

# OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



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CJCMUN'16

## **Background guide**

Agenda: Discussing the implications  
of modern slavery

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# LETTER FROM THE DIRECTOR

**“Those who deny freedom to others, deserve it not for themselves”**

**— Abraham Lincoln**

**Dear Delegates,**

**My name is Alisha Deshmukh and I am elated to be serving as your director for the Office of the High Commissioner for Human Rights at CJCMUN, 2015.**

**Currently, I am on a gap year; I use my time to educate underprivileged children, to run a (youth run) NGO, and to pursue things that I'm passionate about. I was born in a town near Mumbai, but I have lived in various places including Brazil, Saudi Arabia and the best of all, Bangalore. Living in different countries was what got me interested in their international affairs. Now, MUN-ing has become a huge part of my life. I have attended several MUN conferences and have won awards even at Harvard Model United Nations 2015, Cottons Model United Nations, etc. I was lucky enough to have served as a Director at CJCMUN last year, Assistant Director at Harvard Model United Nations, 2016, etc. I'm a huge fan of Sidney Sheldon, Suits and Sherlock. I love writing— I am a silver awardee for The Queen's Commonwealth Essay Competition 2015. I've interned with the Times Of India and with Alfanar in Riyadh, Saudi Arabia.**

**My interest in the OHCHR comes from my love for humanitarian committees. The OHCHR is exciting because it gives you power to protect humans rights. With an innovate agenda, the committee draws a link between past human struggles and on going ones. Some think that slavery is history of the past. Today, however, it is still a multibillion-dollar industry which includes acts of human trafficking, forced prostitution, child labour, etc. But, YOU have the power to make a change and save millions of lives.**

**Given the sensitive nature of the agenda, I expect you to make statements carefully in committee. I hope to see all of you incorporate your personality and views into discussions in the most diplomatic way. This study guide shall provide you with an overview of the committee. Take your ideas and research further**

than this. I hope you enjoy this committee and appreciate the hard work put into it by the executive board members.

I cannot wait to meet you at the conference! Till then, if you do have queries, you can always contact me via Facebook or email (alisha.rd@gmail.com). I guarantee you that you will enjoy your 3-day conference and take away amazing memories!  
Good luck!

Alisha

## HISTORY OF THE ISSUE

When slavery as an issue is discussed people tend to revert to the past and how it has been a decade or so since its abolishment. Though the ancient method of slavery no longer exists, slavery has transformed its ways and is now at an all time high.

Earlier there existed Chattel Slaves. A Chattel slave is usually enslaved for life and is treated like complete property. Such an individual is sold and bought like any other product and therefore completely dehumanized. A Chattel slave's children and grandchildren are also automatically enslaved most often without any hope of escaping slavery (Decent-based Slavery). This kind of slavery was mostly prevalent legally in the US before the civil war and back in ancient Rome and Greece, however it still exists today in Eastern African countries like Mauritania and Sudan where dark-skinned people are kidnapped from their villages and sold to Arabs. Those slaves are often branded with hot metal, exploited, abused or traded for weapons.

Slavery actually found its inception with the creation of human societies. Slavery as a practice was highly prevalent in ancient Greece, Rome and Egypt. These slaves survived inhumane conditions. In ancient Rome for example there existed no human waste disposal service, and slaves were used for the same. However

what led to interaction between different regions of the world in the pretext of slaves was the “slave ships”. The slave ships referred to a trading mechanism of people for goods. A ship set sail from Great Britain with goods such as meat, alcohol and fire arms would trade the same at Guinea, Africa for slaves. These vessels meant to carry goods now carried human beings. This takes us back to the Atlantic trade where 12 million Africans were trafficked.

## MODERN DAY SLAVERY

Today is slavery is one of the most critical issues that plague the worlds. It is estimated that the number of people that fall into the ambit of modern slavery, is around 21 to 36 million. Furthermore, that number does not cover exploitation as a recent ILO report mentioned about a 100 million children that are exploited for labour.

