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Human Rights Council

Research Report

The Question of: Preventing human trafficking and forced labour of unaccompanied minors in the EU

Introduction

Human trafficking is the modern form of slavery. It takes advantage of the desperate situation people find themselves in worldwide, and persuades them into paying a whole lot of money to move illegally to rich countries with the empty promise of a life of welfare, you could say it is a version of the 'American dream'. When the human trafficking business became bigger, it also started to traffic in children. Children who are living alone, often as beggars on the streets, are easily convinced into tagging along with a human trafficker. Their future, however, almost never is as prosperous as they had hoped. The biggest part of them are sexually exploited, and the rest of them is forced into cheap labour.

These issues have been debated a lot, and countries have them high up their priority list, as the foreign workers also are seen as a threat to autochthone employees. Besides that, as the European Union (EU) puts the promotion of human rights on high priority, it wants to put an end to this craft, that violates human rights on numerous levels, as soon as possible. Despite all these efforts, human trafficking continues to grow. In the year of 2016 there were 11,266 cases of this crime *registered* in the EU, and those are only the registered ones. Already in 2005 the profits made of forced labour amounted to US$44.3 billion per year, of which US$31.6 billion was made by exploiting victims, and the issue has but grown ever since.

The Committee

The Human Rights Council is one of the committees of the United Nations that focuses on the enforcement of human rights worldwide. These rights include the freedom of association and assembly, the freedom of belief and religion, the freedom of expression, LGBTQ+-rights, the rights of racial and ethnic minorities and women's rights. The committee has 47 members, elected for a period of three years. It is stationed in Geneva, Switzerland. During this conference, our debates will be guided by resolutions the delegation will have to prepare in advance. At the conference, we will first have some lobbying time to get familiar with the prepared content, dot the i's and cross the t's. The other days, we will debate on these resolutions, amend them and pass them. We do not have a plenary session, so we will cover four entire issues.

Our committee does not have an extensive mandate. Like the General Assembly, it can only advise certain actions, and it cannot actually order them to be done. Our mandate is described as follows:

"to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws and treaties."

The debates will be presided over by a President and a Deputy-President.

Key Terms

Human Trafficking
There are different definitions to describe human trafficking. One of them by the 2000 UN Convention against Transnational Organised Crime is described in the Introduction of the General Overview, but another UN definition for the same principle goes as follows:

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or coercion for the purpose of exploitation.

Unaccompanied minors
Minors, or children, who are travelling without a companion. In this scenario, this usually means they have no home or direct family, as they would have either travelled with their children or would have planned out the details of their child's travels a bit more.

Forced Labour
Labour that is forced upon people by violence, intimidation or deception. There are more subtle means to achieve true forced labour, through accumulated debt for example, but in the cases this issue concerns the first causes are usually right.

Trafficking Victims Protection Act (TVPA)
An Act the US Government passed in 2000 that provides certain guidelines for how to deal with human trafficking. It states how to deal with it, and how to prevent it. These guidelines are sometimes used as an international standard when one is judging the effort a country puts in combatting human trafficking. This is done by the 'tier system', in which there are four levels of compliance with the set standards.

General Overview

Introduction

The 2000 UN Convention against Transnational Organised Crime defines human trafficking with the following three elements, which all have to be met in order for a crime to be called 'human trafficking':

- *The activity*: the recruitment, transport, harbouring or receipt of persons
- *The means*: including the threat or use of force, deception, coercion or abuse of power, or of a position of vulnerability
- *The purpose*: the exploitation of trafficked persons

Human trafficking is the slavery of the 21st century. The only difference is that slavery actually was legal at the time, whilst human trafficking is not. Even though it is illegal, countries have a hard time stopping it. Since the fall of the Communism, it has grown even more in the European Union (EU). A lot of people who haven't profited of the newfound capitalism are left vulnerable to human traffickers offering them a better life in the Western parts of Europe. Especially younger people are easily won over by these empty promises. Arrived in the country of destination, however, money still needs to be made. Therefore, these unaccompanied minors often fall back into either prostitution or they are forced into labour. Because of its prosperity, the EU is one of the most popular destinations in the entire world. In 2016, the number of *registered* victims mounted up to 11,266 individuals.

What caused the rise of human trafficking in the EU?

