

Forum: General Assembly 3

Issue: Developing measures to eradicate forced labor and end modern slavery

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Introduction

In the 21st century, with more active economical activities, trade, and migration than ever before, forced labor and modern slavery is an ever-present concern, not only in less economically developed countries but also in more economically developed countries where individuals, especially refugees and immigrants are coerced into forced labor. In more and more of these cases, victims are trafficked in large-scale human trafficking operations, which have had devastating results. The International Labor Organization estimates that there are around 50 million people worldwide who are currently trapped in forced labor or slavery. Out of that 50 million, most cases of forced labor are found in the private sector, with 6.3 million being forced into commercial sexual exploitation and 3.9 million being imposed by governments. Of increased concern is the prevalence of women and children in forced labor, with females accounting for 4.9 million forced into sexual exploitation and children making up 12% of total forced labor cases. Forced labor is especially prevalent in private sector industries that require long hours of manual labor, including farms, plantations, fishing, food processing, and construction.

Forced labor in the 21st century often occurs with fraudulent offers of employment made by employers to individuals in predominantly less economically developed countries who are seeking better opportunities. Upon luring them with false promises such as living accommodations, high wages, citizenship, or the possibility to stay in the country, they may coerce and intimidate victims into working without compensation through ways including physical violence (beatings, killings, etc.) against them or their families, threatening to report them to immigration or other government authorities, or illegally confining their passports and identification documents from them. While awareness of the issue has considerably increased around the world because of several high-profile incidents and augmented media coverage, many criminal actors are still able to operate with impunity due to a lack of oversight and sometimes corruption in government agencies such as law enforcement, labor, or other inspection services. Efforts to address forced labor and crimes associated with it often fall short due to this reason, with owners behind forced labor and “sweatshop” operations often bribing authorities to evade detection at borders, airports, etc.

Definition of Key Terms

Forced Labor

Pursuant to the International Labor Organization’s Forced Labor Convention 1930 No. 29, forced or compulsory labor is defined as all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily. Forced labor also includes situations where employers make false promises so that a worker would take a job that they would otherwise have not accepted. Exceptions to the forced labor definition are made under Article 2(2) of Convention No. 29, which include compulsory military service, normal civic obligations, prison labor under certain conditions, work in emergency situations, and communal services.

Modern Slavery

Modern slavery, also known as contemporary slavery, usually refers to slavery or forced work that occurs in modern-day society. However, there is no universal definition of the term, and it is often used as an umbrella term that encompasses other actions, including “trafficking in persons,” and “human trafficking” according to the U.S. State Department. Delegates should note that although modern slavery often encompasses acts such as human trafficking or sexual exploitation, those do not apply all the time and thus should be used on a case-by-case basis.

Sex Trafficking

The term “sex trafficking” refers to instances where a person engages in a commercial sex act as the result of threats of force or coercion. In a legal context, individuals who participate in recruiting, transporting, obtaining, or soliciting commercial sex services are also guilty of the crime of sex trafficking. Recruiting children, or individuals under 18 years of age for commercial sex is considered sex trafficking regardless of consent from the child and has no exceptions.

Coercion

Coercion is defined as threatening any person with serious harm or physical restraint. It also includes any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person.

Human Trafficking

The attempted facilitation or transportation of human beings across international borders against a country’s laws.

Corruption

The abuse of public power for private benefit

Background

Brief History

Although not necessarily branded the same name, forced labor has existed for an extended period of time throughout human history, much longer before the 21st Century. Slavery's roots can be traced to numerous ancient empires where peasants' servants had to work for their masters, who were often nobles, without any sort of pay or compensation. For example, more than 60,000 slaves existed in Ancient Greece, with an average of 3 to 4 slaves per household. While some slaves, especially those who worked in Athens were able to enjoy some degree of freedom sometimes, most of them were forced to work when their owners ordered them to. Those slaves could also be freely sold off between their owners. With this tradition continuing in most empires around the world, the first transatlantic slave trades were initiated by European merchants, mainly by the Portuguese at first who purchased large amounts of imprisoned slaves from West African empires. Those slaves were used to create a cheap workforce in the foreign colonies of various European super powers, including Spain, the U.K., France, etc. After being outlawed in most countries in the 19th century, the most prevalent use of forced labor and slavery occurred during World War II. Because fighting had created a tremendous demand for labor force in Nazi Germany, the Nazi government used concentration camp populations to increase their labor supply. By the end of 1944 more than 2 million prisoners of war (mostly Russian) and 7.5 million civilians from German-occupied nations in Europe were working in German arms factories, chemical plants, mines, farms, and lumber operations. Fast forward to the 21st century, while most countries have outlawed slavery and forced labor, it still remains a serious problem in numerous countries. According to the Global Slavery Severity Index, the top 10 countries where slavery is most prevalent include North Korea, Eritrea, Mauritania, etc. Most of the regions where forced labor is most severe experience similar issues such as economic poverty, political instability (coups, civil wars, etc.), dictatorships, large amounts of refugees. Some countries such as Eritrea have government facilitated forms of slavery such as indefinite military conscription. Most high school students are forcefully conscripted into the military at the Sawa, where students are under military command and subjected to harsh military punishments such as torture or sexual exploitation. The Eritrean government also conscripts men and women indefinitely and has no clear policy on the release from national service. However, in some countries such as the United Arab Emirates or Kuwait, the workforce is made up predominantly by refugees or migrants, they are often exploited by employers under the Kafala system, where employers have great control over the lives of their workers.

