Dear Delegates,

My name is Bridget Young and I have the utmost pleasure of serving as your Director for the Social, Humanitarian and Cultural Committee (SOCHUM). Jimmy Ma will be serving as your Chair, alongside Cindy Zhang and Matthew Leung as your Assistant Directors. All things aside, I would like to warmly welcome you to VMUN 2020!

Starting my journey in Grade 9, I had minimal interest in Model United Nations or in political affairs. Yet, after somehow finding myself at a conference with a placard that wrote “Egypt”, an unforeseen passion for public speaking and foreign policies replaced my initial disinterest. Model UN urged me to step out of my boundaries and taught me the importance of grit and self-discipline. No matter where your Model UN journey began, I am pleased that those of you who attend VMUN choose to expand your knowledge on issues that hold weight in today’s time.

The two topics prepared for you this iteration of SOCHUM are Labour Trafficking and Statelessness. These two issues are extremely pertinent to the international community today and should be nuanced enough to concern every member state differently.

I wish you all luck in your research and preparation for the two topics and would highly encourage you to ask the Dais for help by email if needed. I hope Model UN fuels your intrigue in solving world problems—you may very well be the leaders of change. Should you have any questions, please do not hesitate to reach out to me at sochum@vmun.com.

Sincerely,

Bridget Young
SOCHUM Director
Position Paper Policy

What is a Position Paper?
A position paper is a brief overview of a country’s stance on the topics being discussed by a particular committee. Though there is no specific format the position paper must follow, it should include a description of your positions your country holds on the issues on the agenda, relevant actions that your country has taken, and potential solutions that your country would support.

At Vancouver Model United Nations, delegates should write a position paper for each of the committee's topics. Each position paper should not exceed one page, and should all be combined into a single document per delegate.

For the Social, Humanitarian and Cultural Committee, position papers are not mandatory but highly recommended, and required for a delegate to be considered for an award.

Formatting
Position papers should:
— Include the name of the delegate, his/her country, and the committee
— Be in a standard font (e.g. Times New Roman) with a 12-point font size and 1-inch document margins
— Not include illustrations, diagrams, decorations, national symbols, watermarks, or page borders
— Include citations and a bibliography, in any format, giving due credit to the sources used in research (not included in the 1-page limit)

Due Dates and Submission Procedure
Position papers for this committee must be submitted by midnight on February 7th, 2020. Once your position paper is complete, please save the file as your last name, your first name and send it as an attachment in an email, to your committee’s email address, with the subject heading as your last name, your first name — Position Paper.

Please do not add any other attachments to the email or write anything else in the body.

Both your position papers should be combined into a single PDF or Word document file; position papers submitted in another format will not be accepted.

Each position paper will be manually reviewed and considered for the Best Position Paper award.

The email address for this committee is sochum@vmun.com.
Labour Trafficking ............................................................................................................................................. 4

Overview ............................................................................................................................................................ 4

Timeline .............................................................................................................................................................. 4

Historical Analysis ............................................................................................................................................... 6

The Beginning of the Slave Trade .......................................................................................................................... 6

Slavery in Asia .......................................................................................................................................................... 7

The Four Trading Operations ............................................................................................................................... 7

Slavery in South Africa .......................................................................................................................................... 9

Slavery in America .................................................................................................................................................. 9

Slavery in World War I ......................................................................................................................................... 10

Slavery in World War II ....................................................................................................................................... 10

The Mui Tsai ....................................................................................................................................................... 11

Past UN/International Involvement ..................................................................................................................... 11

Anti-Slavery International ................................................................................................................................... 11

The Freedom Fund .............................................................................................................................................. 12

The Human Trafficking Legal Center ................................................................................................................... 13

Polaris ........................................................................................................................................................................ 13

Trafficking in Persons Report ................................................................................................................................ 14

Current Situation .................................................................................................................................................. 14

Causes/Catalyzing Factors .................................................................................................................................. 14

The Process ......................................................................................................................................................... 16

Forced Labour ...................................................................................................................................................... 16

Child Slavery and Child Labour .......................................................................................................................... 17

Case Study: Dalits in India ...................................................................................................................................... 19

Possible Solutions and Controversies .................................................................................................................. 21

Addressing Global Supply Chains .......................................................................................................................... 21

Strategic Litigation ................................................................................................................................................. 22

Preventative Measures ........................................................................................................................................... 23

Appropriate Prosecution of Traffickers .................................................................................................................. 24
### Bloc Positions

- North America ................................................................. 24
- Europe .................................................................................. 26
- Africa .................................................................................... 26
- Asia and the Pacific ............................................................ 27

### Discussion Questions

- 27

### Additional Resources

- 28

### Bibliography

- 29

### Statelessness ................................................................. 35

#### Overview

- 35

#### Timeline

- 36

#### Historical Analysis

- 37
  - League of Nations ................................................................. 38
  - The Rohingya Crisis (1947–Present) ........................................ 38
  - Kurds in Syria (1978–Present) ................................................. 39
  - The Karanas in Madagascar (1960s–Present) ............................ 40

#### Past UN/International Involvement

- 40
  - United Nations High Commissioner for Refugees (UNHCR) ........ 40
  - 1954 Convention Relating to the Status of Stateless Persons ...... 41
  - 1961 Convention on the Reduction of Statelessness ................ 41
  - Institute on Statelessness and Inclusion (ISI) .......................... 42

#### Current Situation

- 42
  - Defining Statelessness .......................................................... 43
  - Causes of Statelessness ....................................................... 44
  - Effects of Statelessness ....................................................... 46
  - Challenges ........................................................................... 47

#### Possible Solutions and Controversies

- 48
  - Data Collection ..................................................................... 48
  - Preventing Statelessness ....................................................... 48
Labour Trafficking

Overview

The abolishment of slavery in the 19th century stood as a monumental progression for both equality and an acknowledgement of human rights; however, as modern slavery still flourishes globally, that celebrated advancement remains undermined. One increasingly pressing aspect of modern slavery is the labour trafficking trade, which, according to the Human Trafficking Hotline, is defined as “a form of modern-day slavery in which individuals perform labour or services through the use of force, fraud, or coercion.”\(^1\) The main types of labour trafficking include forced labour, bonded labour, domestic labour, and child labour. Although slavery is now universally prohibited, it still persists in a staggering number of countries—most often in industries that are labour intensive, low skilled, and under-regulated.\(^2\)

The overarching term of human trafficking constitutes all forms of trafficking, including labour trafficking and sex trafficking. For the purpose of this topic, the term labour trafficking refers strictly to trafficking that forces individuals into menial labour or other situations where they are subjected to work; labour trafficking does not directly focus on forced prostitution or sexual exploitation, although these acts often occur to victims of labour trafficking.

The International Labour Organization (ILO) estimates that there are about 40.3 million people in modern slavery, of which 24.9 million are in forced labour.\(^3\) Due to destabilizing factors such as poverty, widespread discrimination, limited access to justice, education, jobs, and war and conflict, many victims are easily exploited and coerced into modern slavery rings, forced to work for their right to live.\(^4\) As each form of labour trafficking is caused by a combination of direct and indirect variables, every kind of labour trafficking must be addressed differently. The measures required to combat labour trafficking are vast; delegates are prompted to focus on each form of trafficking, understand the root causes of the proliferation of slavery, and take into account a variety of humanitarian, socioeconomic, political, environmental, and religious factors. Through an array of comprehensive solutions devised by this committee, labour trafficking can be prevented, combatted, and eventually relegated into the records of history.