The biggest part of all the human trafficking in the European Union originates from the eastern parts of Europe, such as the Balkans. Most of these countries have been governed by the Soviet Union in the middle of the last century. The moment their base of stability and relative equality ended, the people had to transfer to the ideas and principles of capitalism. The capitalist theory is however founded on the idea of inequality. Those who succeed in their jobs can earn a lot of money, but if you cannot do that, you will receive less support than in the times of communism. In short, this transition resulted in a group of employees who succeeded, contributed more to the economy and earned more money than before. The other group was worse off though, and the lack of available governmental support made that group even more vulnerable. These people still needed a house, breakfast in the morning and dinner in the evening. Therefore, they started looking for alternative ways of making money.

As often happened, they found one of the oldest ways of making money there is. Doing tough labour in rich countries was the goal, that way they could at least earn some money to provide in their most simple needs. As the European Union (region) has always been very prosperous, it has been a popular travel destination from the start. The EU was not glad about this development, as the cheap foreign labour on their markets pushed their own national labourers out of work. Therefore, the member states started restricting the access of foreign employees to their countries without good reason, especially in the areas of cheap and simple labour as their autochthone labourers were most vulnerable there. These restrictions never tackled the root issue of the immigration, so the immigrants started looking for less legal ways of entering the EU. That was the key moment in the history of human trafficking. Truckers started to see a business opportunity in these devastated souls. They offered to bring them to the EU, despite the restrictions, for a handsome amount of money. Human trafficking was born.

Through the decades, the market for human trafficking has grown. Instead of just nearby people from poor countries, human traffickers started to target scared inhabitants of regions of war. The promise of a better life full of welfare in rich countries often persuaded these scared families into paying al lot of money to these human traffickers. They would send off their best, so that they would have the best chances in the new countries. If they would earn enough, they could arrange for their family to cross the pond as well, because it was too expensive to take the whole family in one turn. This chain of events usually resulted to the minors travelling solo. The other option was that the children would not have a family anymore. If they lived as beggars on the streets, they also could be easily convinced into following a stranger with the promise of prosperity. As they would later see, the road that lay before them had a whole lot more bumps in it than expected. When the money was spent, or just when the human traffickers felt like it, these unaccompanied minors would be forced into labour, or worse. It is this series of events that led to the rise of human trafficking and the mistreating of unaccompanied minors that tagged along in the EU.

	2015			2016			2015- 2016		
	population	Number of registered victims	Rate per 1 000 000 inhabitants	population	Number of registered victims	Rate per 1 000 000 population	average population over 2015-2016	Number of registered victims	Yearly rate per 1000000 inhabitants
EU28	**435 637 290**	**9,147**	**21**	**503 770 172**	**11,385**	**23**	**469 703 731**	**20,532**	**22**
Belgium	11 274 196	117	10	11 331 422	119	11	11 302 809	236	10
Bulgaria	:	:	:	:	:	:	:	:	:
Czech Republic	10 546 059	4	0	10 566 332	14	1	10 556 195	18	1
Denmark	5 683 483	93	16	5 728 010	121	21	5 705 746	214	19
Germany	81 686 611	470	6	82 348 669	536	7	82 017 640	1,006	6
Estonia	1 315 407	13	10	1 315 789	10	8	1 315 598	23	9
Ireland	4 701 957	62	13	4 755 335	75	16	4 728 646	137	14
Greece	10 820 883	158	15	10 775 971	346	32	10 798 427	504	23
Spain	46 444 832	267	6	46 483 569	193	4	46 464 201	460	5
France	:	:	:	66 859 768	1,516	23	66 859 768	1,516	23
Croatia	4 207 993	38	9	4 172 441	30	7	4 190 217	68	8
Italy	60 730 582	781	13	60 627 498	879	14	60 679 040	1,660	14
Cyprus	847 664	46	54	851 561	44	52	849 612	90	53
Latvia	1 977 527	24	12	1 959 537	33	17	1 968 532	57	14
Lithuania	2 904 910	62	21	2 868 231	45	16	2 886 570	107	19
Luxembourg	569 604	7	12	582 014	20	34	575 809	27	23
Hungary	9 843 028	507	52	9 814 023	489	50	9 828 525	996	51
Malta	445 053	3	7	455 356	34	75	450 204	37	41
Netherlands	16 939 923	1,295	76	17 030 314	1,147	67	16 985 118	2,442	72
Austria	8 642 699	384	44	8 736 668	375	43	8 689 683	759	44
Poland	37 986 412	173	5	37 970 087	197	5	37 978 249	370	5
Portugal	10 358 076	137	13	10 325 452	202	20	10 341 764	339	16
Romania	19 815 481	880	44	19 702 332	756	38	19 758 906	1,636	41
Slovenia	2 063 531	47	23	2 065 042	27	13	2 064 286	74	18
Slovakia	5 423 801	81	15	5 430 798	45	8	5 427 299	126	12
Finland	5 479 531	52	9	5 495 303	130	24	5 487 417	182	17
Sweden	9 799 186	180	18	9 923 085	197	20	9 861 135	377	19
United Kingdom	65 128 861	3,266	50	65 595 565	3,805	58	65 362 213	7,071	54

