

GLENGAZE MUN

United Nations
Human Rights Council

Letter from Executive Board

It is an honor to preside over the United Nations Human Rights Council at The Glengaze MUN. This letter shall serve as a concept note for the committee and our expectations from it, which is simply, to function. An MUN as a concept is designed to be a simulation, more than a conference. This difference is inherent and more obvious in each country's representation through their leader or candidate. The candidate or leader, belong to any political party who is firstly representing the party and its goals. They are hence tasked with the responsibility of indulging other leaders into their own goals and using diplomacy effectively into use to achieve the aforementioned goals. The end of the simulation then is different for each leader and it is the means to that end that shall define the quality of the simulation. Apart from the simulation part, it is important to remember the inherent limitations of every student in terms of using or applying international or national laws or such. Hence, this implies that it is not necessary to indulge in highly technical discussions that ensure no learning to the delegate; rather it is imperative that all discussions be integrated with logic that has been graciously been gifted to mankind through our collective wisdom. It is thus expected that this concept note shall also serve as a very important starting point to the simulation and the delegates are able to infer a lot more than what is shown as face value.

The agenda has multiple facets and can take a national or international viewpoint. For the benefit of the delegates and the quality of the simulation, the background guide shall give small introductions and an important start-point to your research. It is important to always remember, as has been thoroughly emphasized throughout your respective MUN careers, that this background guide is just the starting point to your research while the end awaits you all.

All the Best Everyone!

Regards

UN HUMAN RIGHTS COUNCIL

The Human Rights Council is an intergovernmental body of the United Nations, through which States discuss human rights conditions in the UN Member States. The Council’s mandate is to promote “universal respect for the protection of all human rights and fundamental freedoms for all” and “address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon.”

The Human Rights Council was established in 2006 by Resolution 60/251 as a subsidiary body to the UN General Assembly. It replaced the former Commission on Human Rights, which operated from 1946 to 2006.

Composition

The Council is composed of 47 Member States elected from the UN General Assembly to staggered three-year terms, with a specified number of seats going to each major geographic region. General Assembly Resolution 60/251 provides that Members States should be elected considering “the contribution of candidates to the promotion and protection of human rights” and “members elected to the Council shall uphold the highest standards in the promotion and protection of human rights.” In practice, these standards are open to interpretation and the human rights records of States seeking election to the Council have been the subject of significant controversy.

Functions

The Council serves as a forum for dialogue among States, with input from other stakeholders. As a result of its discussions, the Council may issue resolutions calling on States to take specific actions or uphold certain principles, or it may create mechanisms to investigate or monitor questions of concern.

The Human Rights Council has created or renewed the mandates of various “special procedures.” The special procedures are experts appointed to monitor human rights around priority themes or in specific countries with serious human rights problems. The special procedures may be individual experts (“special rapporteurs” or “independent experts”) or working groups.

The Council also manages the Universal Periodic Review, a process through which each UN Member State’s overall human rights record is reviewed.

In addition, the Council receives complaints alleging patterns of human rights violations, which are considered by the Working Group on Communications and may be referred to the Working Group on Situations. The Working Group on Situations reports substantiated claims of consistent patterns of gross violations to the Council and makes recommendations for action.

Introduction

1.1 According to the UN Office on Drugs and Crime, “people trafficking is the fastest growing means by which people are enslaved, the fastest growing international trade, and one of the largest sources of income for organized crime”

1.2 Human trafficking can be defined 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 purpose of exploitation.”

1.3 The most common reasons for trafficking people are sexual exploitation, forced labour, commercial sexual exploitation of children in tourism, and trafficking in organs. Women are often tricked into trafficking with promises of employment in legitimate industries in other countries. Once they are out of the country they are often held captive, either through threat, physical restraint or burden of debt.

1.4 According to the US Department of State, approximately 700,000 people are trafficked each year. Approximately 80% of those are women and girls. Up to 50% are minors. Up to 95% of trafficking victims experience physical or sexual abuse during trafficking

1.5 Though human trafficking is more common in poorer nations, it is truly a global problem and affects nearly every nation. Each year the US Department of State publishes a ranking of nations responses to Human Trafficking. iv In the ranking Tier 1 countries are those which

have meet the minimum standards to combat human trafficking. Tier 2 countries have made efforts but have not met the minimum standard. Tier 3 countries have made no effort to combat human trafficking.