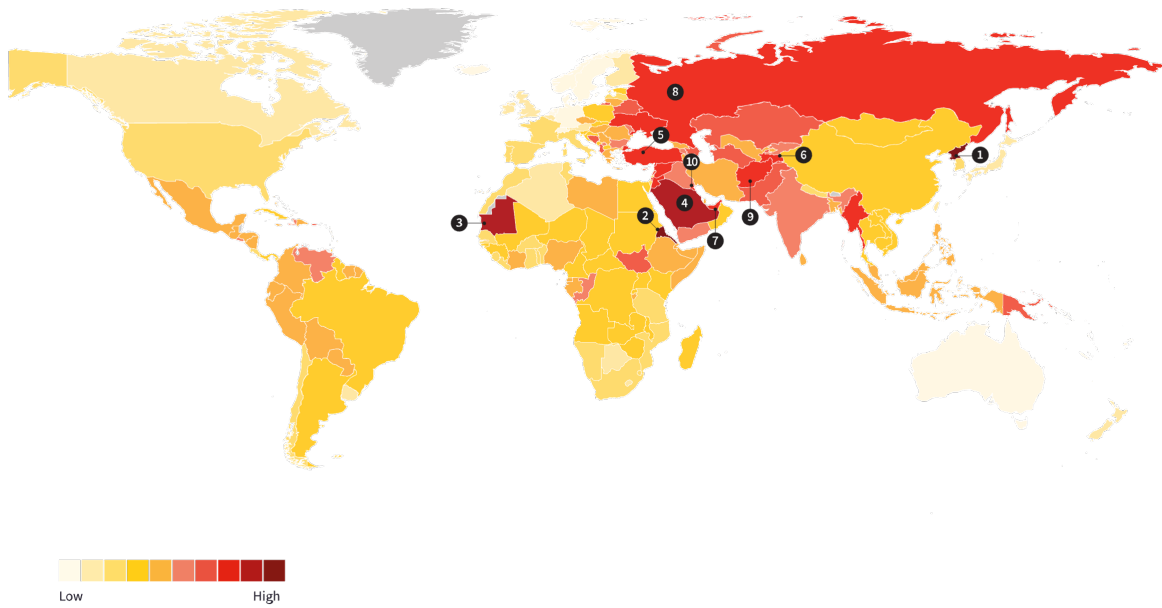


Figure 1: A choropleth map illustrating the severity and prevalence of forced labor and slavery in countries around the world

Corruption in slavery and forced labor

Corruption is oftentimes a significant contributing factor on why forced labor and operations associated with it such as human or sexual trafficking can operate with impunity in numerous countries. Specific data and information regarding the role government corruption plays in forced labor and human trafficking is often limited because historically it has rarely been considered in anti-forced labor legislation and other measures. However, corruption often occurs at numerous points within the forced labor “chain” or “cycle”, including the provision of documents, the transportation of victims, laundering of proceeds of crimes, etc. Individuals involved in corruption are usually public officials or employees working in duties that cross paths with the points mentioned above, including customs, immigration, law enforcement. Corruption is not just limited to government agencies, but also exists within the private sector, which may include travel agencies, airlines, financial corporations, etc. For example, immigration or customs officials may be bribed in order to have trafficking victims cross the border without being detected or subject to proper identification checks where the traffickers may have otherwise been caught because of the mass transportation of victims in boats or trucks. Other corruption actions may include law enforcement interfering in investigations of forced labor and human trafficking because a high-authority or rich figure may be profiting behind those operations, or ignoring and avoiding investigative actions that are likely to implicate them. In some cases, government regimes themselves have perpetrated forced labor in order to gain profit. For example, the Cuban government has operated a medical where the regime charges foreign governments for the work performed by Cuban medical professionals, giving them only a tiny portion peso. Once in the program, workers often have their passports withheld and face long working hours, poor living conditions, and restrictions in their movement. The Cuban regime retaliates against those who try to leave the program, threatening family members, criminal penalties, and exile.

