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Strengthening coordination of efforts to
combat human trafficking



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Introduction

Human trafficking takes many forms and has many victims. Innumerable organizations or individuals use other human beings for their own ends, neglecting the rights of their victims. It is a crime that is committed in every region of the world on various scales. Perpetrators gain large amounts of money while violating laws. Given that human trafficking takes place in so many different situations, it is hard to solve the problem with a universal approach. But its variety has also drawn the attention of a diversity of organizations fighting crime or the violation of human rights. All of these organizations have a unique expertise on aspects of the problem. The knowledge of one could complement the experience of the other, making it easier for all parties to do their duty. Yet transparency and cooperation are at times hard to achieve. This results in parts of the human trafficking problem being worked on by two or more different organizations, while other parts are not dealt with at all. While a UN body exists that aims at optimizing the coordination between other organizations that have frameworks in place, collaboration between institutions can still be improved.

Definition of Key Terms

Human Trafficking

The definition of human trafficking as agreed on in the protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, consists of an action that comprises at least one element of each section in the table below. You can find further explanation of the sections below. If the person that is being trafficked is under eighteen years old, the mere act of recruiting, transporting, transferring, harbouring or reception of this person is called human trafficking.



Human trafficking almost always violates at least one article of the Universal Declaration on Human Rights or of the Convention of the Rights of the Child.

Act and means

The action and means of human trafficking seldom go without each other.

The actions after recruitment always involve depriving a human being from his or her freedom to go wherever he or she wants to go. Either the victim is taken somewhere where he does not want to go, or he is kept somewhere

where he does not want to be. The recruitment of people can put them in such a situation. It is not the wish of the victims to be in such a situation and it would be only natural for them to try and escape to a situation where their human rights are

respected. As they are still subject to human trafficking, something must keep them from doing this. These things are the means. Either victims are deprived of their freedom of movement through force or fear of violence against themselves or others (Threat or use of force, Coercion, Abduction, Abuse of power or vulnerability), or they choose to stay for another reason: because they think that their current situation can lead to something better or less bad (Deception), or because they are in a better situation than they would be in when they were free (Giving payments or benefits).

Purpose

The purpose of human trafficking is always exploitation in some form or other. The two most significant ones, sexual exploitation and forced labour are further explained below. Prostitution is seen as a form of sexual exploitation, and slavery as a form of forced labour. Both prostitution and slavery involve the sale of these services, while sexual exploitation and forced labour are not necessarily forms of trade once they have started. The removal of organs is by far the smallest purpose, as the market is smaller. The means of organ removal is often deception. The organs of vulnerable people being treated for an illness could be removed without their knowledge, or people are deceived into selling or giving away an

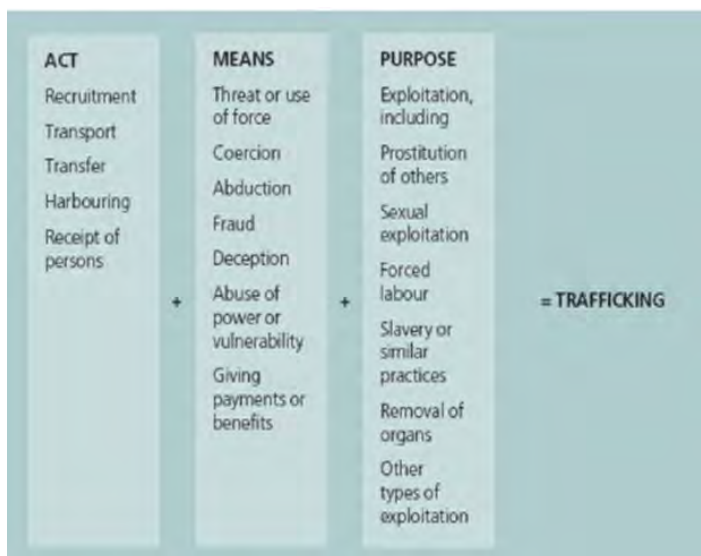


Figure 1 Elements of human trafficking

Elements of Human Trafficking. Digital image. UNODC. N.p., n.d. Web. 20 Aug. 2015. <<https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>>.



organ. The organs involved are generally kidney's, parts of the liver or other organs that can be lived without.

