunities for traffickers.

When developing legislation and policies on migration and trafficking in persons, governments in origin, transit and destination countries should be aware that there is a strong evidence-based link between strict immigration laws and the exploitation of migrants. The demand for migration is not reduced, instead people need to find help to move which creates opportunities for the exploitation of migrants.

Below are several things governments and civil society organisations can do to create progressive and effective legislation referring to human trafficking and the treatment of migrants:

Dealing with trafficked persons

Victim identification

Problem: Victims of trafficking are often not identified and, as a result, are simply invisible. When victims of trafficking do come to official attention, they may be misidentified as illegal or smuggled migrants.

Possible Solution: training relevant officials (such as police, border guards, immigration officials and others involved in the detection, detention, reception and processing of irregular migrants) in accurate identification and the correct application of agreed guidelines and procedures.

Non-criminalisation and non-detention

In countries of transit or destination, trafficked persons are often arrested, detained, charged and even prosecuted for unlawful activities such as entering illegally, working illegally or engaging in prostitution. Countries of origin sometimes directly criminalize victims upon their return, penalizing them for unlawful or unauthorized departure. Criminalization of trafficked persons is commonplace, even where it would appear obvious that the victim was an unwilling participant in the illegal act. This is declared illegal by international law and must be made clear and adhered to by all countries.

Provision of immediate protection and support

Problem: Victims who break free from their traffickers often find themselves in a situation of great insecurity and vulnerability. They may be physically injured as well as physically and/or emotionally traumatized. They may be afraid of retaliation. They are likely to have few, if any, means of subsistence.

Possible Solutions:

1. Moving the trafficked person out of the place of exploitation to a place of safety;
2. Attending to the immediate medical needs of the trafficked person;
3. Assessing whether the trafficked person is under a particular risk of intimidation or retaliation;
4. Protecting victims' privacy. Failure to do so can cause humiliation and hurt to victims and compromise their recovery.

Legal assistance and involvement

Trafficked persons have an important role to play and a legitimate interest in legal proceedings against their exploiters. All efforts should be made to ensure victims are able to participate in legal proceedings freely, safely and on the basis of full information.

1. Trafficked persons should be provided with legal and other assistance in relation to any court or administrative proceedings in a language they understand.
2. Trafficked persons have a right to be present and express their views during any legal proceedings.

Temporary residence, repatriation and citizenship

Problem: Victims of trafficking who are unlawfully in a country face special dangers and vulnerabilities as a result of their legal status. For example, they may be unable to access important sources of subsistence and support such as housing and work opportunities.

Possible Solutions:

1. Granting of a temporary residence permit on social or humanitarian grounds if there is an inability to guarantee a secure return and risk of re-trafficking.
2. Victims should maintain the right to apply for citizenship if they also have a refugee status.
3. When back at their country of origin, victims of trafficking should be provided with reintegration assistance which would make them much less likely to be re-trafficked.

Preventing further trafficking suggestions

- Creating more opportunities for legal migration.
- Creating more job opportunities and livelihoods in countries of origin.
- Taking positive steps to eliminate discrimination against migrant women and work to eliminate all forms of discrimination of women in migration measures.
- Running trafficking prevention campaigns among asylum-seekers, a particularly vulnerable group.
- Raising awareness among policy-makers, law enforcement bodies and civil society.
- Increasing cooperation between countries along major migration and trafficking routes, to ensure the reliable documentation of all migrants.
- Strengthening criminal justice systems and creating stricter legislation when it comes to human traffickers.

BIBLIOGRAPHY

http://www.gaatw.org/publications/WP_on_Migration.pdf

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

<https://www.unodc.org/unodc/en/treaties/CTOC/index.html>

<http://www.eden.rutgers.edu/~yongpatr/425/final/timeline.htm>

<http://listdose.com/top-10-countries-infamous-for-human-trafficking/>

<http://humantraffickingsearch.net/wp/refugees-and-trafficking-a-dangerous-nexus/>

<http://www.rferl.org/content/us-leaves-russia-on-human-trafficking-blacklist-/25429801.html>

http://www.ohchr.org/Documents/Publications/FS36_en.pdf

Multimedia sources:

<http://www.deseretnews.com/article/765611652/More-awareness-from-the-general-public-needed-in-the-fight-against-human-trafficking.html?pg=all>

<http://www.allwewantislove.org/blog/>

<http://www.greenhotelier.org/know-how-guides/addressing-human-trafficking-in-the-hospitality-industry/>

<http://cdn.theatlantic.com/static/mt/assets/international/Screen%20Shot%202013-06-20%20at%209.52.52%20AM.png>