Before we move forward it is imperative we truly understand a few key terms of this aspect

Slavery refers to an individual who serves as a property of another, with no access to any human rights of any nature and this bondage is caused due to skin colour, gender, caste, lineage etc. Today however the requirements for an enslaved person have changed

- Lack of free will (physically or mentally threatened)
- Controlled/Owned by someone due to fear of abuse
- Objectified and dehumanized while being sold as products
- Physical constraints. Restriction of movement.

The word “slavery” today covers multiple violations of human rights, including those mentioned above, as well as child pornography, sexual mutilation of children and women, use of children in armed conflicts, the trafficking of persons and sale of human organs. Slavery-like practices might be clandestine, which makes it more difficult to establish a picture of the extent of modern slavery, let alone punish and eliminate them. It is estimated that human trafficking is “predicted” to outgrow drug trafficking, the world’s most profitable criminal “enterprise”. Each year, more than one million people,

regardless their social class or age, are being trafficked across international borders against their own will and are forced to undergo the brutal exploitation of strangers. The main sources are Africa and Asia, both as the country of origin and as the country of destination. The victims are often located in brothels or hidden sweatshops where they are forced to follow orders from people they haven't met before. The majority of the victims, especially the female ones, are trafficked for sexual exploitation. Traffickers sell thousands of women and children online on a daily basis. This kind of trade is obscured and hidden from the public eye. Thus, this renders the location of the victims very difficult and the offenders are not being punished because of the transparency of the slave trade "networks". Another major aspect of human trafficking involves tricking individuals into believing in a better life and living conditions in an another country. These individuals are then trafficked to different parts of the world and are used as sex workers or organ donors.

## **MAJOR CAUSES FOR MODERN SLAVERY**

### **HIGH WAGE ENVIRONMENT AND CHEAP ENFORCEMENT**

Normally, slave owners pay only for the 'sustenance and enforcement' ( the slaves' basic needs). Because 'sustenance and enforcement' is not expensive and owners do not have to pay specific wage to these slaves, it becomes cheaper for them to maintain unfree slaves. However in an area where the cost for 'sustenance and enforcement' becomes more expensive than the cost of paying wage to free workers, owners no more benefit. Then they let go of the slaves. Thus high wage areas (and cheap enforcement) foster an environment of slave keeping.

### **POVERTY AND DEBT BONDAGE (BONDED LABOUR)**

Sometimes in conditions of extreme poverty, people have no other choice but to work as a slave under someone rich, who promises to provide for the slave's family since they themselves cannot find employment. Another case of slavery, debt bondage, occurs when a person has procured loan but is unable to repay it

financially. In that case, a person offers his services in exchange for repayment of debt. Most of the times, due to the ambiguous specifications of debt bondage, the time limit for services is undefined and a slave remains as is for a long period of time. Bonded labour mostly passes down generations and children are required to repay their parents' debt. This form of slavery is the most predominant form as of today. It is commonly found in South Asia.

## **CULTURE AND RELIGION**

In this form of slavery, trade of slaves is encouraged in several customs and traditions. This form of slavery is arguably practised in Islam as well as in certain tribes. Woman, young girls and children are abducted and then sold as 'sex slaves' or any other forms of slaves.

## **WAR TORN**

In war torn regions, several persons may be intentionally abducted and then trafficked.

## **COMPENSATING DIFFERENTIAL**

Normally, if the unpleasantness of a work increases, the pay for doing the work should increase. This extra money is called compensating differential. This is the case with free workers. However, owners of unfree slaves do not have to pay compensating differentials and this serves as a big boon to them. Hence in order not to pay compensating differentials, owners prefer keeping slaves than not.

## **LACK OF ENFORCEMENT OF ANTI-SLAVERY LAWS**

Even though laws have been passed for abolition of slavery, a lot of governments do not have the machinery or procedure to implement the laws. Sometimes it's hard to identify a case of slavery which also leads to inaction.