Sexual exploitation

One of the main purposes of human trafficking, sexual exploitation means the abuse of someone's inferior position for sexual purposes, which can happen in order to gain assets or favors. 79 percent of the females that are a victim of human trafficking are sexually exploited.

Forced labor

Forced labor can take various forms and includes domestic servitude, textile production, cleaning, construction and manufacturing. 83 percent of the males that are a victim of human trafficking are exploited through forced labor.

General Overview

Purposes

The purposes of human trafficking are plenty, but can be divided into three large groups. The most common purpose is sexual exploitation, which covers 53 percent of all cases. Another 40 percent entails forced labor. The purpose of the last 7 percent of the cases varies and can include organ removal, forced marriage and crime. As of 2012, the International Labor Organization's estimate of victims of forced labor was 21 million. This means that a rough 52 million people were victim of human trafficking in 2012. In its reports, the United Nations Office on Drugs and Crime (UNODC) distinguishes four groups of victims. The largest group, which covers 49 percent, is that of adult women. Girls account for 21 percent, adult men for 18 and boys for the remaining 12. Each group has its own main form of exploitation. For women, this is sexual exploitation, men often end up in forced labor, girls are forced into marriage or domestic servitude and boys become child soldiers or camel jockeys.

63 percent of the detected human smuggling cases exceeded national borders. The UNODC has mapped a total of 510 main trafficking flows. A quarter of all detected trafficking happens on a sub-regional scale. In 37 percent of all cases, only one border was crossed. In 34 percent of all cases, no borders were crossed. These three groups are equally large and each of them needs a different approach.



Organization

Non-organized traffickers usually work alone or in a small group. Per trafficker, only a small amount of people is being exploited. The trafficking does not exceed the region. Organized traffickers, however, are part of a network and as a result of strict coordination they are able to traffic humans on a larger scale. This results in higher profits per trafficker, not only because there are more victims to make profit on, but also because the victims can be trafficked to the country where the highest price will be paid. Organized trafficking occurs on a sub- or trans regional scale.

Consequences

Victims of human trafficking often suffer from violence, threats of violence, or long as well as short term psychological damage. Victims who suffer or suffered from sexual exploitation have an increased chance of contracting HIV. Efforts to combat human trafficking do not only focus on preventing human trafficking and prosecuting the perpetrators, but also try and protect victims of human trafficking, as this is a major issue as well.

As human trafficking can affect so many people from so many demographic groups and can violate human rights in so many ways, there are a lot of different organizations that try and do something against human traffickers. The United Nations' Children Fund (UNICEF), for example, mainly focuses on the rights and well-being of children in their fight against trafficking. The victims of forced labor are mainly the concern of the International Labor Organization (ILO), where the High Commissioner for Refugees (UNHCR) sees to it that as few refugees as possible end up as a victim of human trafficking. It is of course possible that an underage refugee is the subject of forced labor. In this case, three separate organizations or more have a policy on this child's abuse, all of which have a different approach to the problem. This may lead to inefficient actions or miscommunications between the organizations. Increased coordination and cooperation between these organizations, and possibly the concerned governments, would benefit the child as well as save money.

Major Parties Involved and Their Views

United Nations Office on Drugs and Crime (UNODC)

The UNODC was established in 1997. It is the UN organization that fights terrorism, illicit drug trade and other crimes. To this end, they do research, try and improve coordination



amongst nation states and promote the implementation of certain legislation or treaties. The UNODC played a major role in the founding of the UN.GIFT and the ICAT.

United Nations Global Initiative to fight Human Trafficking (UN.GIFT)

In March 2006, the UN.GIFT was launched by The International Organization for Migration (IOM), the ILO, the OHCHR, the UNHCR, UNICEF and the UNODC. These are also the members of its steering board. It aims at increasing knowledge and awareness of human trafficking and at supporting victims as well as potential victims, and supports the prosecution of involved criminals. Furthermore, UN.GIFT has an important role in the coordination of efforts to combat trafficking in persons. Next to ensuring operational coordination, it strengthens partnerships between parts of the anti-trafficking community.