Timeline

6800 BCE — Mesopotamia, the world’s first city-state, experiences war and conflict brought by land ownership and the early stages of technology; consequently, enemies are captured and forced to work. This is the first recorded account of slavery.\(^5\)

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2 Ibid.
1441 — The European slave trade begins gaining traction in Africa; Portuguese captains Antão Gonçalves and Nuno Tristão capture 12 Africans and transport them to Portugal as slaves.6

1444 — The first public sale of African slaves occurs in Lagos, Portugal.7

1619 — 20 slaves are brought to the Americas in Jamestown, Virginia, marking the beginning of slavery in the North America.8

April 17, 1839 — The non-governmental organization Anti-Slavery International is formed by Thomas Clarkson, Thomas Fowell Buxton, and other abolitionists in the fight against slavery.9

December 6, 1865 — The 13th Amendment is ratified in the United States, abolishing every form of slavery and involuntary servitude.10

1807 — The Slave Trade Act is passed, outlawing the British Atlantic slave trade.11

1817 — France bans slave trading, but the ban is not effective until 1826.12

1833 — The Slavery Abolition Act is passed, abolishing slavery in most British colonies. 800,000 enslaved Africans in the Caribbean, South Africa, and Canada are all liberated. The Act officially takes effect on August 1, 1834.13

1923 — The Hong Kong government enacts the Female Domestic Service Ordinance, stating that all Mui Tsais, a Cantonese term given to women who are subjected to domestic slavery, are prohibited from being sold and bought.14

1948 — The Universal Declaration of Human Rights is adopted by the UN General Assembly, stating: “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”15

December 2, 1951 — The United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others is adopted by the General Assembly.16

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11 Ibid.
12 Ibid.
15 Ibid.
2000 — The United Nations passes the first global legally binding treaty with an internationally agreed definition of trafficking in persons, called the Protocol to Prevent, Suppress, and Punish Trafficking in Persons as a part of the Convention against Transnational Organised Crime.\(^{17}\)

2012 — An update on the ILO’s first Global Report on Forced Labour counts 20.9 million slaves worldwide.\(^{18}\)

March 26, 2015 — The Modern Slavery Act of 2015 receives Royal Assent, enhancing the efforts to fight modern slavery on a legal level.\(^{19}\) The Modern Slavery Act is a globally renowned piece of legislation that outlines a variety of methods on how the United Kingdom can deal with modern slavery and human trafficking.\(^{20}\)

2015 — Being a part of the 17 Sustainable Development Goals adopted by the United Nations, a global goal is established to eradicate forced labour and slavery by the year 2030.\(^{21}\)

2018 — A report conducted by the ILO estimates that around 40.3 million people are in modern slavery; 24.9 million of those people engage in forced labour.\(^{22}\)

August 6–7, 2019 — The Regional Conference on Anti-Labour Trafficking Exchange of good practices among national anti-trafficking bodies in the Horn of Africa takes place in Nairobi.\(^{23}\)

Historical Analysis

The Beginning of the Slave Trade

It is commonly claimed that the idea of slavery dates back to the genesis of civilization, as the defeated were often taken as slaves for forced labour after conflicts and wars. Slavery spans back 10,000 years to Mesopotamia, where male slaves were worth an orchard of date palms and female slaves were subjected to sexual services.\(^{24}\) In Sumer, an ancient civilization founded in Mesopotamia, kings issued men to find slaves to help build their empires. Eventually realizing the advantages of manpower, the slave trade grew to become an important channel for a flourishing economy.\(^{25}\) This form of slavery was called chattel slavery, where people are treated as commodities and are sold, bought, and traded between owners. Prisoners of war, foreign slaves, and their descendants constituted the main slave population in Mesopotamia. In the fifth century, slaves were considered highly


\(^{18}\) Ibid.


\(^{22}\) Ibid.


\(^{25}\) “Slavery,” Penn State, https://sites.psu.edu/ancientmesopotamianwarfare/slavery/.
profitable during the Middle Ages and were sold by Jewish and Muslim merchants. In the eighth century, the international crowd gradually began to take an interest in the slave trade, marking the beginning of wide-spread slavery across the globe.26

**Slavery in Asia**

During the Middle Ages, slavery began in Asia as Islamic invasions of India led to hundreds of thousands of Indians being enslaved.27 At the same time, the introduction of slavery in Ancient China dates back to the Xia and Shang Dynasties during the 20th to 11th century BCE, where a social system that centred around slaveholding was adopted.28 Shang China most notably promoted slavery by allowing debtors to repay debts with women and children. The transition into the Qin Dynasty also brought upon a heightened dependence on slaves as labour workers. The First Emperor, Qin Shi Huangdi, made the nobles of other kingdoms and regions his slaves and subjected them to physical labour for his mausoleum.29

Although the Xia, Shang, and Qin Dynasties utilized slaves for labour, the Han Dynasty overshadows the other periods in their extensive reliance on the slave trade. Slaves in Han China were called *nu-pei*; these slaves were forced to commit crimes, sold to pay debts, or were imported and put on the public market.30 Eventually, stricter laws were imposed against kidnapping and selling people.

In subsequent dynasties, the influence of slavery on Chinese societies wavered, but eventually, the allure of the slave trade also dispersed across Asia. Slavery in Asia had then—under the influence of China—flourished in a multitude of regions, including Middle Eastern countries, Japan, Korea, and Southeast Asian countries.

**The Four Trading Operations**

Between the 15th and 20th century, four simultaneous slave trading operations were in place: the Trans-Saharan slave trade, the Trans-Atlantic slave trade, the Arab-run slave trade, and the Indian Ocean slave trade.

*The Trans-Saharan Slave Trade*

Slavery in the Middle East, the Mediterranean shores, and the Sahara Desert developed out of the practices of the Trans-Saharan slave trade.31 Many contend that the significance of the Trans-Saharan slave trade is that it initiated the proliferation of the trade in humans. Sub-Saharan African slaves were exchanged for bars of salt and other Mediterranean commodities that were not plentiful in North Africa, but foreign to Sub-Saharan Africa. By the fifth century BCE, the Trans-Saharan trade became important to the economies of countries such as Carthage, now part of present-day Tunisia. In order to encourage the purchase of Sub-Saharan African slaves, Arab slave traders would justify the slave trade by stating that black people were unintelligent and animalistic.32

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26 Ibid.
28 Ibid.
29 Ibid.
30 Ibid.
32 Ibid.
This justification would then garner more support from the public to take part in the slave trade, as Sub-Saharan African slaves were deemed “no better than animals.”

During this period, slaves were mostly assigned to the service sector as cooks, wet nurses, and waiters; slaves that were not placed in the service sector were given military and security roles. For example, slave soldiers were common in Islamic states, as black soldiers were first introduced into Egypt between 868 and 884 CE. In addition, slaves were used as bodyguards and gatekeepers for members of the royalty. It was determined that more than 28 million Sub-Saharan African slaves were enslaved in North Africa and the Middle East during the Trans-Saharan slave trade. When European traders and adventurers began to enter Africa in the beginning of the 16th century, the Trans-Saharan trade began its decline due to the growing prominence of the Trans-Atlantic slave trade.

*The Trans-Atlantic Slave Trade*

Through the Trans-Atlantic slave trade, chattel slavery flourished over the trade of imperial Christian Europeans between the 16th and 19th century. During this period, between 10 and 12 million Africans were transported across the Atlantic Ocean to the Americas. As a result of the growth of sugar plantations in the Caribbean and tobacco plantations in North America, the demand for slave labour surged. The largest number of slaves were transported during the 18th century, when an estimated three-fifths of all North American slaves were traded.

The Trans-Atlantic trade was also known as the triangular trade as it connected the economies of three continents. The trade began on a route from Western Europe to Africa, where ships would be filled with goods that would be traded for slaves. After the ships arrived in Africa, they set sail towards the Atlantic, where slaves would be sold in the Americas. Finally, the ships would travel from the Americas to Europe, primarily transporting agricultural products produced by slaves; the major products included sugar, cotton, coffee, tobacco, and rice.

*Arab Slave Trade*

An estimated 10 million Africans were taken as slaves throughout the 19th century, when the Arab Trade surged in popularity. Although the slaves were predominantly African, the Arab Trade took slaves from all racial groups. Slaves were not a driving factor to Arab economies and businesses; instead, the Arab Slave Trade targeted women in East Africa to serve as domestic slaves, wet nannies, and sex slaves in harems. These women would be forced to bear children, but once they had given birth, they would receive the title umm walad—meaning mother of child—and could no longer be sold as they would now be responsible for taking care of their child.

33 Ibid.
34 Ibid.
35 Ibid.
39 Ibid.
Indian Ocean Slave Trade

The impact of the Indian Ocean Slave Trade is often overshadowed by the other Trades, despite the fact that it continued for centuries longer than the Trans-Atlantic Trade. The Indian Ocean Trade involved Africa, Asia, and the Middle East—as most of the owners and slaves resided in these areas—and was sparked by the arrival of the Europeans in the 17th and 18th centuries. These slaves were mainly subjugated to menial forms of servitude, and were forbidden to read and write.

