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Improving measures to prevent human trafficking and modern slavery

Commission on Crime Prevention and Criminal Justice



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Introduction

A pressing issue which is commonly overlooked in modern day society is human trafficking and slavery. Ever since the 17th century, slavery has grown and varied into different forms and functions, leaving lasting marks on societies all over the world. Ancient slavery was a social norm and was perceived as a typical part of society and still to this day, slavery persists, despite its more discreet activity.

Human trafficking lies in the broader term of modern slavery, where both terms entail the exploitation of victims. Human trafficking refers to the illegal trading of humans, forcing them to do involuntary work. Similarly, modern slavery encompasses a wider range of exploitative practices, including human trafficking, forced marriage, child labor etc. Essentially, modern slavery is when an individual loses their freedom through exploitation for someone else's personal or commercial gain. Modern slavery is undertaken in a variety of sectors in the world, where a common example of this is in global supply chains and multinational cooperations. It is particularly seen in conflict-affected regions, where state-imposed forced labour and weak governments support these practices, as well as allow it, with their weak labor protection laws. Similarly, nations with patriarchal views, leaving to inequality and gender views, as they are more open to forced marriage.

People generally tend to fall into the trap of modern slavery due to their attempt to escape poverty, for a better life. These victims are then commonly faced with violence or are threatened, such as deportation or inescapable debt, leading to their inability to escape.

Modern slavery and human trafficking has a significant impact on people and nations. Firstly, these practices strip humans from their safety, autonomy and freedom. It also has a heavy psychological debt to its victims. As mentioned before, the exploitation of people is often targeted to vulnerable groups due to their lack of power and their desperation. Furthermore, forced labor has unfair wages and workers are unable to work in a legitimate economy, so productivity declines in nations and the rights of workers are neglected.

Definition of key terms

Coercion

The use of threats, pressure or force to overcome one's free will, exploiting them and undermining voluntary consent.

Debt-Bondage

Debt-Bondage, also known as bond labor, refers to a form of forced labor where individuals are forced to work to pay off debt, often under exploitative conditions. This arrangement typically causes situations where the terms of repayment are unclear or unreasonable, allowing the exploiter to exert their control over their victim indefinitely.

Exploitation

The act of taking advantage of someone and treating them unfairly, in order to benefit from their work, typically for their financial gain.

Forced Labor

Refers to labor, which is undertaken involuntarily and under duress. It is the forced exploitation of an individual by a person or a group of people.

Human Trafficking

The illegal exploitation of people through force, fraud or coercion for purposes such as participation in forced labor, forced marriage or other exploitation forms, where individuals are controlled and are unable to leave freely.

Modern Slavery

Present day situations where people are severely exploited and controlled, unable to refuse or leave their work or living conditions often for another person's benefit.

Sex Trafficking

A form of human trafficking for sexual exploitation. Sex traffickers use force, fraud and/or coercion, while manipulating victims to recruit, transport and provide their victims as prostitutes for the perpetrators financial gain.

General Overview

Global Scope and Prevalence

In this day and age slavery might not seem as much of a pressing issue it was in the past but modern slavery remains widespread globally. There are an estimated 50 million people- according to the Global Commission on Modern Slavery and Human Trafficking- stuck in exploitation, unable to escape. This occurs all over the world, affecting nearly 161 countries and since it is a complex network of criminal activity that requires international cooperation, each country is involved in different stages of human trafficking practice including, source, transit or destination countries. These practices typically occur in developing nations. The nations with the highest prevalence are North Korea, Eritrea, Mauritania, Saudi Arabia and Türkiye, highlighting the global spread and variety in countries of Modern slavery.

Modern slavery is most common in large multi-national companies since the more complex the industry is, usually the higher risk of modern slavery, as it is harder to locate and control ethical workers to sustain the corporations. More specifically, there are industries that are more accustomed to these illegal practices. Firstly, the consumer sector- companies where stocks are purchased by consumers, rather than manufacturers and industries- manufactures the majority of their goods internationally, where worker conditions are poor. Many of the goods are grown from poor countries.

