



Organization of American States

Topic C: Combating Human Trafficking

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Introduction

One of the newer issues that the Organization of American States has been discussing recently is protection against human trafficking, a severe violation of human rights. Human trafficking occurs when people are forced into work in a purely exploitative fashion with little or no payment received in return. Victims of trafficking are typically used in prostitution, forced labor, and other forms of involuntary servitude. Human trafficking is not limited to adults only, as the sale of babies falls under this category as well.

The United Nations Convention against Transnational Organized Crime issued the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, which defines trafficking as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation.” The market for trafficking of people is around \$42.5 billion per year.

Many women and young people are disillusioned into willfully giving control of themselves to another for the possibility of financial benefits, a perceived legitimate work opportunity, or the chance to acquire education. After the victims are transported away from their country, the trafficker typically subjects the victim to “debt bondage”, an illegal practice where a victim must pledge their individual services to pay back the debt of being transported by the trafficker. In most cases, however, women end up working as prostitutes. Thus, human trafficking and sexual exploitation go hand in hand.

In much of Latin America, poor economic and social conditions have helped create a market for human trafficking. The Dominican Republic and Colombia have large trafficking problems, with an estimated 35,000 women being trafficked out of those two nations. It is believed that illegally armed groups contributed to the problem domestically, while international organized crime networks allow transnational trafficking.



Human beings are trafficked to destinations all across the globe. A recent OAS assessment on the trafficking of people from Latin America and the Caribbean to Japan revealed that around 1,700 women are victims of trafficking from the region to Japan each year, mostly being exploited in Japan's commercial sex trade. Most victims came from the OAS states of Colombia, Brazil, Bolivia, Mexico, and Peru. Many of the operations are clandestine and, as a result, the human trafficking issue had largely been ignored until an underworld criminal group known as "Sony" (deliberately named to create confusion with the Japanese electronics company) trafficked 400 Colombian women to Japan.

In order to tackle this issue, trans-national coordination must take place. The Organization of American States serves as the perfect forum for creating policy measures towards defeating this severe infraction of human rights. The committee should seek to form cooperation amongst governments and use the protocol to the Convention against Transnational Organized Crime to develop a plan to tackle the issue of illegal human trafficking and sexual exploitation as it pertains to the states of the Americas.

Background

Between 1861 and 1865, the United States engaged in a destructive war to rid itself of slavery. Soon, a vast number of countries followed in America's footsteps and abolished slavery as a state-sanctioned practice, by both violent and peaceful means. Today, the worldwide average quality of life is exponentially higher than it was in the 1860s, but a modern form of human slavery has emerged as a global threat to the lives and freedom of millions. Though slavery is rarely observed, many organized groups commit these crimes with relative openness. They receive huge sums of money at the expense of trafficking victims.

It has been observed that women and children from poorer areas, where opportunities are limited, are most vulnerable. They are often ethnic minorities and displaced persons (runaways and refugees), but may come from any social background, class, race, or gender.



Though victims often come from developing countries, they also originate from well-off families in the U.S. According to a study conducted by researchers at the University of Pennsylvania, between one and three hundred thousand American children are at risk of commercial sexual exploitation at any time, and over 17,500 people are trafficked into the U.S. annually. The Associated Press reports that human trafficking in America is an extension of the illegal activity conducted in Africa.

It is believed that many criminal organizations are becoming less dependent on the illegal drug trade and gradually expanding their efforts into the human trafficking industry. The United Nation estimates nearly 2.5 million people abducted from 127 different countries are being trafficked around the world, and the value of this lucrative industry is estimated at roughly \$42.5 billion. Noticing this growing problem, many countries have tried to find several resolutions. Recently, the United Nations formed the Palermo Protocol to combat all forms of human trafficking. As of September 2008, the Protocol had been signed by 117 countries.

Countries in the Organization of American States, especially Latin American countries, have found human trafficking problematic. INTERPOL (International Crime Police Organization) has estimated that 35,000 women are trafficked out of Colombia annually, at a profit to the traffickers of over \$500 million. Other countries with poor economic conditions have experienced similar challenges.