Forced labour generates annual profits of US\$ 150 billion

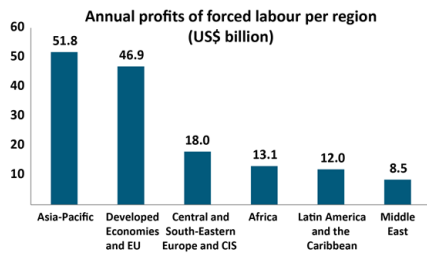


Figure 2: A bar chart illustrating the profits generated from forced labor per region globally in USD.

Major Parties Involved

Mauritania

The African country of Mauritania has arguably the worst slavery and forced labor crisis in the world. It is the last known country to officially abolish slavery in 1981. In 2018, the global slavery index estimated the number of slaves in Mauritania 90,000, or 2.5% of the total population. Slavery has long been common in Mauritania: richer and more powerful Arabs referred to as the Bidan often enslaved black Moors from the Northern Sahara area. In 1905, the colonizing French decided to end slavery but ultimately did not enforce that decision because slavery was entrenched in the local culture and religion of the country. While “slave trade” was technically illegal, domestic slavery was allowed and tolerated under Islam. There is currently little discussion about slavery in Mauritania due to the strong social hierarchy system that divides society based on their wealth and ethnicity. The Mauritanian government has often been criticized for not being aggressive enough in anti-slavery and forced labor policies. In 2010 a UN special rapporteur report stated that “despite laws, programs and difference of opinion with regard to the existence of slavery in Mauritania, ... de-facto slavery continues to exist in Mauritania.” The government has long been accused of jailing high numbers of anti-slavery activists or protesters, while only one person, Oumoul Mouminine Mint Bakar Vall, was actually prosecuted for owning slaves since the 1981 abolition of slavery; and she was only sentenced to 6 months in prison. Despite these accusations and evidence from other parties, the government has tightly maintained that slavery does not exist in its country. If researching Mauritania in regards to the topic, delegates should also look into why there is a lack of willingness and enthusiasm in the country to fix the slavery crisis and the religious, social, educational factors behind them.

United Arab Emirates (UAE)

The United Arab Emirates is a country in West Asia, or the Middle east. It is located on the Eastern end of the Arabian Peninsula and borders Oman and Saudi Arabia. According to the global slavery index, the UAE ranks 2nd in countries with the most severe slavery issues. The estimated number of people living in modern slavery is around 132,000, or 13.4 per thousand. The severe slavery crisis in the country is often attributed to the kafala

system, where the responsibility of migrant workers is delegated to their employers, including control over their ability to reside in, work, and exit the country. Employers are often able to hold passports and other important identification documents from employees, which limits their ability to travel within and out of the country. In addition, migrant workers are often unable to leave their employers due to extreme poverty where they rely on their employers to provide the shelter and food which they need. In addition, many migrant women are promised good work and pay bare UAE recruitment agents in order to lure them to the country, but are then sold into forced labor such as being maids or servants. Government response from the UAE is higher and more efficient compared to many other Arab countries with the government introducing reforms to the Kafala system in order to give more liberties to migrant workers. However, the government largely focuses its response on forced sexual exploitation, and most support services are for female survivors of modern slavery. In addition, gaps in legislation also offer little protection for victims of forced marriages, since they can get married before 18 if they reach “maturity”.



Figure 3: A geographical map illustrating the location of and important cities in the United Arab Emirates.

International Labor Organization (ILO)

The United Nations International Labor Organization is one of the first and oldest specialized agencies of the UN. Its mandate is to advance social and economic justice by setting international labor standards. The agency operates with a tripartite governing structure, the only agency of its kind under the umbrella of the UN. In addition to setting labor and employment standards, the agency also gathers statistics and data regarding unemployment, slavery, forced labor, human trafficking, etc. The agency also engages in numerous public awareness campaigns regarding those topics.