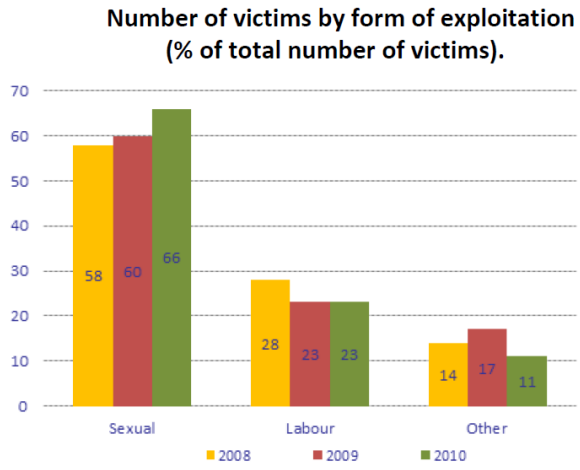
What does the victim pool look like?

Boys generally are safe from being sexually exploited, due to cultural taboos. Girls don't have this protection however, and they are often sexually assaulted during the child trafficking. As more than 85% of all children in human trafficking is estimated to have encountered some form of sexual exploitation, more girls than boys are persuaded into human traffic. UNICEF researched the issue, and came to the conclusion that the children are most vulnerable for traffickers out of their own region, who are just looking forward to one big sell abroad. Six common characteristics of children who fell victim to human trafficking in the Balkans include:

- those who suffer or have suffered domestic violence
- those who dropped out of school
- those who belong to an ethnic minority, such as the Jevgjit
- those who are not surrounded by a family, and live for example in an institution
- those who have previously been the victim of human trafficking

What actions are undertaken to stop child trafficking?

Almost all of the European Union members are providing an active campaign to stop human trafficking in their regions. This has gradually become more effective, but still does not suffice to solve the issue. Police work is, of course, the most effective measure to stop human trafficking. But in order for an officer to do his or her work properly, data is needed. Data about where the most human traffickers are, where they go to take new children and where they take them. This data, the officers can use to anticipate the steps human traffickers will take, and like this they can use it to help and stop them. Sadly, the collection of this data is a serious problem. Especially in regions like the Balkans, there are too many obstructions to collect the statistics. Linguistic barriers, an overflow of crime, bureaucratic reasons, a lot of necessary cooperation, and just general chaos prevent a clear view on the human trafficking in a lot of countries.



Data source: Eurostat, 2013

Human trafficking directly intertwines with a lot of human rights and international standards that are set, and are enforced especially in the EU. The crimes human trafficking includes are: physical, psychological and sexual abuse, deprivation of liberty, denial of freedom of movement, torture and ill-treatment, and the right to life. For these reasons, combatting human trafficking is quite a high priority for EU member states. The problem, apart from the lack of data, is the economy the European Union is founded on. It has a flexible market which is always pushing to lower the price of its products. This results in prices that cannot possibly represent the true production costs that were needed to make the product. Most of the money saved will get chipped away on labour costs. This means there is, now more than ever, a very big demand for cheap labour. Human traffickers use this demand to bring new workers into the production countries, where they will be exploited and forced into labour. The factories, however, keep on running. Governments cannot very well attack their own economy, can they?

Anyways, wherever the problem may come from, human trafficking is on the rise. The International Labour Organisation (ILO) has published some shocking statistics on the topic:

I. At any given time in 2016, an estimated 40.3 million people are in modern slavery, including 24.9 million in forced labour and 15.4 million in forced marriage.
II. It means there are 5.4 victims of modern slavery for every 1,000 people in the world.
III. 1 in 4 victims of modern slavery are children.
IV. Out of the 24.9 million people trapped in forced labour, 16 million people are exploited in the private sector such as domestic work, construction or agriculture; 4.8 million persons in forced sexual exploitation, and 4 million persons in forced labour imposed by state authorities.
V. Women and girls are disproportionately affected by forced labour, accounting for 99% of victims in the commercial sex industry, and 58% in other sectors.