Colombia and other Latin American countries shall be the main focus of debate in this committee session, as they are undoubtedly major contributors to human trafficking. For the purposes of this debate, we will define human trafficking as:

“the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”



It is perceived that human trafficking remains a large problem in South America mainly due to poor economic and prevalent social problems. Many regions have a high poverty and unemployment rate. For example, 2009 estimates placed the Colombian poverty rate at a shocking 46%. Though officials are rapidly trying to amend these economic hardships, major improvements will still take time to build.

Current Status

Human trafficking represents a key area in the intersection between domestic troubles and international issues. Civil war, poverty, and foreign influence all affect the ways in which human trafficking comes about in a nation, for what purpose, and who can act to stop it. The nature of human trafficking is complex enough to encompass several methods and purposes. A chief concern of the committee should be to look into what causes human trafficking on a domestic level, whether it be for money alone or any other number of interests. The committee should consider what national governments can do to alleviate the conditions that allow for human trafficking to transpire, as well as the ways in which such illegal industries are seen as the only options to achieve wealth within struggling economies in which legal options are scarce.

As with any transaction, legal or illegal, in human trafficking there is a market with two sides. The nature of human trafficking across borders obviously includes a source and a destination. Here, the committee must acknowledge the double-edged sword and cyclical nature of human trafficking operations. As such activities take place in a region (typified by extreme poverty and vulnerable women and youth), the region becomes known for such instability and the horrific sale of human beings for profit. From there, a downward spiral continues with no end in sight. It is the business of this committee to develop a strategy to end this illegal practice in the nation-specific situations across the Americas.

In Colombia, the human trafficking issue must be seen as inextricably tied to drug trafficking and other illegal activities financed through illicit markets and outlawed activities. The nature of Colombia's relationship to the United States in the War on Drugs serves as a key



factor in recognizing governmental responsibilities to end human trafficking and the obstacles that lie in the way of ending the practice.

The presence of the Revolutionary Armed Forces of Colombia (FARC) rebel groups and other anti-government organizations acting as destabilizing forces should be a chief concern within this committee. Drug cartels and a lack of centralized power may make the road to a resolution of the human trafficking industry in Colombia a difficult one, but the dire nature of the situation calls for a serious resolution on this most pressing matter.

Among other Latin American countries, the same issues of systemic poverty and wavering governmental power may stand in the way of effective solutions, but such issues should be recognized as a piece of the puzzle to be taken into consideration along with other individualized conditions domestically.

Human trafficking has always remained a significant problem within Colombia. Many criminal organizations find Colombia to be a major trade center for women and girls trafficked from Latin America, the Caribbean, Western Europe, Asia, and North America, including the United States. Because the government of Colombia complies with only minimal standards for eliminating trafficking, many criminals slip through the cracks quite easily. The American government estimates that, at present, Colombian women are trafficked at a rate of two to three per day. In total, over 50,000 Colombian women have been deceived in leaving home for a better life, only to vanish into a sinful underworld of sex slavery.

Colombia's ambassador to Japan, Francisco Sierra, has stated that most female Colombian victims of human trafficking are forced to repay "transportation fees," which can exceed \$50,000 by working in brothels. Captors frequently force their victims to earn as much as \$200 per day by prostitution, or they will be severely punished.

The reason for continuous human trafficking problems in Colombia stems from several aspects, including but not limited to armed conflicts, poverty, and lack of documentation. Many displaced persons and poor women in rural areas find themselves at great risk. Often



living in poor, unbearable conditions, women living in these situations often seek a better life, and therefore fall victim to captors. Though the Colombian government has tried to better educate their citizens, their efforts have remained ineffective.

Ambassador Sierra states that people in rural areas are often from “a low-income sector of the population with a lack of education and opportunities”, so they are often “tempted by false promises and become victims of an elaborate network of traffickers”. Because of this, many victims are often transported from rural to urban areas. From there, they enter an international network and may be moved anywhere in the world. Because these victims lack any form of documentation or means of getting home, they are forced to work to pay their debt; essentially, they are buying back their own freedom. Most women are also prevented from seeking help because they fear for the safety of their family members in Colombia, whom the women believe the traffickers can harm.