Past Actions

2.1 In 2000, the United Nations formally adopts the “United Nations Convention on Transnational Organized Crime”

2.2 In 2000 the United States The United States passes the Trafficking Victims Protection Act and begins ranking countries in tiers based on their efforts to combat human trafficking.

2.3 In 2006 the United Nations Office of Drugs and Crime publishes a “Toolkit to Combat Trafficking in Persons” outlining strategies for countries to combat human trafficking.

2.4 In 2010 the United Nations adopts United Nations Global Plan of Action to Combat Trafficking in persons.

International Laws in Existence

3.1 The Palermo Protocol (2000), which was ratified by 147 countries, provides the following definition of "Trafficking in persons" in its Article 3, entitled "Use of terms":

"For the purposes of this Protocol:

(a) "Trafficking in persons" shall mean 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 purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article: (d) "Child" shall mean any person under eighteen years of age."

3.2 European Directive 2011/36/EU, which focuses more on the protection of victims, expands on this definition in its Paragraph 11:

"In order to tackle recent developments in the phenomenon of trafficking in human beings, this Directive adopts a broader concept of what should be considered trafficking in human beings than under Framework Decision 2002/629/JHA and therefore includes additional forms of exploitation. Within the context of this Directive, forced begging should be understood as a form of forced labour or services as defined in the 1930 ILO Convention No 29 concerning Forced or Compulsory Labour. Therefore, the exploitation of begging, including the use of a trafficked dependent person for begging, falls within the scope of the definition of trafficking in human beings only when all the elements of forced labour or services occur. In the light of the relevant case-law, the validity of any possible consent to perform such labour or services should be evaluated on a case-by-case basis. However, when a child is concerned, no possible consent should ever be considered valid. The expression 'exploitation of criminal activities' should be understood as the exploitation of a person to commit, inter alia, pickpocketing, shoplifting, drug trafficking and other similar activities which are subject to penalties and imply financial gain. The definition also covers trafficking in human beings for the purpose of the removal of organs, which constitutes a serious violation of human dignity and physical integrity, as well as, for instance, other behaviour such as illegal adoption or forced marriage.

Sexual Exploitation Of Women in Conflict Areas

4.1 Numerous observers in countries at war confirm that, apart from the cases of sexual slavery, women and teenagers are being abducted and then sold abroad, mainly for the purposes of forced prostitution. As early as 2003, Human Rights Watch (HRW) reported an increase in abductions of young women". The same year, the NGO Organization of Women's Freedom in Iraq reported that 400 women had been kidnapped in the Kirkuk region. There was evidence that 18 of them had been sold for sexual exploitation in nightclubs in Egypt".

4.2 More recently, the NGOs contacted for this research drew attention to possible sales of women, primarily to buyers in the Gulf States. In Iraq and Syria, the risk of abduction is currently highest in the border areas. Numerous armed groups use these crossing points to raise finance by smuggling migrants and selling women.

Post Conflict Situations

5.1 it often takes several years to reconstruct a institutions in a country, and the lack of legal framework and functional Institutions results in a relative impunity for the perpetrators of trafficking of all sorts, including trafficking in human beings;

5.2 many former warlords who derived their income from arms trafficking, pillaging and other arbitrary taxes they collected, try to build a new business for themselves engaging in organised crime (trafficking in drugs, cigarettes and human beings) to offset the financial shortfalls resulting from the end of the war. Their influence on the structures of the State as a result of their former relations, and the money accumulated during the war and now used to corrupt key people, often give them a form of immunity for many years.

5.3 Alongside the weakness in State structures and the development of criminal structures, the upheavals in society create a number of factors that facilitate the recruitment of victims:

- a) the appearance of vulnerable population groups (unaccompanied women and orphaned children);
- b) the dissolution of the traditional value system (lack of trust between people, especially after ethnic or religious conflicts); the lack of economic opportunities as a result of the country's impoverishment.

Questions To Consider

- a) In which ways does your member state respond to human trafficking? What projects or action plans have been implemented in the nation?
- b) How successful was your nation in decreasing levels of trafficking?
- c) What problems are blocking potential progress?

- d) What are some alternative sources of income for women escaping the sex industry? •
How can nations monitor these illegal trades