Already in 2005, it estimated that the profits made of forced labour amounted to US$44.3 billion per year, of which US$31.6 billion was made by exploiting victims. As you can see, the issue only gets worse. Child trafficking, and the forced labour it often winds up in, is a very serious issue with

whom almost every country worldwide is coping. The campaign offense the European Union started has so far not yet been enough to solve the issue, to truly solve this issue – as always – the problem will have to be attacked by its root. That means the poverty and uncertainty in the countries child traffic originates from will have to lessen, which will remove the incentive for participating in human trafficking *or* the demand for cheap labour will have to be stopped, because you can't ask for more cheap labour and keep the cheap workers away at the same time.

Major Parties Involved

Netherlands, United Kingdom, Rumenia

As the top three of EU countries where human trafficking is most frequent, these three countries are very invested in finding solutions for this ongoing issue. They most likely will want to search for lasting solutions that involve searching the source of the problem and stopping it there, as their police forces are not able to stop all of the human traffic they encounter.

Equatorial Guinea, Eritrea, Iran

This is the top three internationally of countries where human trafficking is most common. Same as the above.

Non-Governmental Organisations (NGO's)

As governments often are not fully able to fully stop human trafficking, NGO's play a big role. They can offer the support the governmental system lacks. While their succes varies from country to country, they could provide, and have provided, support for: legal, social and psychological counselling, education to prevent more trafficking, informational and statistical research and lobbying for victim's rights.

ILO, OHCHR and UNODC

The International Labour Organization (ILO), Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Office on Drugs and Crime (UNODC) have tried, with their own expertise, to help the victims of human trafficking. They have provided statistics and graphics about the issue globally, and they have lobbied for stricter guidelines to prevent this issue in the future.

Timeline of Events

1400-1600: European slave trade in Africa
1562: The British joined the European slave trade
1641: Massachusetts became the first British colony to legalise slavery
1803: Denmark and Norway banned slavery as the first countries in Europe
1833: Children under 13 weren't allowed to work in the UK anymore, workdays limited
1863: The Emancipation Proclamation, all slaves in the US freed
1904: The International Agreement for the Suppression of "White Slave Traffic"
1949: The Convention for the Suppression of the Traffic in Persons and Exploitation of the Prostitution of Others

1956: India started persecuting third parties involved in human trafficking
2000: The US passed the TVPA (see Key Terms)
2003: The UNODC (Major Parties) released the "Protocol to Prevent, Suppress and Punish Trafficking in Persons"
2011: President Obama wanted January to be the Human Trafficking Awareness Month

Previous attempts to solve the issue

The previous attempts to solve the issue include The International Agreement for the Suppression of "White Slave Traffic", the TVPA, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, and numerous UN gatherings such as the Fourth World Conference in 1995. There has not yet been found a permanent solution, however. The cause of that is a lack of data, international cooperation, and because the root of this issue lays in poverty and inequality worldwide. That issue is a very tough one to crack, and therefore none of the efforts put in by member states have truly worked out.

The Future

If no policy changes were to happen right now, all EU countries would continue their campaign policies. This would result in a little bit more human trafficking that is visible and detected, but a big part would remain untouched. World leaders and UN organisations would occasionally say some words on the issue, but because it is such a tough one, no real change would come.

Questions a Resolution Must Answer (Q.A.R.M.A.)

- Is it a countries fault if its citizens flee to other countries through human trafficking?
- What is the relation between human trafficking and the economy?
- If human trafficking is to be decreased, how will the gap in jobs be filled?
- Where can the source of the issue be found?
- Is global inequality temporary or permanent?

Further Reading

https://eeas.europa.eu/headquarters/headquarters-homepage/52289/human-trafficking-eu-stands-victims-and-wants-their-voice-be-heard_fr

https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-human-beings_en

https://www.un.org/press/en/2017/sc12751.doc.htm

https://dworakpeck.usc.edu/news/7-facts-you-didnt-know-about-human-trafficking%3Futm_source%3Dtest

These are all really interesting sites, where you can learn a lot about human trafficking in general, but also about you countries position. Also check the links in the bibliography!

Bibliography

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