## **ASPECTS OF MODERN SLAVERY**

## **HUMAN TRAFFICKING**

It is defined as “the illegal movement of people, typically for the purposes of forced labour or commercial sexual exploitation.” Basically, humans are treated as entities that can be bought or sold for various purposes such as prostitution, forced labour, donation of organs, etc. Trafficking can happen within a country itself and also trans-nationally. Since human trafficking is the trade of humans, these humans are coerced into doing things against their will. Terrorism compliments human trafficking and some people maybe forced to do acts of violence when trafficked. Human trafficking is a form of violation of human rights; Most of the times these slaves are made to live in inhumane conditions without proper payment. Also, Traffickers frequently smuggle people across countries. Due to this, victims cannot easily escape or even report their condition to authority because they themselves would be charged with immigration violations. Albania, Belarus, Bulgaria, China, Moldova, Nigeria, Thailand, and Ukraine are the most common places for the production of victims to be trafficked.

## **BONDED LABOUR**

This is the most common form of present day slavery and probably one of the least known in the world. People are usually tricked into bonded labour after being lent money by someone and then are asked to work for this person to make up for their debts. However, their pay is so little that it is almost impossible for them to get out of their debt. In addition to that, sometimes their debts have also very high interest rates and interest on the interest, making it after a certain amount of time impossible for the bonded labourers to pay back their ever rising debt. The debt and therefore also the state of being enslaved is often passed on to the children of the labourers. In South Asia this form of slavery is mostly used on the lowest cast, the Dalits, also known as «The Untouchables». Their loan is barely enough for survival and medical costs. The International Labour Organization (ILO) estimates that in the Asia Pacific region there are around 11.7 million people in suffering under bonded labour, particularly debt bondage.

## CHILD LABOUR

Approximately 246 million children around the world are affected by child labour; Africa is the leading country for the same— one in 3 children is affected. Mostly, children between ages 5-17 are targeted since they are easy to “frighten into submission.” This form of slavery persists because it is cheap. Most part of child labour consists of debt bondage wherein debt has passed on from parent to child because of extreme poverty. In some cases, children are sold into trafficking, forced prostitution and/or coerced into working in extremely dangerous environments such as chemical factories. In Africa alone, 69 million children are affected, while in South Asia the numbers go to up 44 million.

The children used by the ones who profit from them are forced through violence, abuse, or threats into different areas of «work» such as:

- Prostitution or Pornography
- Unlawful activities such as begging, theft or drug trade
- Work in agriculture, mines, construction sites, factories, restaurants or bars
- Armed conflict
- Forced marriage
- Domestic work

According to the ILO there are up to 115 million children in the worst forms of child labour not all of these cases fall under the category of slavery, since many of the children are brought into this kind of labour by their parents due to poverty or the belief of having no other hope for a better life, therefore it cannot clearly be said that these children are working involuntarily. 8.4 million of these 115 million fall under the category of slavery or forced work in the above-mentioned areas.

## CHILD SOLDIERS

Numerous cases of the recruitment of children into military forces have been reported all over the world. They are considered highly desirable on the field,

being more invisible and able to reach certain places where adults would not fit. Many of them die or become disabled in armed operations, while others are captured, tortured or kept as prisoners of war. There is no data available on the numbers of children being killed and used in current armed conflicts.

## **FORCED MARRIAGE:**

Currently a number of ethnic groups follow the system of 'arranged marriage wherein either of the spouse is made to enter legal marriage against his/her will. Given the consequences of marriage, this form of slavery leads to 'sexual exploitation'. A wide number of forced marriage cases are prevalent in Asia.