Slavery in South Africa

In 1652, colonialism reached South Africa. As European traders took an interest in African slaves, African rulers simultaneously saw benefits in maintaining cordial relations with these Europeans. Europeans traded firearms for slaves, which eventually grew into a status symbol and a means of gaining political power in Africa. Most notable of the South African slave trade was slavery at Cape Town, where from 1680 to 1795, the city became a slave society that forced slaves to work on wheat farms. Each month, one slave was executed in the Cape and corpses would be hung around town to deter other slaves from attempting escape. As slaves were legally considered property, they were controlled by their owners and could be punished for acts such as trying to flee or failing to obey orders. Slave owners were permitted to whip their slaves, withhold food, and extend the working hours of slaves.

Slavery in America

During the 17th century, European settlers used African slaves as a labour source on tobacco, rice, and indigo plantations off the southern coast of the US. After the American Revolution, from 1765 to 1783, many northern states believed that the use of black slaves was linked to British rule and pushed for the abolition of slavery. Around the same time, the mechanization of the textile industry sparked a great demand for cotton in America. Consequently, southern Americans shifted from tobacco to cotton, reinforcing the need for slave labour.

Slaves comprised around one-third of the southern American population, living on plantations or small farms. Slaves were not allowed to learn how to read or write, and many female slaves were also forced to partake in sexual acts with their owners. Although slaves often tried to revolt against their owners, few efforts were successful. One case that concerned many slaveholders was a revolt led by Nat Turner in 1831, where Turner murdered approximately 60 white people in two days, before being caught by state militia forces.

43 Ibid.
45 Ibid.
As people in the North witnessed the oppression of black slaves in southern America, many invested in the abolitionist movement from the 1830s to the 1860s. Led by free black individuals like Frederick Douglass and white supporters like William Lloyd Garrison, these people set to abolish slavery in America.\textsuperscript{46}

The Abolitionist Movement in America

The Abolitionist Movement called for the immediate emancipation of slaves, as well as the end of racial discrimination and segregation. This movement took foot in northern America during the 1830s, and contributed to the bitter sentiments between the North and the South that sparked the American Civil War.\textsuperscript{47} In 1833, William Lloyd Garrison, Lewis Tappan, and 60 other abolitionists banded together to found the American Anti-Slavery Society, condemning slavery as a sin, endorsing nonviolence, and denouncing racial discrimination.\textsuperscript{48} In 1865, the United States Congress passed the 13th Amendment, heralding that “neither slavery nor involuntary servitude… shall exist within the United States, or any place subject to their jurisdiction.”\textsuperscript{49}

Slavery in World War I

In many German-occupied countries such as northern France, Belgium, Russian-Poland, and Lithuania, World War I brought about the use of forced labour on countless prisoners of war.\textsuperscript{50} When World War I began, there were only a few provisions in international law that restricted forced labour in the \textit{Hague Conventions} of 1899 and 1907.\textsuperscript{51} One provision that the Conventions failed to address was the use of civilian labour. As the War caused a depletion of labourers, many industries like agriculture and handicraft businesses were in high demand of workers. With the occupation of enemy territory, German authorities began considering the use of civilians in their labour force. Acknowledging that voluntary labour would not meet their needs, the German forces introduced forced recruitment in 1916 in countries like occupied Belgium, Northern France, Russian-Poland, and the Baltics.\textsuperscript{52}

Slavery in World War II

The prevalence of forced labour in World War II was far greater than that of World War I, as the exploited populations grew to also include Jews, Poles, Soviet civilians, and concentration camp prisoners. Similar to the First World War, the effects of the Second World War left a shortage of labour workers, which heightened the demand for manpower.\textsuperscript{53} Those enslaved to German rule had to contribute to the war effort, and many died due

\textsuperscript{46} Ibid.  
\textsuperscript{47} Ibid.  
\textsuperscript{48} Ibid.  
\textsuperscript{51} Ibid.  
\textsuperscript{52} Ibid.  
to ill-treatment, disease, and starvation.\textsuperscript{54} With the establishment of the first Nazi concentration camps in 1933, forced labour with inadequate living conditions was imposed on every individual placed at those camps. Even before the war, Nazis forced Jews under horrible circumstances, where they were shot if they were physically unable to work. The Nazis also worked by the slogan "annihilation through work," meaning that prisoners at the camps were expected to work until their death.\textsuperscript{55} By the end of 1944, it was estimated that two million prisoners of war, as well as eight million civilians from German-occupied nations, were forced to work in factories, chemical plants, mines, farms, and lumber operations.\textsuperscript{56}

**The Mui Tsai**

The practice of buying and selling *mui tsai*—female slaves—was common in Hong Kong during the 19th century. Fueled by poverty and deep-rooted prejudices against girls, many females were sold into servitude as infants. Although slavery was abolished throughout the British Empire in 1833, many did not consider the mui tsai as slaves, and continued the trade of such girls. In cases where a mui tsai is from a poor family, the girl may be raised into adulthood and forced into domestic labour, brothels, or sold as a concubine.\textsuperscript{57}

**Past UN/International Involvement**

**Anti-Slavery International**

Having existed for a century, Anti-Slavery International is the oldest human rights organization in the world. Formed on April 17, 1839 by Thomas Clarkson, Thomas Fowell Buxton, and other abolitionists, Anti-Slavery International championed the fight against slavery worldwide. One year later, the world’s first anti-slavery convention was organized in London. Anti-Slavery International also helped establish the *Brussels Act*, which was the first comprehensive anti-slavery treaty requiring the inspection of ships and the arrest of anyone transporting slaves.\textsuperscript{58}

To combat slavery, the organization focuses on enabling people to leave slavery, helping victims, and empowering communities to prevent more people from entering the slavery ring. Anti-Slavery International partners with local groups to reach out to people most vulnerable to exploitation. For example, the organization has worked with local partners in India that operates a hotline that encourages people to call in and ask for help, such as Jan Sahas.\textsuperscript{59} Furthermore, Anti-Slavery International influences decision-makers to incite change by advocating within countries for legislation and policy reform, campaigning, and conducting research and


\textsuperscript{55} Ibid.

\textsuperscript{56} Ibid.


\textsuperscript{58} Ibid.

publishing reports about human rights abuses. For instance, Anti-Slavery International revealed the problem of migrant forced labour in the Middle East and prompted the Guardian’s investigation into Qatar slavery abuses.60

The Freedom Fund

The Freedom Fund, founded in September 2013, has since grown to become an effective leader in the global movement for ending modern slavery.61 By partnering with investors, governments, anti-slavery organizations, and the individuals in danger of being exploited, the Freedom Fund protects, liberates, and reintegrates vulnerable populations. In addition, the Freedom Fund works towards efforts to prosecute those responsible for such crimes.62

The Freedom Fund pivots around four central categories of action: working on the frontlines, driving systemic change, strengthening anti-slavery infrastructure globally, and raising capital. The Freedom Fund lays a heavy emphasis on “hotspot” projects in partnership with frontline organizations, which focus on regions where slavery is extremely prevalent; they intend to set up community-based organizations that tackle the different aspects of modern slavery, such as the Aangan Trust in Northern India.63 These projects are stationed in countries such as Brazil, Central Nepal, Ethiopia, Myanmar, Northern India, and Thailand. Furthermore, in order to drive systemic change, the Freedom Fund involves the government, private sector, media, social movements, and other drivers of change with tackling the modern slavery ring. To strengthen international anti-slavery infrastructure, the Freedom Fund facilitates movement-building initiatives that provide platforms and measures to connect organizations. Finally, the Freedom Fund aims to raise capital by bringing in new funding and investors into the fight against slavery.64

More specifically, the global initiatives set out by the Freedom Fund consist of legal strategies, safer migration, supply chains, and treatment of mental trauma. First, legal strategies encompass a range of different measures to mitigate the modern slavery chain, including strategic litigation, strengthening criminal justice approaches to ending slavery, and building networks and partners. Moreover, a focus on the nuances of labour migration has been growing, prompting organizations and researchers to collect more data on how to ensure that labour migration outcomes are positive for individuals and communities. Joining in on the efforts to improve the research surrounding this topic is the Freedom Fund, which partners with teams of researchers to fill in the gaps in the field of “safe migration.” In pertinence to slavery in supply chains, the Freedom Fund creates incentives for companies to improve anti-slavery standards and empowers workers to claim their rights by tackling the different parties involved in the supply chain. Their actions include strengthening supply chain regulation, catalyzing business action to prevent slavery, and advancing worker-driving initiatives. Lastly, often overlooked whilst combating the slavery ring is the rehabilitation of former victims of modern slavery. The mental toll on many of the victims often results in psychological trauma, which often results in depression, anxiety, or posttraumatic stress disorder; these repercussions also often lead to the challenge of reintegrating back into

60 Ibid.
62 Ibid.
64 Ibid.
society. The Freedom Fund treats mental trauma by investing in research about the mental health needs of victims and preparing a psychological rehabilitation plan that is tailored to each victim.