Previous Attempts to Resolve the Issue

Forced labor is an issue that has been regularly discussed at the United Nations in the 21st century, and is gaining more and more attention due to several incidents where migrants suspected of being victims of human trafficking were found dead in large truck trailers in both England and the United States. In resolution 72/7 adopted by the UN General Assembly in January 2018, various member states reaffirmed their commitment to eradicate forced labor and human trafficking. Member states also reiterated the important role of the cooperation between relevant agencies including the United Nations Office on Drugs and Crime, the International Civil Aviation Organization, the International Criminal Police Organization (INTERPOL), the International Labor Organization, the International Organization for Migration, etc. Inter-agency and organization coordination is one of the most commonly stressed solutions for preventing forced labor and human trafficking. Many traffickers and facilitators of forced labor are able to operate without being captured because information often is not shared between police agencies across national borders, thus when they arrive at different international borders, they are able to pass through since information regarding their suspected crimes is not possessed by local police or customs agencies. The UN and INTERPOL have long been pushing for more countries to share information regarding wanted persons for human trafficking related crimes to capture individuals behind them including recruiters, middlemen, boat captains, drivers, providers of illegal and fraudulent documents, etc. Throughout the past 5 years, INTERPOL has conducted numerous operations to counter human trafficking and forced labor, including training police forces around the world to be more vigilant to signs of human trafficking and dismantling several transnational human trafficking rings. For example, in the summer of 2023, operation “Flash-Weka”, a partnership between INTERPOL and AFRIPOL netted a total of 1,062 suspects arrested, 2,731 irregular migrants found, and identified 823 human trafficking victims with 197 pending investigations associated with it. The operation found an increased human trafficking and forced labor trend in Western Africa, with fraudulent recruiters using online platforms to recruit unsuspecting migrants.

On the individual member state level, many countries are also taking up rigorous solutions to counter the problem, especially those who are common destinations for trafficking victims. For example, the United States is taking significant steps to curb the human trafficking occurring within its borders. This includes a national action plan that was released in 2020, increasing collaboration among federal anti trafficking experts from across the United States government, which is also informed by victims for human trafficking on where the government could do better on it. Several pillars in the action plan include prevention, protection, prosecution of human trafficking. The plan has largely focused on identifying potential individuals or social groups who are at highest risk for falling victim to human trafficking, including migrants within the country without proper documentation, individuals suffering from domestic or substance abuse, etc. In addition the plan tackles the issue from multiple perspectives, including lessening and mitigating the demand for human trafficking both domestically and abroad, and strengthening efforts to identify victims of human trafficking.

Relevant UN Resolutions

- 2021 Political Declaration on the Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/76/7)

- Improving the coordination of efforts against trafficking in persons (A/RES/72/195)
- UN Security Council Resolution 2388 (2017) (S/RES/2388)

Possible Solutions

Delegates should explore solutions to forced labor and modern slavery from multiple points of view. While it is important to have solutions that address the “symptoms” of forced labor such as increased operations at international borders cracking down on illegal mass migration or sweatshop operations, it is also important to identify and resolve the root cause behind forced labor, especially in many less economically developed countries. This would often need to include measures targeting awareness and education regarding forced labor, since the concept of forced labor is often rooted in local cultures or religion. Thus, it is important to raise awareness and educate people in many countries about the illegality and harms of forced labor. However, delegates should be aware that oftentimes countries with high rates of human trafficking experience numerous issues such as extreme poverty, substance abuse, violent conflicts, etc. that put its people in perilous positions to fall victim to forced labor or are forced to voluntarily engage in it to support themselves or their families. Therefore, the crucial solutions of bringing political and economic stability to certain regions, including providing free education, medical or other forms of assistance, would also be essential in terms of tackling the issue.

Other more common solutions would include increased cooperation between various governmental agencies from different countries, or tackling corruption in those agencies. Increased cooperation should focus on several points within the forced labor “supply chain”, including those soliciting the service, the trafficking of victims, and the dealing and laundering of the proceeds of crime. Perhaps the most important stage is trafficking, where agencies can work together to identify individuals suspected of or wanted for crimes relating to human trafficking and forced labor so that they could be stopped at international borders, preventing them bringing in or out any victims. However, delegates may come across the issue that some countries are unwilling to share information with each other or some countries may misuse that system for political gains, which will need to be addressed in their resolutions.

Finally, delegates must also discuss the creation of more robust legislation and regulations regarding the issue. Legislation may include laws that increase penalties for human traffickers, and introduce harsher punishments for people who are involved in harboring forced labor crimes, facilitating the production of fraudulent documents or benefit from profits earned from forced labor. In addition, legislation should also be targeting the proceeds of crime that is accumulated from forced labor and the laundering process of it. This may include the laundering of cash, crypto currency, or other assets such as cars, gold, artworks, and other valuables obtained through criminal activity so that they will not be traced back to the offenders. Delegates are advised to explore how law enforcement agencies and other agencies with regulatory functions such as financial, tax, and trade agencies could be given additional powers to track the flow of money and assets in regards to specific individuals suspected of those crimes. In addition, some regulatory agencies could introduce new rules for companies and private employers to increase awareness and accountability in businesses so that forced labor does not go undetected.

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