In addition, forced labour is extremely prevalent in construction industries. This is usually targeted towards migrant workers. The main concern about these exploited workers are that they are paid below the rate previously agreed and the working conditions are unsafe, with a high risk of injuries.

Vulnerable Populations

When traffickers choose their victims they tend to target vulnerable populations as they are easier to be in control of. An important aspect they focus on is if they have a proper support system and their exposure to unsafe environments. Thus, the main target groups are children in foster care, runaway youth, LGBTQ+ individuals, immigrants, and domestic violence victims. Individuals who don't understand their rights or fear authority such as migrants or people with mental disabilities also are at high risk of human trafficking. Children are also vulnerable in human trafficking, where children comprise 20% of the global population's human trafficking. Similarly, sex traffickers target vulnerable groups- or who the trafficker deems vulnerable- often targeting young women and girls (typically with unstable housing or previously abused), LGBTQ+ youth, teens with mental health issues and foster care children. Generally, traffickers target their victims based on their vulnerability and how easily they could be in control of their victims.

Common Forms and Mechanisms

Within human trafficking and modern slavery, there are various forms of it as well as different mechanisms to trap their victims and strip their rights to leave. Firstly, the main forms are sex trafficking and forced labour. Sex trafficking is where someone is forced, trapped or tricked into sexual activity, without consent, for another's benefit. Forced labor is the forced exploitation of an individual by a person or a group of people. Under this broad

category, there are different forced labors such as child labor. For forced labor, individuals are made to work under abuse, threats and little to no pay. Furthermore, a common form of modern slavery is domestic servitude, where people are forced to work in homes as cleaners, nannies or caregivers. Examples of this is if a house worker is unable to leave the house or is not paid or when children are limited to their education to work at home.

For traffickers to entrap their victims in the first place, they have specific methods for this. Traffickers usually create false promises of things victims want or need. For example, promising a high-wage job or a stable home/relationship. As mentioned before, their choice of victim is based on their vulnerability, targeting people who are isolated and unsupported. This helps strengthen their control over their victims.

Once traffickers have trapped their victims they threaten them to remain in their unjust position. This can be done through debt bondage, where victims are forced to pay off their debt.

Consequences and Impact

The outcomes and survival of modern slavery and human trafficking heavily depends on the form and severity. The conditions in which the victims must work are typically unsafe and unhealthy. The traffickers and perpetrators do not have proper protection regulations, safeguarding their workers. This poses significant physical and psychological health risks. There are several studies on past victims, where the majority of victims suffer from Post Traumatic Stress-Disorder from their trauma of the conditions and lack of autonomy. Physically, victims are exposed to infections, HIV/AIDS and substance abuse. The exploitation of youth especially has severe consequences, as their emotional and physical development is not developed in a healthy, stable environment.

Victims are deprived from their freedom when trafficked or enslaved. They are subjected to various forms of exploitation, which violate their rights to liberty and self-autonomy. In these conditions they are limited to harsh conditions of work and payment and are unable to freely escape.

Limitations to Prevention

The international scale of this practice is a significant barrier to the prevention of human trafficking. Not only is the size of the scale a major limitation but mainly because of the differences of practice in different countries and the necessity to fully understand how each system works. The ways in which modern slavery is undertaken in each country is important to understand as well as the different types of human trafficking and modern slavery as they each differ greatly. To physically prosecute these traffickers, the international scale, with different parts of the operation, makes it extremely difficult to identify all of them.

Major parties involved

China

Since China plays a key role in the production of goods, as the world's largest exporter of goods, modern slavery poses a huge risk and concern in this country. In recent decades there have been documented reports of coercive labour programs, particularly involving a specific ethnic group called Uyghurs. The Chinese government disguises and labels these practices as vocational training or poverty alleviation, however these practices involve limited freedom and threats. China's main priority is their economy and political control, ignoring any external interference to their internal affairs. In China, labour rights are tightly restricted, due to their rapid industrialization and centralized government.