The Human Trafficking Legal Center

By stressing the importance of accountability and compensation in the efforts against human trafficking, the Human Trafficking Legal Centre pushes for dealing with traffickers and helping survivors in a legal setting. Stationed in Washington, DC, the Human Trafficking Legal Centre concentrates specifically on legal affairs in the United States of America. Its three core objectives in addressing human trafficking include holding the United States’ government accountable, deterring human traffickers by forcing compensation, and challenging impunity through strategic litigation. The organization prides itself on being the only United States organization to train attorneys specifically for representing trafficking survivors. By connecting trafficking survivors with highly skilled pro bono law firms, the Human Trafficking Legal Centre pushes for the representation of victims of the human trafficking ring in a legal setting.

As a result of the organization’s efforts, more than 3,600 attorneys at top international law firms have been trained to represent victims of human trafficking in the legal court since 2012, with 280 human trafficking cases being placed with pro bono counsel. Furthermore, more than 25,000 community leaders have been better educated on victims’ legal rights. In addition, the Human Trafficking Legal Centre has conducted comprehensive research on sex trafficking and mandatory criminal restitution, as well as data analysis on human trafficking of persons with disabilities which has led to a campaign to alert disability rights advocates. Following the organization’s intensive research has been its ability to uncover weaknesses in the United States legal system and advocate for policy reform. For instance, in 2014, assets forfeited from traffickers were sent to the United States Treasury instead of being used to pay for victim restitution. This led to legislative reform, resulting in a law being passed in 2015 requiring funds from forfeited assets to be utilized in supporting the victims first.

Polaris

Founded in 2002 and named after the North Star—which slaves in the United States used as a navigation guide—Polaris is a nonprofit organization determined to join in the fight against modern slavery, particularly human trafficking. Polaris concentrates its efforts towards reintegrating survivors back into the community, preventing the exploitation of vulnerable populations, and utilizing data and technology to crack down on traffickers and perpetrators.

The nonprofit’s initiatives include the 24/7 National Human Trafficking Hotline, building a comprehensive data set on human trafficking in the United States, using acquired data to formulate specific strategies for combatting trafficking, and involving law enforcement and both the public and private sectors to support survivors.

65 Ibid.
68 Ibid.
 Trafficking in Persons Report

The annual Trafficking in Persons Report, compiled by the United States Department of State, assesses government efforts in combatting human trafficking and provides suggestions to address human trafficking and protect victims. All countries are evaluated in this report and are categorized into one of three different tiers in their efforts to combat trafficking. These tiers are based on the standards set by the Trafficking Victims Protection Act (TVPA) and are not determined by the magnitude of the country's human trafficking problem, but rather, the government's actions in combating the issue. Tier 1 is the highest ranking and is given to countries that are sufficiently allocating resources to address the problem. Tier 2 countries are countries that do not fully meet the TVPA standards but are clearly making an effort to comply with the standards. Finally, Tier 3 countries do not meet the TVPA standards and are not making efforts to do so. The report attempts to hold countries responsible for their efforts in combatting human trafficking by publishing a country's ranking to the international community.

Current Situation

The term labour trafficking itself is rather broad and consists of many different forms of human trafficking, such as forced labour, bondage labour, domestic servitude, and child labour. However, reports and conducted research have discovered all forms of trafficking share the same root causes.

Causes/Catalyzing Factors

Population Growth

Population growth and the resulting rise in displacement has indirectly fueled the modern trafficking ring. Consequent to the world’s population grew from 2.5 billion in 1950 to 7.3 billion in 2019. As expected, the current number of jobs fails to satisfy the numbers of today’s global population. Finding employment becomes more arduous, and many individuals end up unemployed. Due to the plight of survival, displaced individuals that desperately seek employment are vulnerable to exploitative conditions, hence the higher risk of exploitation by perpetrators of human trafficking.

Poverty

People in impoverished circumstances have limited means to support themselves and their families; thus, they risk their own safety and freedom in desperation of finding a way to survive and sustain their lifestyles. Poverty's connection to the lack of economic opportunities and the consequent increasing demand for cheap labour make impoverished states a hotbed for exploitation. Many individuals and families also feel forced to engage in risky

70 Ibid.
migration in times of extreme economic duress, which enables criminal organizations to take advantage of these families' precarious financial states.

**Discrimination of Marginalized Groups**

Groups that face discrimination—especially ethnic and religious minorities, women and children, and migrants and refugees—are particularly vulnerable to labour trafficking. A prime example is the Dalits in India, who are often exploited due to the long-standing caste system in the country. Many actors, including the United Nations, work on protecting minorities' culture and identity, but mistakenly turn a blind eye to the plight of group marginalization. The discrimination minorities face translates into economic and political disadvantages, evolving into more shortcomings like a lack of adequate education and destitute conditions for marginalized groups. A problem with researching the link between modern slavery and marginalized groups is the lack of it; very little effort has been invested in understanding labour trafficking and modern slavery in regard to minority discrimination. This in turn hinders many policymakers from producing development policies that would protect minorities from exploitation. Although marginalized minorities are not a primary reason for exploitation, their conditions catalyze vulnerability.

**War and Conflict**

War and conflict are also large actors in the proliferation of labour trafficking, especially in countries suffering from instability. Through weakened social and governmental structures, infrastructure is destroyed, and mass populations are displaced; the impact of widespread destruction ultimately leaves people vulnerable and defenseless. This is especially relevant in the context of Iraq and Syria. The Islamic State of Iraq and the Levant is especially infamous for targeting women and children, committing numerous human rights abuses. Another impact of war and conflict is the recruitment of children as child soldiers and tools of war. For instance, a Ugandan rebel group called The Lord's Resistance Army, prevalent in the Central African Republic, subjugates children by using them as cooks, porters, concubines, and combatants.

**Natural Disasters and Environmental Degradation**

As weather patterns are unpredictable and sporadic, catastrophes that cause large-scale destruction have destroyed physical infrastructure, resulting in the displacement of communities and increasing the desperation of large groups. Such is prevalent in Haiti, the poorest country in the Americas. The country has suffered due to extreme rainfall, hurricanes, and severe earthquakes. In addition, poor governance due to political instability and regime changes have exacerbated the problem. The looming issue of climate change and environmental degradation may further enable labour trafficking and modern slavery, as climate change contributes to an increase in the number of natural disasters experienced. For example, rising sea levels can contribute to flooding

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73 Ibid.
74 Ibid.
and, subsequently, displace more people. The presence of environmental disasters is a cause of modern slavery that is rarely explored, yet is a theme in correlation with rising cases of labour trafficking.

**Low-Risk, High-Reward Business**

To many criminals, the labour and human trafficking trade poses as a highly lucrative business due to the high demand and consequent rewards. Major incentives that fuel the trafficking industry include its extreme profitability, difficulty to detect, as well as many governments’ leniency on punishments. The reason for its economically advantageous nature is that humans can be sold repeatedly for either financial or material benefits. The purposes of “owning” a trafficking victim are endless, making the demand high. Consequently, the clandestine environment of the trafficking ring incentivizes criminals to join the business, leading to low global prosecution rates.

**The Process**

The most common methods used to lure in victims are seduction, false job advertisements, lies about educational or travel opportunities, abduction, sale by family, and recruitment through former slaves. After the victims have been lured in, the traffickers will then gain total control or trust of the victims and force them to any of the aforementioned acts of modern slavery. The victims soon realize that their current conditions are completely different from their expectations; however, it is often too late for them to escape. Their documents are often confiscated, and they are forced to work until their "debts" are paid off.