To fall under the category of slavery the following three elements need to be present:

- If the person has not given its informed and free consent on the marriage
- If there is a sense of «ownership» in the marriage, the victim remains under control of the partner through violence, abuse or threats and is forced to complete housework or to engage in non-consensual sex relations
- If the person has no realistic option of leaving this marriage leading to a form of lifelong enslavement

Another major aspect of forced marriage is that its mostly women who fall prey to this form of slavery but the cases in which the same applies for men has gradually been on a rise.

Such a slavery form often bolsters the revival of the institution of dowry, bearing in mind that the women's property is the main criterion in this "bazaar". Unfortunately, these acts have not yet become extinct and take place in countries such as Bulgaria, Turkey, Russia, Syria, India and China. In some cases under-aged girls are involved in this illegal commerce. A clear example of this treatment is Anwari Khatoon, a 22-year-old woman who travelled to the northern Indian state of Haryana with the intention of paying a visit to a relative but ended up married to a man with six children from his former wife. Haryana is a

notorious state for bride bazaars due to the low ratio of girls to boys (there are far less females than males). The man paid 10,000 rupees, to “buy” Amwari.

## **REMOVAL AND TRADE OF ORGANS**

Trafficking in organs can take multiple forms. Firstly, there are cases in which the oppressors force the victims to give away their organs. Secondly, the victims voluntarily agree to donate them in exchange for money that they never receive. Thirdly, vulnerable persons are treated for an ailment, which may or may not exist and thereupon organs are removed without the victim's knowledge. Trafficking of organs is an organized crime, involving a number of individuals. Recruiters, transporters as well as the whole medical team need to be involved

## **BLOOD DIAMOND TRADE**

This refers to the mining of diamonds in inhumane conditions in order to finance an insurgency or serving “a rich lady’s (and warlords) need of jewels.” In this form of slavery, people are exploited; they are made to find diamonds in unhealthy conditions and are often paid less than a dollar a day. Most of these slaves die out of thirst or hunger.

## **COUNTRY SPECIFIC SLAVERY**

### **NORTH KOREA**

DPRK (Democratic People’s Republic of Korea) North Korea, with its economy crippled by the worldwide sanctions imposed by the UN’s Security Council, attempts to rebuild it by sending North Koreans to countries all over the world as labourers, working under slavery-like conditions. This is nothing new and has been done by the government for decades, but since Kim Jong-un has risen to power the number of these workers has tripled to 65.000. They work around 12 hours a day in jobs that require heavy physical work under extremely harsh conditions like for example in Siberian forests, mines in Mongolia or in construction sites in Qatar for the coming World Cup 2022. They allegedly have a monthly income of about 650 Euros, nevertheless they only receive about 10% of the money, barely enough for survival. The workers claim that the rest of the

money will be given to their families or that it will be given to them upon their return to North Korea. However it is widely known that in reality the chain of North Korean state-run bodies are the ones that profit from the exploitation of their people. These bodies are controlled by «Office 39», a department that covers the expenditures of Kim Jong-un's lifestyle. But the truly horrifying fact is, that in North Korea it is seen as a privilege to be sent to another country as a labourer since the conditions as a labourer in North Korea are even worse! But since the DPRK has shut its doors to the world it is hard to get accurate information on the exact working conditions there, but it is safe to say that they are very harsh, maybe even inhumanely slavery like.

## **QATAR**

Notorious for its 2022 World Cup facilities under construction, with the labourers estimated to be dying at a rate of 1 a day due to the inhumane working conditions. These are the statistics of 2014. In 2013 Qatar promised to improve working conditions following news reports that revealed how harsh conditions were. The labourers are providing heavy physical work in mandatory long shifts with very high temperatures leading to the labourers suffering cardiac arrests. The migrant workers' passports are taken away or they are tricked into signing contracts bounding into 5 years of commitment to their employers. The element of bounded and forced labour cannot be overseen in Qatar. It has even been accused of being «A 21st century slave state». With its population being the richest per person in the world, there shouldn't be any lack of money to facilitate better conditions for its migrant workers. Amongst the migrant workers there are as mentioned above also workers from the DPRK. Through this, Qatar is indirectly funding the totalitarian Government in Pyongyang.