According to Ambassador Sierra, a significant number of trafficked women find themselves ensnared within Japan’s lucrative sex industry. The girls arrive in Japan and pass through immigration authorities. Afterwards, they are abducted by the Yakuza, the Japanese mafia, who take their passports, tickets and other documents. Officials stated that once out of the country, trafficked women are almost impossible to track down.

The continued armed violence in Colombia between the Revolutionary Armed Forces of Colombia and the National Liberation Army has also displaced many communities, making them vulnerable to human trafficking. Guerillas and small war groups often “recruit” (i.e. force) children into working as soldiers, while women are usually placed into conditions of forced prostitution and labor; many coastal cities serve as centers for child prostitution as well, with cities like Cartagena and Barranquilla profiting greatly from tourists from around the world who come to Colombia specifically for this reason.

Due to these problems, Ambassador Sierra has tried to push human trafficking as an issue of concern in Colombia. He has prosecuted criminals and allowed Colombia to be rated as a Tier 1 country in the 2004 Trafficking in Persons Report issued by the U.S. Department of



State. This officially documented that the government of Colombia fully complied with the standards set on human trafficking enforcement by the U.S. government.

The government of Colombia recently increased law enforcement against trafficking offenders during their reporting period, and prescribed a minimum punishment of 13 years' imprisonment for human trafficking. Other serious crimes, such as rape, also received harsher sentences. Because of these actions, Colombian authorities have initiated over 159 anti-trafficking investigations and prosecuted more than twenty major human traffickers in 2008. The government has also cooperated with foreign governments to repatriate any victims from Colombia. Many other Latin American countries, including Argentina, Bolivia, Ecuador, El Salvador, Guatemala and Mexico, have also begun taking more decisive action against traffickers.

The Colombian government has also earmarked \$150,000 to open an interagency anti-trafficking operations center, which began operations in June 2008. The center plans to directly assist any victims and coordinate criminal investigation of trafficking cases. Information and statistics will also be collected on human trafficking nation-wide.

Despite these efforts, there are still many areas that need improvement. Currently, there is no formal mechanism for identifying trafficking victims among vulnerable populations. Many officials are unsure how to locate traffickers, and prosecution of criminals is usually uncoordinated. Furthermore, many victims refuse to offer detailed information about their traffickers for fear of reprisals, preventing the government from gaining essential intelligence.

To improve its situation on human trafficking, the Colombian government may be well suited to dedicate more resources for victim services. Officials should increase their efforts to encourage victims to assist with prosecution of traffickers. The government must also institute formal measures to identify trafficking victims and raise public awareness about the dangers of trafficking, particularly among women and those seeking jobs abroad. If executed correctly, the crime rate could drop significantly.



However, one should not think that Colombia is the only area in the Americas where human trafficking is a major problem. At the three-way border shared by Argentina, Paraguay, and Brazil, outlaws easily participate in trafficking of all sorts of contraband across the porous borders. These mountain passes can serve as a part of the most frightening journey for numerous victims.

In addition, the border towns of Mexico serve as a destination in the child sex market, drawing in clientele from the United States, Canada, and the rest of the world. The issue of human trafficking must be thought of as a two-fronted battle; one must understand the sources of human trafficking operations as well as their destinations.

Questions

1. How can existing structures best be used to end human trafficking?
2. What additional courses of action or international structures are necessary to make real progress on this issue?
3. In what way should focus be spread between prevention and victim aid?
4. How should the instability of existing governmental structures be dealt with?
5. Does the grievous nature of trafficking women of any age for forced prostitution deserve special consideration?
6. How are the communities victimized by human trafficking coping with the tragedy, and how can they be ensured of safety in the future?
7. What aspects of local and national economics contribute to the human trafficking problem in the Americas?
8. What aspects of international trade and interstate commerce contribute to and facilitate human trafficking on an international level?
9. How can international monitoring of human trafficking be conducted without infringing on the national sovereignty of nations?



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