Inter-agency Coordination group Against Trafficking in persons (ICAT)

In September 2006 several organizations dealing with human trafficking in persons convened in Tokyo, Japan for a coordination meeting. They decided that in order to optimize their coordination, the ICAT would be established. The UNODC is both a member and the coordinator of ICAT. ICAT's functions are to coordinate information exchange, optimal use of existing information, frameworks, and resources and to support and counsel the UN and other organizations on their current strategies. 16 UN organizations are a member of ICAT. The member states that also make up the UN.GIFT steering board are unified in the ICAT working group. The information ICAT supplies is used by the UN.GIFT to draft policies and guide state and non-state actors.

Timeline of Events

Date	Description of event
November 2000	Convention against Transnational Organized Crime adopted
September 2003	Convention against Transnational Organized Crime entered into force
March 2006	UN.GIFT established
September 2006	ICAT established
July 2008	ECOSOC resolution 2008/23 passed



March 2013

General Assembly resolution 67/190 passed

UN involvement, Relevant Resolutions, Treaties and Events

In General Assembly resolution 55/25 (15 November 2000) the CTOC, with two supplementary protocols, was adopted. It encourages cooperation amongst its parties in order to combat and prevent transnational organized crime. The convention entered into force on 29 September 2003. Up to this moment, it has 147 signatories.

The protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime is one of the protocols to the CTOC. It defines the term human trafficking and its ratification requires criminalization of human trafficking and additional actions concerning human trafficking. It further ensures the assistance and protection of human trafficking victims. This protocol entered in to force on 25 December 2003. In 2009, an International Framework for Action was published to further implement this protocol.

The United Nations Global Plan of Action to Combat Trafficking in Persons has been ratified by 154 member states. It can be divided into 5 parts, of which one specifically deals with partnership towards human trafficking. This section aims at increasing cooperation between law enforcement agencies, international, national and regional governing bodies and the private sector, especially of those organizations that operate in regions vulnerable to human trafficking. It also recognizes the importance of capacity building for solving the issue of coordination.

The ECOSOC and General Assembly resolution in the list below both have more or less the same topic. But whereas the General Assembly resolution addresses the issue of human trafficking in general, the ECOSOC resolution focuses on cooperation, budget and capacity building. Both resolutions call for the ratification of the CTOC and commend the work of the ICAT and UN.GIFT.

- The United Nations Convention against Transnational Organized Crime (CTOC) and the protocols thereto



- The protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
- United Nations Global Plan of Action to Combat Trafficking in Persons (passed in General Assembly resolution 64/293)
- Strengthening coordination of the United Nations and other efforts in fighting trafficking in persons (ECOSOC Resolution 2008/33)
- Improving the coordination of efforts against trafficking in persons (GA resolution 67/190)

Evaluation of Previous Attempts to Resolve the Issue

Since the CTOC and the protocol on Trafficking in Persons have entered into force, 62 percent of its parties have implemented legislation that criminalizes the trafficking in persons if they did not have any legislation already. 5 percent of all countries still has no legislation on the problem. Additionally, 10 percent of the countries have legislation which only covers the problem partially. These numbers represent a vast increase in legislation, yet most of the countries see no evidential rise in the number of convictions. This is caused by a limited efficiency of the justice system in countries, which in its turn is a result of limited capacity of the authorities which ought to deal with human trafficking. It is clear that some of the objectives of the CTOC have been reached, but that these measures were not as effective as they were supposed to be. That is why the ICAT and the UN.GIFT have tried to help organizations to reach the underlying goals of the CTOC through further frameworks.

The establishment of ICAT meant another great step forward in the fight against human trafficking. The ICAT analyzed the activities of all organizations and where these activities overlapped or left gaps. It also re-addressed the three major issues that are involved with fighting human trafficking. These issues are known as the three P's: preventing human trafficking, protecting the victims and prosecuting the perpetrators. It added a fourth P to these aspects of the problem, which stood for partnership. Leaving the first three P's to other organizations, the working group of ICAT focused on the improvement of partnership amongst organizations and nations. It published five papers on the key issues of human trafficking. A short description of these five papers can be found in this document: The next decade: Promoting common priorities and greater coherence in the fight against human



trafficking. The link to this document can be found in the Appendices section. In its first paper on the International Legal Instruments the working group states that it is important for anti-trafficking organizations to realize that there probably are more aspects to the problem on which these organizations are focusing. Sometimes such institutions, for example governments, do not have the capacity to extend their work beyond their specific field of work. Capacity building is therefore essential to improve dialogue between organizations. Sometimes these institutions simply are not aware of what happens outside of their specific case. Therefore, these parties should be made aware of the possibility of cooperation with other organizations that can advise them on other fragments of their issue.