## **MAURITANIA**

Statistically seen Mauritania is doing the worst globally in terms of slavery. According to estimates by NGOs such as SOS slavery, the percentage of the country's citizens that are enslaved ranges from 5%-20%. It was the last country in the world to legally abolish slavery. Slavery is deeply enrooted in Mauritania's structure of society. While in other of 13 Western African

countries «only» slavery-like conditions persist, in Mauritania the situation is being described by experts as worryingly severe.

## **UNITED STATES**

In the United States, more than 230,000 children work in the agricultural domain (cocoa plantations) and in sweatshops in an extremely unhealthy environment. Most of them are of foreign descent, whose families came to the States seeking for a brighter future regarding their jobs and living conditions. The traffickers take advantage of the fact that, due to their lack of knowledge or familiarity with the language or the laws. The traffickers, also known as “landlords”, often threaten their immigrant workers with deportation and physical abuse not only to them but to their relatives as well. They might also confiscate their visas or passports so as to trap their victims. Thousands of brothels in the United States operate under the guise of legitimate massage parlors. Young girls are often coerced into having sex with strangers by knocking on doors of trucks. Prostituted individuals are forced to do night “shifts” selling their body in order to make winnings for their traffickers and pimps, who use extreme violence and often exploit their victims sexually. A term used for this aspect of trafficking is “commercial sex”, taking in mind that women are treated like lifeless products traded. However, the courts often convict the prostitutes, who are in fact the victims in the scenario, and let the pimps, the traffickers and the criminals in this story, free to continue their illegal

## **CHINA**

China is deeply involved in the trafficking of human beings serving both as a country of transit and a country where victims are destined. The two main aspects of modern slavery in China are sexual exploitation and debt bondage. Native men, women and children are being trafficked to places all around the globe for forced labour or for prostitution. Moreover, China receives a lot of trafficked people from Burma, Mongolia, Laos, Russia, North Korea, Zimbabwe and Romania for the above reasons. Children in China are also used as sex slaves, beggars and low-paid workers in factories. Although China has taken steps in order to protect the victims of this foul mechanism and prevent the

modern human trade, there is still an obvious lack in an organized database to identify the people who are being traded.

## **RUSSIA**

Russia faces the same problem with sex trafficking as China, “trading” slaves with Belarus, Uzbekistan and Tajikistan. It has a triple role: source, transit and destination country. Citizens in Russia as well as from its neighbouring countries such as Belarus, Tajikistan and Uzbekistan are involved in labour trafficking and debt bondage. Most of them are coerced beggars. Sex trafficking has a very high frequency in Russia. Women and children are trafficked to Turkey, Greece, Germany, Poland, and Israel, Poland as well as Middle Eastern countries and other European nations. There are also cases of child sex tourism with paedophile men from the U.S travelling to St. Petersburg so as to “rent” the body of under aged boys and girls. Russia has made efforts for the eradication of human trafficking but the government did not show the essential dedication in stopping modern forms of slavery. They receive a lot of help from Non-Governmental Organizations (NGOs) as to the sheltering and protection of the victims.

## **CENTRAL AND SOUTHERN EUROPE**

In Albania, up to 90% of girls do not attend school and, hence are not educated, fearing for their possible abduction and involvement in sexual servitude<sup>9</sup>. In Bosnia & Herzegovina, many women working (as bartenders<sup>10</sup>) in nightclubs reported their usual coercion into prostitution and the concealment of such actions by the United Nation Police Task Force. Sexual trafficking has a high frequency rate in Moldova and Ukraine, as well, with almost 400,000 women being traded as sex slaves for prices reaching up to \$25,000 in countries like Israel. Belgium, Greece, Germany and Italy are the main destination nations for the trafficked victims. Many slaves are imported into Bosnia & Herzegovina, Kosovo, Poland, Czech Republic, Spain, Switzerland, France, Denmark and the United Kingdom. The major countries which serve as the source for the sex or labour slaves are Bulgaria, Albania, Latvia, Hungary, Lithuania and Romania. The trafficked people are predominantly sent to Western Europe as well as Africa, the Caribbean and Latin America. Europe is now taking more steps in order to