**Forced Labour**

Forced labour is any work or service that people are forced to do against their will under the threat of punishment; it is the most common element of labour trafficking, as well as the most extreme form of exploitation, as it affects millions around the world and is often unregulated in many industries. These industries include agriculture and fishing, textiles, domestic work, construction, mining, prostitution and sexual exploitation, and market trading and illegal activities. This often affects the most vulnerable and marginalized groups in society, such as women, racial or ethnic minorities, migrants, children, and those in poor economic conditions. Migrant workers find themselves particularly at risk to this form of exploitation as they do not often speak the native language in which they immigrate to, have few connections, and have limited rights.

There are a number of conditions that incentivize companies to employ forced labour. These conditions include:

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76 Ibid.

77 Ibid.


80 Ibid.
1. Placing an order with a supplier that requires a short time frame for execution; in response, the supplier employs factories or individuals that do not meet adequate standards for the treatment of workers.\textsuperscript{81}

2. Offering lower prices of commodities; in minimizing labour costs to maintain the competitiveness of prices, various private companies capitalize on free or cheap labour, regardless of the legal ramifications. Consequently, forced labour is rampant in the supply chain of many companies, including multinational corporations (MNCs).\textsuperscript{82}

\textit{Bonded Labour}

Bonded labour, also known as debt bondage or debt slavery, in conjunction with forced labour, is the most common form of modern slavery.\textsuperscript{83} Despite this being so, bonded labour is the least known form of modern slavery. Bonded labour occurs when a person is forced to work to pay off a debt and is tricked into working for little to no pay. Most or all of the earned money goes to pay off their loans, and the value of their work invariably becomes greater than what was borrowed. Those in bonded labour are discouraged to leave, as they are often threatened by violence and intimidation. The debt can sometimes be passed down generations, resulting in children being held in debt bondage due to their parents’ actions. Bonded labour is widespread in South Asian countries such as India and Pakistan, and most prevalent in agriculture, brick kilns, mills, mines, and factories.\textsuperscript{84}

\textit{Domestic Servitude}

Domestic servitude, also known as domestic work, is a sector that lacks legal enforcement due to the obscurity of working inside private households and workplaces. Tasks that pertain to domestic work include cooking, cleaning, laundry, taking care of children or the elderly, and running errands. Some domestic workers also live in their employers’ homes and are considered on-call 24 hours a day. Their pay is typically very low, with wage payments often delayed. Some workers are not paid at all or are paid in the form of food or accommodation.\textsuperscript{85} Some workers in domestic slavery are migrants from other countries or regions, mainly from rural areas, and domestic work is one of the few options available to allow them to provide for themselves and their families. A notable catalyst for the continuation of domestic slavery is that domestic work is often poorly regulated and underestimated. In some countries, domestic workers are not considered as workers, but as informal help, and are consequently excluded from national labour regulations. As a result, these workers do not have access to the same protections as other workers, such as legal contracts, minimum wage, holidays, health care, social security, and maternity benefits.\textsuperscript{86}

\textit{Child Slavery and Child Labour}

Child slavery is commonly misconstrued as child labour but is, in reality, much worse. Child labour is when children are forced to work, hindering their education and development, whereas child slavery is when a child’s

\textsuperscript{81} Ibid.
\textsuperscript{82} Ibid.
\textsuperscript{84} Ibid.
\textsuperscript{86} Ibid.
labour is exploited for someone else’s personal benefit. There are different forms of child slavery, including: children being used for profit, forced child labour, child soldiers, and child marriage. A sidekick to the heightened exploitation of children is the lack of access to education; as many children unaware of how to avoid exploitation, they stand as easy targets for manipulation and coercion. Thus, knowledge from education could provide children a lifeline out of poverty and secure their futures.

With widespread economic destitution, children work because their families are poor and their labour is necessary for their family’s survival. When compared to adults, they are easier to control and are unlikely to demand higher wages or better working conditions. For poorer children, education may be too expensive, meaning that school is often not an option. Thus, child labour also perpetuates poverty. Since many working children cannot go to school, they often grow up stuck in poverty with low paying jobs. Furthermore, the high rates of child slavery are compounded by many governments’ failure to address the issue on a legislative and legal basis. Specifically, impunity and lax punishments enable perpetrators to continue activities in the child slavery ring.

Child begging is a common type of child slavery that poses as an indicator of a state’s failure to protect their child population, and is especially prevalent in Albania, Greece, India, and Senegal. Children are forced to beg by religious teachers, parents, and guardians, and these acts are often linked to drug addiction. Additionally, these children often suffer from violence and coercion, long working hours and low income, a lack of access to education, and an inability to contact family members. Children that cannot fight back, either because of their young age or physical disabilities, are abducted by perpetrators who use them as tools to garner income. Children forced to beg are subjected to life-threatening conditions, such as being beaten and suffering other modes of daily abuse. These children also display their physical pain as a way to elicit pity from passersby, and consequently, to receive more money. However, many of those who give money to child beggars are unaware that the money is often given to their traffickers, and subsequently spent on alcohol and drugs. As a result, these criminal groups that enslave children reel in a high profit. Additionally, a common misconception spread along the police force regarding child begging is that the adult with the child is assumed to be either a family member or trusted individual—this ultimately feeds into the lack of action by the police force in cracking down on this practice.

*Child Soldiers*

Children as young as eight years old are forced to serve as underage soldiers in government forces and armed opposition groups. They are often abducted, recruited by force, or pulled into the role due to the desperation of

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88 Ibid.
90 Ibid.
91 Ibid.
Particularly vulnerable to becoming child soldiers are child migrants who have been displaced or impoverished by war and civil unrest. Children have served in forces in countries including Afghanistan, Chad, Colombia, the Democratic Republic of Congo, the Philippines, and Sri Lanka.

Child soldiers are subjected to responsibilities ranging from acting as spies and messengers to participating in suicide missions. These child soldiers are constantly subjected to life-threatening dangers: even before they are forced onto the frontlines, child soldiers suffer daily torture, brutality, forced intoxication with mind-altering drugs, and constant threats of death and dismemberment. Through painstaking brainwashing processes, child soldiers are conditioned to be desensitized to the responsibilities they are tasked with. Young girls are no exception to child soldiering; in some countries, girls comprise up to 40 percent of the ranks of armed groups. These girls are raped, enslaved, given to military commanders as “wives,” and put through daily sexual violence. During conflicts, young girls are used as domestic servants and slaves. When they contract diseases, these girls often remain untreated. Some children in countries like Uganda are reported to be so terrified of recruitment and abduction that they pass up living in their homes by choosing to become “night commuters,” who travel alone every night to protected villages and sleep in parks or church grounds.

Case Study: Dalits in India

In India, every person is sorted into a societal group by the Hindu caste system, one of the world's oldest forms of social hierarchy that dates back more than 3,000 years. The caste system divides Hindus into four main groups: Brahmins, Kshatriyas, Vaishyas, and Shudras. At the top, Brahmins usually make up teachers and intellectuals. The Kshatriyas are supposedly warriors and rulers, Vaishyas are deemed traders, and at the bottom are the Shudras, who perform menial jobs. These castes have been further divided into 3,000 castes and 25,000 subcastes, based on specific occupations. However, below this entire caste system lie the Dalits, often referred to as the “untouchables.” Dalits, which include around 166.6 million of the Indian population, are believed to have not been created by God. As a result, Dalits are so lowly viewed upon that they are socially considered as inhuman; if a Dalit is seen touching public drinking water, that water is considered contaminated.

Trafficking and Bonded Labour

Rampant trafficking in India mainly affects Dalits; however, due to the clandestine nature of the industry, it is difficult to determine the exact numbers of Dalits being trafficked in India. The practice of “untouchability” is also most rampant in rural areas, which make up 80 percent of India’s population. Estimates from the Dalit Freedom Network report around 20 million Dalits being trafficked and worked in slave-like conditions.

94 Ibid.
95 Ibid.
96 Ibid.
98 Ibid.
100 Ibid.
million people in India, most being Dalits, are stuck in bonded labour, although illegal in the country. Girls are sold into prostitution and boys are sold into physical labour. As many Dalits are also denied access to high quality education, healthcare, and justice, many fall into the slavery chain and end up producing many everyday commodities used over the world such as clothing.