Even though the ICAT is technically speaking an extension of UN.GIFT, it is the brain behind UN.GIFT's actions. The cooperation between ICAT and UN.GIFT is decent and does barely need further amelioration.

The passing of the ECOSOC and General Assembly resolutions on strengthening coordination of efforts to combat human trafficking both encouraged member states to ratify the CTOC and the Global Plan of Action to Combat Trafficking in Persons. Furthermore, they encouraged nations to fund and support anti-human trafficking initiatives and coordination programs. While they increased awareness among nations, these resolutions did not propose new solutions.

Possible Solutions

As you have read, there have been many initiatives to improve coordination of efforts to combat human trafficking. As some of them are recent, it is hard to assess what impact they have had. It is also true that as so many efforts have been made, the functions and specific goals of separate efforts are hard to distinct. It is advisable to read through passed resolutions, protocols and initiatives and find what clauses could be worked out. Do keep in mind that possible solutions cannot violate national sovereignty and that the victims of human trafficking should remain protected at all times. Issues that could be central to a resolution are capacity building, cooperation on various scales and awareness of the work of others amongst institutions.

Also, recommendations could be made on what the goal of anti-trafficking campaigns should be, either by the ECOSOC or by a body such as ICAT. As said before, each organization has a different approach to the problem. The UNODC wants to prosecute human traffickers, while the main concern of UNICEF is the well-being of children's rights that are being violated. By deciding on a universal approach, the work of organizations is



more likely to complement each other instead of interfering with each other. For example: should refunds, in case of scarcity, be spent on prosecution of human traffickers, or rather on resocialization of victims? The first would be done to prevent further trafficking, but it is also important that victims can build up a new life. And should efforts to stop forced labor focus on improving the living standard of current forced laborers or first prevent new forced laborers from entering the market? It is of course possible to try and take care of both, but which organizations should do these things, with which funds and in which region? Will there be a central body to combine data and coordinate the process or should organizations exchange data between themselves and do what they deem best? It is not at all necessary that the ECOSOC decides on these matters, but it might be useful to, for example, ask one body to take the lead in coordinating the process.

Furthermore, the cooperation between countries concerning international human trafficking can be discussed. Should states make bi- or multilateral agreements as they see fit or will the ECOSOC, or another body, make recommendations on this as well? And if so, what should these recommendations entail? One could think of agreements about which country should patrol a border with high risk of human trafficking, in which country perpetrators of the law should be prosecuted in case of cross-border trafficking and where victims will live after they have been rescued.

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Appendices

Appendix I

The United Nations Convention against Transnational Organized Crime and the protocols thereto:

<http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

Appendix II

Global report on trafficking in persons 2014:

http://www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf



Appendix III

United Nations Global Plan of Action to Combat Trafficking in Persons:

http://www.unodc.org/documents/human-trafficking/United_Nations_Global_Plan_of_Action_to_Combat_Trafficking_in_Persons.pdf

Appendix IV

ICAT: 10 years on from the adoption of the UN Trafficking in Persons Protocol:

http://www.unodc.org/documents/human-trafficking/ICAT/ICAT_Background_Paper.pdf

Appendix V

ICAT: The next decade: Promoting common priorities and greater coherence in the fight against human trafficking:

http://www.unodc.org/documents/human-trafficking/ICAT/ICAT_overview_paper.pdf

Appendix VI

ECOSOC resolution 2008/23:

<http://www.un.org/en/ecosoc/docs/2008/resolution%202008-33.pdf>

Appendix VII

General Assembly resolution 67/190:

http://www.un.org/en/ga/president/67/issues/trafficking/GA%20Res.%2067_190%20Trafficking%20in%20persons.pdf