cease the illegal slave trade and to check the inflow of people in and out each country's borders. By using carbon-dioxide scans, heart-beat detectors, X-ray machines as well as thermal imaging cameras, they can detect whether there are any human beings inside ships or other means of transport being smuggled or trafficked.

## **INDIA**

Within the Asian continent, India is a source, destination and a transit country for persons who are trafficked mostly for forced labour and sexual exploitation. It has been estimated that almost 90% of it is internal. Victims are generally women and children from the Scheduled Casts and Tribes, living in disadvantaged regions. Poor parents, deprived of job perspective, sell their daughters on the basis of fraudulent promises of marriage and jobs in town. The reality is that the girls are brought to brothels, locked and forced to sex on a daily basis. Children are often sold to Arab and Indian men who believe that sexual intercourse with virgins heals sexually transmissible diseases. On the other side of the coin, the most common type of forced labour in India is bonded labour. It is deeply embodied in Indian socioeconomic culture to the extent that there is even a village called Bandhua, which literally means a bond. Bonded labour exists predominantly in the unregulated sectors which employ around ninety per cent of Indian labour force. India has not yet ratified the International Labour Organisation (ILO) Convention No. 138 on the minimum age for admission to employment and work, 1973 or the ILO Convention No. 138 on the Worst Forms of Child Labour, 1999. According to the Indian government, while the spirit of the conventions is widely appreciated and implemented, the socio-economic conditions of India would make the ratification difficult. The statistics for child labour are terrifying. At least 15 million children are being held in bonded labour in India, even though India is a party to the UN Convention on the Rights of the Child. There have been new trends like children home workers as well as increasing creation of child brothels, where the children are being transported in an unconscious state, drugged to be unaware what is happening. A huge amount of children are also trained to be professional beggars. Starting at the age of four or five, they are often given type correction fluid (Tipp-Ex) and once they are addicted to it, they obey those in charge to get their daily dose.

## NOTES FOR FURTHER RESEARCH

1. **Conscription, or drafting, is the compulsory enlistment of people in a national service, most often a military service. Conscription dates back to antiquity and continues in some countries to the present day under various names**
2. **Serfdom is the status of many peasants under feudalism, specifically relating to manorialism. It was a condition of bondage, which developed primarily during the High Middle Ages in Europe and lasted in some countries until the mid-19th century.**
3. **Penal labour is a generic term for various kinds of unfree labour which prisoners are required to perform, typically manual labour. The work may be light or hard, depending on the context. Mostly this form of labour is an additional punishment to convicts.**
4. **Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, also known as the Palermo Protocol.**

## QUESTIONS A RESOLUTION MUST ANSWER

- **Elimination of any kind of exploitation of children, including forced and bonded labour, as well as extensive sexual exploitation**
- **Finding a method to create a database of trafficked workers in order to address the problem**
- **Methods to consolidate and improve the legislation prohibiting slavery**
- **Eradication of illegal sex industry**
- **Abolishing of debt bondage work schemes**
- **Increasing the awareness among citizens of the world, bringing about the seriousness of the issue**
- **To what extent is organized prostitution considered a form of sex trafficking? Should brothels in countries (mostly European) where they are considered lawful be declared as illegal places and cease to operate? Should they remain legal and gain recognition and protection by all states?**
- **What steps need to be taken in order to detect cases of human trafficking and slave trade?**

- What could be done in order to strengthen cooperation among border control agencies maintaining the main channels of communication?

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