Although bonded labour is illegal in India, many Dalits are deceived by individuals higher on the caste system and are thrown into a constant cycle of poverty. As the average salary of a Dalit is roughly INR 2 a day or less, they have no choice but to borrow money from upper caste neighbours or businessmen to survive. Unfortunately, these loans trap Dalits and impose invariably high interest rates, which force them further into debt and bonded labour. Sometimes, this debt can be passed on to the next generation through descent-based slavery. Even when Dalits try to fight against the abuse and exploitation, higher caste individuals will fiercely respond with violence and hostility. When Dalits try to oppose further, the upper caste villagers will resort to more drastic forms of retaliation such as killings, gang rapes, looting, and arson; due to Dalits’ place in society, rarely are the perpetrators of these actions held accountable.

_Caste-based Slavery_

Because they were born into poor conditions, Dalits are expected to remain at the bottom of the societal chain, taking up employment as drain cleaners and prostitutes. This is called caste-based slavery, a form of bondage based on religious, cultural, and social relationships. Caste-based slavery is mainly driven by traditional beliefs and customs of discrimination, forcing Dalits into low-paying, exploitative jobs. Pushed to the absolute bottom of the social hierarchy are Dalit women, as the discrimination they face is twofold due to their societal status and gender. The widespread and accepted violence against Dalit women prevents access to opportunities and freedoms, undermining their own dignity and self-respect. As a result, many Dalit women are helplessly trafficked into situations of forced labour, prostitution, and other exploitative conditions.

Ultimately, the most pressing issue with the conditions Dalits are subjected to is the widespread normalization of their situations. Although discrimination based on the caste system is illegal, most of the population fails to abide by this law. Other laws have been implemented in India as well, such as granting Dalits special consideration for government jobs and education, but the issue lies in the lack of enforcement of such laws. Instead, police refuse to register complaints about Dalits’ laws being violated and fail to appropriately punish...
those violating such laws.\textsuperscript{109} The unwillingness for police to treat Dalits equally is another indication of how lowly society views them, perpetuating the cycle of widespread poverty and absence of opportunity.

According to the 2019 Trafficking in Persons Report, which grades each country by tiers on their performances and progress on tackling human trafficking, India has been categorized as a Tier 2 country.\textsuperscript{110} This means that although the government of India does not fully meet the minimum standards for eliminating trafficking, they have made significant efforts to do so over the past year. These efforts have included convicting traffickers and initiating high-profile investigations against traffickers. However, the Indian government has faltered in other efforts as they did not report information on investigations, prosecutions, and convictions of traffickers, nor did they successfully address the outstanding issue of bonded labour.\textsuperscript{111} The Report illustrates how even though the government of India is making significant steps towards addressing problems faced by Dalits every day, they neglect the issues of bonded labour and caste-based slavery.

When aiming to alleviate the issues faced by the Dalits, a multitude of factors must be considered: the lack of enforcement of relevant laws, the widespread social stigmatization of Dalits, and inescapable poverty experienced by the majority of the population in India. Focusing on measures that prevent bonded labour and relieve the Dalits of their dire economic and social situations will act as a step towards granting them the rights they deserve as human beings.

Possible Solutions and Controversies

Addressing Global Supply Chains

A supply chain is a network of all the steps taken for a product to be manufactured and end at the final sale. This includes the different activities, individuals involved, and the resources needed to distribute the product.\textsuperscript{112} As labour trafficking tends to occur in global supply chains, governments must look toward increasing the transparency of global supply chains, identifying trafficking victims, and making punishments harsher for companies and individuals that facilitate labour trafficking. One of the most crucial components in successfully addressing global supply chains is for governments to work in tandem with companies, both large and small.\textsuperscript{113} It is imperative to first pinpoint which industries rely on forced labour and other forms of labour trafficking the most. Then, governments should push companies to map out their supply chains, beginning with the producers. Once trafficking victims have been located, governments should employ measures that first remove them from their situations, and then help reintegrate them back into society through rehabilitation and other relevant programs.\textsuperscript{114}

\textsuperscript{109} “Broken People: Caste Violence Against India’s "Untouchables”,” refworld, https://www.refworld.org/docid/3ae6a83f0.html.
\textsuperscript{110} Ibid.
\textsuperscript{111} Ibid.
\textsuperscript{114} Ibid.
In addition, governments should encourage companies to improve communication and monitoring systems. Companies should especially work towards understanding child labour and forced labour standards, rights, expectations, and policies. This could be done through annual or occasional reports to pertinent governments, as well as establishing safe channels for workers and stakeholders to voice complaints and concerns. In regard to monitoring, companies may look towards employing internal staff or auditors to monitor activity, or to conduct third-party monitoring measures, which would be carried out by a party external to the company at hand.\textsuperscript{115}

However, there is no “one size fits all” solution to combating company supply chains. Due to differences in location, demographic, and demand, each company and industry may face its own assortment of complications related to labour trafficking. For instance, some countries may witness more recruitment of refugees than others.\textsuperscript{116} Delegates are prompted to find solutions tailored to both their own countries and the international crowd, addressing the production and distribution of products that may have been created by people stuck in labour trafficking.

**Strategic Litigation**

Strategic litigation is a method that sets out to bring significant changes in the law by taking carefully chosen cases to court. These cases are chosen with several criteria, including the number of victims affected, the probability of winning the case, and the exemplary nature of the case.\textsuperscript{117} By using these cases of human rights violation, the aim is to bring about social, legal, and political change. Some of these improvements that strategic litigation tend to set out include: higher enforcement of certain laws, documentation of human rights violations, development of legal culture, mobilization of communities, and reformation of national laws that do not comply with international laws.\textsuperscript{118} This is particularly important towards combating labour trafficking as strategic litigation can hold governments and corporations accountable for the use of labour trafficking. Strategic litigation can also tackle impunity that would have been granted to traffickers. Ultimately, the use of strategic litigation would bring to light the gravity of the issue and promote legal and social change.\textsuperscript{119}

There are multiple methods that could be employed to underpin the effectiveness of strategic litigation, these including: partnering with investigative journalists, encouraging public advocacy, and improving communication, training, and funding of parties involved in supporting the cause. To begin, investigative journalism can give rise to many litigation cases, as seen in countries such as New Zealand, where an investigative journalist’s reports on forced labour in fisheries prompted numerous civil suits.\textsuperscript{120} Investigative journalists can gather effective facts and evidence that could lead to lawsuits, and thus can work in collaboration with lawyers. Secondly, swaying the public opinion will deepen the blow of the strategic litigation case, as it will help build a

\begin{itemize}
\item \textsuperscript{115} Ibid.
\item \textsuperscript{117} “Strategic Litigation,” Trial International, https://trialinternational.org/topics-post/strategic-litigation/.
\item \textsuperscript{118} “What is strategic litigation?,” “CENTER FOR STRATEGIC LITIGATIONS” HUMAN RIGHTS NGO, February 2, 2012, http://strategiclitigations.org/category/aboutus/whatisstrategiclitigation/.
\item \textsuperscript{120} Ibid.
\end{itemize}
community-based understanding of the issue and build awareness with the general public. Partnering with local and international NGOs could help contribute to the spread of the word and help advocate for change.

Unfortunately, there are many current pitfalls that might hinder the efforts of strategic litigation measures, including communication gaps between relevant parties, lack of training of the involved actors, and a shortage of funding between donors and litigators. It is important to address these potential issues in order to successfully bolster efforts of strategic litigation.

Preventative Measures

In order to halt the proliferation of labour trafficking in its tracks, preventative measures must be adopted by governments will stop the issue before it even begins. A plethora of efforts can prevent labour trafficking in the future, be that through awareness campaigns or increasing quality and access to education.\(^\text{121}\) The first step in establishing effective preventative measures is to support research that will assist in a global understanding of the scope of the issue. By investing in country-specific data, governments will be more able to tackle the particular aspects of labour trafficking most rampant within their borders. A possible course of action is to partner with technology firms or NGOs in order to effectively collect data. One non-profit organization that has been especially involved with gathering information regarding human trafficking has been the World Economic Forum, which has also involved other organizations and companies in the fight against human trafficking.\(^\text{122}\)

Preventative measures are also key to tackling deep rooted problems such as poverty; poverty alleviation programs are designed to target limitations in infrastructure, policies, and services that proliferate or perpetuate widespread poverty.\(^\text{123}\)

Awareness campaigns

Awareness campaigns that are typically aimed at the general public—which includes potential victims of human trafficking—include any measures that present information about the issue to the population. The effectiveness of awareness campaigns, however, has also been challenged. It is important for countries to determine whether they feel that awareness campaigns are an effective resource or whether they are merely money pits.