International Labour Organization (ILO)

The International Labour Organization focuses on forced labour, child labour and labour rights to address modern slavery. Since its establishment in 1919, the ILO has a long history of setting internal labour standards, including regulations specifically focused on forced labour. Its position highlights modern slavery and human trafficking's violation of human rights and unjust economic development. The purpose of the ILO is to promote proper labour conditions globally and supporting governments and businesses to eliminate the exploitation of workers for their development benefit. Through research and cooperation, the ILO provides the most widely used estimates of the global scale of modern slavery and human trafficking.

Libya

In 2011, Libya's central government collapsed and following this, Libya became unstable, causing their growth of modern slavery and human trafficking. Their weak state institutions and ongoing conflict has allowed criminal networks to operate with minimal oversight. Libya is currently a major transit site for migrants when they are migrating to Europe and, like I mentioned before, migrants are a vulnerable target group which traffickers usually target. Therefore, many of them are subject to exploitative labour and human trafficking. In this country, this activity is not centrally organized by the state, but instead enabled through their ineffective and weak government. The interests of the perpetrators are primarily financial.

North Korea

North Korea is the most common example of a country where modern slavery and human trafficking is undertaken by the state. The government operates a system where forced labour is domestically used in agriculture, construction and mining. These practices are deeply sourced from North Korea's political ideology, which emphasize absolute loyalty to the regime- putting economic profit in front of the population's well-being. In North Korea, forced labour helps sustain the regime, reinforcing social control over their population.

United Nations Office on Drugs and Crime (UNODC)

UNODC is the primary UN body, representing modern slavery, human trafficking and any related crimes. Its position lies strongly against any and all forms of modern slavery, preventing and protecting victims, while prosecuting the offenders. UNODC has played a huge role in developing international frameworks, including the Palermo Protocol, obliging all states to act by preventing trafficking and defining human trafficking. This organization's interest lies in the strengthening of international cooperation, improving data collection and supporting national justice systems. This UN body does not enforce laws itself but influences global policy and action through research.

Timeline of events

- 1919 June 28th** The International Labour Organization (ILO) is established.
- 1926 September 25th** The first international treaty aimed specifically at abolishing slavery is adopted (Slavery Convention) by the League of Nations.
- 1948 December 10th** Universal Declaration of Human Rights is adopted, explicitly prohibiting slavery and servitude.
- 1957 June 25th** ILO Forced Labour Convention (No.105) is adopted, strengthening global commitments to eliminate forced labour.
- 2000 November 15th** The Palermo Protocol is adopted by the United Nations General Assembly. This is the first globally agreed definition of human trafficking and the cornerstone to international efforts of eliminating trafficking in persons.
- 2003 December 25th** Countries begin formally implementing domestic anti-trafficking laws, after the Palermo Protocol reached the required number of ratifications.
- 2005 May 16th** The treaty of Council of Europe Convention on Action against Trafficking in Human Beings is finalized and open for signature. This treaty is the first international instrument prioritizing the rights and protection of victims within anti-trafficking laws and policies.
- 2008 February 1st** The Council of Europe anti-trafficking Convention is put into force, enhancing protection measure and establishing monitoring mechanisms such as GRETA (Group of experts on Action against Trafficking in Human Beings)
- 2014 June 11th** The ILO adopts a protocol to the forced labour convention, updating their international standards to better address modern forced labour and human trafficking.
- 2015 September 25th** In the UN sustainable goals, goal 8.7 is adopted, committing the international community to end forced labour, human trafficking and modern slavery by 2030.

Relevant UN treaties and events

Universal Declaration of Human Rights (UDHR): Adopted by the UN General Assembly, establishing the fundamental principle, in article 4, that all forms of slavery and servitude must be prohibited. It is not legally binding but recognizes the need for UN action in modern slavery and human trafficking, 10 December 1948.

Supplementary Convention on the Abolition of Slavery: UN treaty, expanding the definition of slavery, including modern practice such as debt-bondage, child labour and forced marriage, 7 September 1956.

Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol): United Nations General Assembly treaty, adopted and entered into force. It establishes a comprehensive framework: 3P paradigm, affirming prevention-addressing the root cause with research and awareness campaigns-, protection- providing physical and psychological aid to victims, like temporary residence permits and prosecution- criminalizing any human trafficking activity and establishing effective laws as penalties, 14 November 2000 (adopted), 25 December 2003 (entered into force).

A/RES/70/1; Transforming our World: the 2030 Agenda for Sustainable Development: General Assembly resolution considering the Sustainable Development Goals, affirming measures to eradicate forced labour, modern slavery and human trafficking, prohibit and end all child labour by 2025, in target 8.7, 21 October 2015.

Previous attempts to solve the issue

The U.K. Modern Slavery Act, United Kingdom

This act was introduced to address the growing issue of modern slavery in the United Kingdom, including human trafficking. This national legislation primarily aimed at strengthening prevention, protection and enforcement against modern slavery. In this act, existing offences were consolidated, penalties for traffickers worsened, corporations were required to report on their efforts to prevention and an Independent Anti-Slavery Commissioner was established to improve oversight on the issue. The U.K. Modern Slavery Act focused on corporate accountability and criminal penalties, to ensure maximal prevention.

Nordic Model, Sweden

Sweden created an approach to sex trafficking through criminalizing the purchase, rather than the sale. After recognizing the insufficient method of targeting the supply side, through victim rescue and prosecuting traffickers, they pioneered a different approach. When there is a high demand, traffickers still have significant financial incentive, despite the anti-trafficker laws set in place. The Swedish Model criminalizes buyers, decriminalizes sellers, employs support services and prevention campaigns. The results of this solution has been supported as a significant decrease in street prostitution activity in Sweden and a reduced influx of sex trafficking victims compared to countries in their region.

International Protocols and Conventions, UN and ILO

There are various legal instruments and international protocols which address human trafficking and modern slavery, which provide comprehensive regulatory frameworks for combating this issue. These include the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons and The Slavery Convention, which require countries to illegalize the practice, protect (potential) victims and acknowledge the victim's rights.

STOP THE TRAFFIK, United Kingdom

STOP THE TRAFFIK was founded in 2005, campaigning to stop human trafficking all over the world. As their campaign grew, they gained many signatures, enough for when presented to the UN, they became their special advisor in community action against human trafficking and exploitation. They also played a role in the previously mentioned UK Modern Slavery Act in 2015. STOP THE TRAFFIK holds partnerships, which provide financial support and disrupt trafficking networks. Additionally, they provide business consultancy- holding corporations accountable- and launch social media campaigns to inform at-risk groups how to avoid being trafficked and safe alternatives for money.

Possible solutions

Implement Oversight Bodies

Oversight bodies can be implemented to regulate and monitor any potential human trafficking or modern slavery activity. Independent agencies with clear legal authority could be established to investigate cases. Trained experts could be appointed by the government to these bodies and information such as data from law enforcement, immigration and labor departments, would be provided. These oversight bodies would regularly audit institutions, review any complaints and report any insight found. This could be supported by international cooperation through funding and clear guidelines.

Encourage Partnership and International Cooperation

Encourage cooperation between governments, NGOs and law enforcement, to share data, technology and best practices to obstruct human trafficking and modern slavery activity, ensuring maximal prevention of activity. These partnerships allow all nations to minimize human trafficking practices.

Provide Support to Vulnerable Groups

Specific population groups are more vulnerable to exploitation and this is usually due to their instability. For these vulnerable populations, economic opportunities and financial services can be provided such as hiring programs and responsible micro finance. Additionally, this support can help victim survivors and social support can also help, like housing and psychological aid (e.g. therapy).

Expand Awareness

Since Modern Slavery and Human Trafficking are not well-known as a practice undertaken in this current day, for prevention, it is crucial to inform populations about what it is and how to prevent it. This could be done through implementing it in youth education and establishing more awareness campaigns. This will allow- especially target groups- recognize signs of trafficking and know how to deal with the situation. This would minimize activity, pressuring companies and governments to act.

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