Education

Education is a foundational asset that not only informs potential victims of their legal and human rights, but also empowers them and helps them work towards a better future void of labour trafficking or other forms of modern slavery. Quality education is especially effective in cases where children and the young population feel they need to work to sustain their families; teaching the younger generations of the options they have will prevent individuals from seeing labour trafficking as their only option, and unintentionally enter the labour trafficking ring. For instance, an organization called One Day’s Wages partnered with the Freedom Story to fund a family


awareness camp in 2013, and then opened an education centre. The education centre teaches children about their rights and how to protect themselves; the programs offered have given around 120 scholarships to help children remain in school, 93 percent of these students graduating.\textsuperscript{124}

**Appropriate Prosecution of Traffickers**

An aspect of the fight against labour trafficking that has been often neglected is the inadequate prosecution of perpetrators. In the 7,000 convictions for trafficking offenses in 2017 worldwide, only 332 of those were targeted against labour trafficking cases.\textsuperscript{125} Especially since the count of victims reached the millions, only a few hundred convictions illustrate the lack of justice trafficked victims receive. By conducting more investigations into labour trafficking rings, appropriately punishing perpetrators, and preventing impunity, these measures could ultimately deter prospective individuals from entering the trade.

Although it is commonly interpreted that harsher punishments can actually backfire and cause harm in countries with underdeveloped criminal justice systems, it is a consideration that should be made. This solution, being contentious in nature, could be further debated on whether it truly serves as an effective solution to labour trafficking.

**Bloc Positions**

**North America**

*The United States*

According to the Global Slavery Index 2018, there are approximately 400,000 people living as cases of modern slavery within the United States.\textsuperscript{126} Many individuals that are in situations of forced labour are migrant women and women of colour. Restrictive and tighter immigration policies have also contributed to the rise of undocumented migrants and refugees, consequently increasing the number of people vulnerable to cases of labour trafficking; migrants who live undocumented are often threatened with deportation by their employers. Furthermore, these migrants have lower levels of education, are unable to speak English, and are generally unaware of their rights and the United States employment protections.

Although human trafficking is rife in the country, the United States has placed significant focus on the issue via a multitude of efforts. The United States Federal Law has criminalized both sex trafficking and labour trafficking. All American states and territories have personal criminal statutes addressing human trafficking, meaning not all laws regarding human trafficking are consistent across the country. For example, forced marriage is legal at the federal level and only eight American states have specific criminal laws against the act.\textsuperscript{127} Furthermore, the

\begin{footnotes}
\item[127] Ibid.
\end{footnotes}
government funds the National Human Trafficking Hotline operated by Polaris (see Past UN/International Involvement). Even so, there have been cases where victims are prosecuted for crimes committed in modern slavery, especially due to commercial sexual exploitation. In 2014, 714 children were prosecuted for prostitution and commercialized vice offences, even though these children were forced into labour.\textsuperscript{128} The United States could benefit from enhanced screenings for victims within the justice system to prevent the criminalization of victims in the future.

\textit{Canada}

Similar to the United States, forced labour in Canada predominantly affects migrant workers, who mainly work in restaurants, hotels, agriculture, food preparation, construction, manufacturing, or domestic work. Those involved in labour trafficking in Canada mainly produce technological products, clothes, gold, fish, and sugarcane. Marginalized Indigenous groups are extremely vulnerable to sexual exploitation and human trafficking.

The Canadian government has been fairly proactive with its measures to combat the problem through services and evaluations. The government criminalized human trafficking in the Canadian Criminal Code but did not distinctly refer to forced labour and modern slavery as offences. Furthermore, the Justice Canada Victims Fund supports victims of modern slavery through support services.\textsuperscript{129}

\textit{Mexico}

Migrant farmworkers and day labourers are the greatest victims of forced labour in Mexico. The top five products at risk of entailing modern slavery in the country include technological products, clothes, fish, timber, and cocoa.\textsuperscript{130} Some problems that face the country include high levels of poverty, migration from Central America, organized crime, and high levels of impunity.\textsuperscript{131} These all compound the proliferation of labour trafficking in Mexico.

The government of Mexico, according to the 2019 Trafficking in Persons Report, declares that the state is making sustained efforts to crack down on human trafficking, including identifying more victims, prosecuting allegedly corrupt officials, and maintaining law enforcement cooperation with the United States. However, some key areas that the country needs to address include internal cases of corruption among public officials as well as a lack of resources to prosecute cases of forced labour.\textsuperscript{132}

\begin{footnotes}
\item[128] Ibid.
\item[131] Ibid.
\item[132] Ibid.
\end{footnotes}
Europe

In Europe, it is estimated that 56% of human trafficking cases were related to sexual exploitation, whereas 26% were related to labour exploitation.\footnote{One in four victims of trafficking and exploitation in Europe are children,” Save the Children, July 25, 2019, \url{https://www.savethechildren.net/news/one-four-victims-trafficking-and-exploitation-europe-are-children.}} Other forms of exploitation included forced begging and organ sales.

The European Union has taken note of the problem and has identified methods of tackling human trafficking in the Strategy on Eradicating Human Trafficking 2012-2016, including prevention, prosecution, and protection.\footnote{“Trafficking in Human Beings,” Europol, \url{https://www.europol.europa.eu/crime-areas-and-trends/crime-areas/trafficking-in-human-beings.}} Furthermore, the European Union collaborated with the United Nations Office on Drugs and Crime to create a four year initiative called The Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, which is aimed at planning and implementing strategies that would counter trafficking efforts.\footnote{“GLO.ACT Overview,” United Nations Office on Drugs and Crime, \url{https://www.unodc.org/unodc/en/human-trafficking/glo-act/overview.html.}} Additionally, the Council of Europe has published a report from the Europe’s Group of Experts on Action against Traffickers in Human Beings (GRETA) annually since 2012. GRETA is responsible for monitoring the efforts of European countries in their efforts to combat human trafficking.\footnote{“Human trafficking in Europe monitored by GRETA,” Data Journalism Network, \url{https://www.europeandatajournalism.eu/eng/News/Useful-data/Human-trafficking-in-Europe-monitored-by-GRETA.}} In relation to the trafficking of women and girls, the European Union has partnered with the UN to create the Spotlight Initiative.\footnote{“EU Legislation,” European Commission, \url{https://ec.europa.eu/anti-trafficking/legislation-and-case-law/eu-legislation/into/EU%20Legislation_en.}} Most of Europe’s efforts are outlined in the Report on Trafficking for the Purpose of Labour Exploitation, available online to the general public.

Africa

History has illustrated how Africa as a continent has always stood as a victim to slavery and labour trafficking. Even now, the numbers have barely waivered. As of 2016, there are 9.2 million Africans that are victims of modern slavery, comprising 23 percent of modern slavery globally.\footnote{“Top 10 Facts About Human Trafficking in Africa,” Borgen Magazine, February 28, 2019, \url{https://www.borgenmagazine.com/top-10-facts-about-human-trafficking-in-africa/.}} The number of victims of forced labour is three times greater than that of sexual exploitation, though both are extremely lucrative businesses for perpetrators. There are many catalyzing factors to trafficking in Africa, including cultural norms and armed conflict. In terms of culture, child labour has become normalized and many families resort to selling their children into slavery to make some money if they are in situations of poverty. In addition, many girls risk being in situations of forced marriage due to widespread poverty, a lack of education, and because of cultural norms. Armed conflicts, moreover, contribute to children being trafficked and becoming child soldiers.\footnote{Ibid.}

To aggravate the situation, the continent has the lowest average regional government response score according to the Global Slavery Index, meaning that the efforts instated are minimal and undeveloped. However, the region
is making slow progress; six countries since 2016 have passed improved trafficked legislation, including Côte d’Ivoire and Morocco.\textsuperscript{140} Problems such as a lack of resources, cultural norms, armed conflict, and corruption all exacerbate the issue and make it tough for governments and external actors to incite effective, quick change. It is imperative that African countries tackle these destabilizing factors in order to move closer to combatting labour trafficking within their borders.

**Asia and the Pacific**

In 2016, an estimated 24.9 million men, women, and children were living in modern slavery in Asia and the Pacific.\textsuperscript{141} The area has had a high prevalence of forced labour, and over half of all victims of forced labour were held in debt bondage according to the ILO; the victims tend to be male as well.\textsuperscript{142} The countries with the most cases of modern slavery include North Korea, Afghanistan, and Pakistan; these countries accounted for 60 percent of victims in the entire area.\textsuperscript{143} North Korea in particular utilizes state-imposed forced labour, whereas Afghanistan and Pakistan are plagued with continual conflict that perpetuates the need for forced labour. Due to large scale crises like the Rohingya crisis, coupled with widespread corruption within governments, many countries see that statistics of human trafficking and exploitation are mostly underestimates. Domestic work, agriculture, construction, manufacturing, and entertainment are the most common sectors where forced labour is used.\textsuperscript{144}

The area has adopted a number of different frameworks in response to the pressing issue of labour trafficking and human trafficking in general. Southeast Asia adopted the Association of Southeast Asian Nations Convention Against Trafficking in Persons, Especially Women and Children in 2015. Furthermore, countries in the Asia-Pacific instituted the Bali Process in 2002, a platform for raising awareness, furthering dialogue among countries in the Asia-Pacific, and improving the ability to combat trafficking.\textsuperscript{145} Asia and the Pacific must look towards combating the issues of armed conflict, corruption, and poverty in order to eradicate the root causes of labour trafficking in the area.

**Discussion Questions**

1. How can minorities marginalized by religious traditions escape discrimination? How does social stigmatism play a role in labour trafficking?

2. What measures can police forces take in combating labour trafficking?


\textsuperscript{143} Ibid.

\textsuperscript{144} Ibid.

3. What environmental measures can be enacted to prevent migrants and displaced persons from becoming victims of labour trafficking?

4. What are incentives for companies, who may rely on labour trafficking for lower production fees, to tackle workers’ rights abuses in their supply chains?

5. Should parents be held accountable if their children are sold into child slavery?

6. What measures should be implemented for those who enter labour trafficking due to destitution?

7. What are measures that can be implemented to documented cases of labour trafficking in your country?

8. What are the benefits of harsher punishments for labour traffickers? What are the drawbacks?

9. What are the advantages of rehabilitating victims who have escaped their situations of labour trafficking?

Additional Resources

Anti-Slavery International:
https://www.antislavery.org/

The Freedom Fund:
https://freedomfund.org/

International Labour Organization:

2019 Trafficking in Persons Report:

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Statelessness

Overview

Within the international web of sovereign states, individuals are identified through the legal bond of nationality. On top of a national identity, individuals are legally protected by their states in diplomatic affairs. It is commonly assumed that every human being has this legal security from their citizenship, yet an estimated 10 million individuals suffer around the world due to statelessness.\(^{146}\) By the *Convention Relating to the Status of Stateless Persons*, statelessness is defined as “someone who is not considered as a national by any state under the operation of its law.”\(^ {147}\) Statelessness opens up a plethora of legal issues; lacking nationality makes it impossible to cross internal and international borders, receive proper education, apply for jobs, vote, open bank accounts, access healthcare, and much more.\(^ {148}\)

Before discussing or researching this topic, it is critical to clarify a few terms that are not to be used synonymously when discussing this topic: nation and state, as well as nationality and ethnicity. Regarding states and nations, a nation is termed to groups of individuals bonded by culture, values, language, or beliefs, and is based upon societal belonging; states, however, refer to an area with a sovereign government whose borders are clearly defined and internationally recognized.\(^ {149}\) Essentially, a nation is a cultural entity while a state is a political and legal entity. In regards to nationality and ethnicity, while nationality is the relationship between a person and their state, ethnicity refers to a person’s affiliation with a certain racial, cultural, or religious group.\(^ {150}\)

This issue has stood for as long as society was identified by nationality; cases in history such as the persecution of Jews by the Nazi regime and the Rohingya crisis are all exacerbated by the problem of statelessness. While many conventions—such as the *1954 Convention Relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*—have been established in an effort to combat the issue, the problem still persists.\(^ {151}\) Due to factors including the lack of sufficient statistics, the reluctance to seek help, discriminatory legal policies, and state dissolution, statelessness has perpetuated in every country in the world. Clearly, statelessness stems from a variety of different sources, meaning that each problem requires its own array of solutions.

While seemingly easy to mitigate, there are a number of challenges that have obstructed the efficacy of many current measures. Corruption in authority, the use of citizenship as a weapon, and the reluctance for stateless


\(^{151}\) Ibid.
individuals to speak out are a few of the existing barriers to accessing citizenship; delegates must take these into consideration and map out measures to avoid these challenges. While the necessary measures needed are vast, delegates should focus research on the root of the issue: prevention of statelessness, combating statelessness through legal mechanisms, reintegrating stateless individuals, and empowering stateless individuals. Especially with an issue as multifaceted as statelessness, it is important for the committee to understand the origin of the problem before determining the best course of action.

Timeline

1914 – 1918 — During World War I, intense feelings of nationalism led many countries to force out ethnic minorities to achieve “ethnic purity.” One instance was the pogroms in Russia and other countries in Eastern Europe, which killed 75,000 Jews and displaced another half a million.152

1921 — When the civil war between the Communist-led Red Army and the White Army ended with the White Army’s defeat, many Russians fled the country. On top of the conflict, famine struck the country, killing 5 million people. Many White Russians were denied Russian citizenship. At this time, around 800,000 people found themselves stateless.153

September 1924 — The Assembly of the League of Nations establishes a committee of experts to prepare a list of topics of International Law for which an international agreement would be advantageous. One of these subjects is the “conflicts of laws regarding nationality.”154

April 1930 — The Codification Conference in the Hague adopts the Convention on Certain Questions Relating to the Conflict of Nationality Laws. This Convention recognizes that each person should have a nationality and efforts should be directed to end all instances of statelessness.155

September 15, 1935 — In Germany, the Reich Citizenship Law—one of the Nuremberg Laws—applies measures to strip all German Jews of their nationality.156

December 10, 1948 — The Universal Declaration of Human Rights is adopted, stating in Article 15 that “everyone has the right to a nationality.” This is a momentous step in addressing statelessness, as it moves the issue from a conflict in laws to a matter of human rights.157

153 Ibid.
154 Ibid.
155 Ibid.
156 Ibid.
1949 — After the end of the Second World War, the Economic and Social Council (ECOSOC) studies the resulting problem of widespread displacement and denationalization of people. As a result, the UN’s Study of Statelessness is published, noting that statelessness has existed since the concept of nationality was established.\(^\text{158}\)

1951 — The Convention Relating to the Status of Refugees is adopted. The Convention directs its attention to individuals forced to flee their country due to reasons such as denationalization.\(^\text{159}\)

1954 — The Convention Relating to the Status of Stateless Persons is adopted, aiming to regulate and improve efforts in alleviating statelessness. Through the Convention, the international legal definition of a “stateless person” is established.\(^\text{160}\)

1961 — The Convention on the Reduction of Statelessness is adopted, which builds on the League of Nations’ past efforts to prevent statelessness.

1961 — The first members of the ethnic minority Shona arrive in Kenya as missionaries without any form of identification; an estimated 4,000 Shona are stateless. The Kenyan government is reluctant to give members of this group birth certificates and registrations because it is unsure how to deal with claims of nationality.\(^\text{161}\)

1992 — The Rohingya are no longer an officially recognized minority group by the Myanmar government, rendering them stateless.\(^\text{162}\)


2018 — The UNHCR estimates there to be over 10 million stateless individuals around the world; of this statistic, only 3.9 million are legally considered stateless.\(^\text{163}\)

Historical Analysis

The idea of citizenship, “the most privileged form of nationality,” was first established in Ancient Greece, where it was given to property owners but excluded women, slaves, and poorer members of the community.\(^\text{164}\) The Romans also used citizenship to distinguish Romans from the other individuals residing in areas Rome conquered. In 212 CE, citizenship in Rome was extended to all free individuals in the empire. The idea of citizenship was overshadowed by feudal rights and obligations during the Middle Ages, but reintroduced in the

\(^{158}\) Ibid.

\(^{159}\) Ibid.

\(^{160}\) Ibid.


late Middle Ages and the Renaissance, where it was a title used to guarantee immunity for merchants and privileged individuals from the commands of feudal overlords.

The process for women to acquire citizenship was more complicated than for men, as women were expected to obtain citizenship by marrying citizens of a particular country; this was the predominant mode of citizenship acquisition leading up to and during World War I. After the women’s suffrage, as new ideas of gender equality began sprouting worldwide, new systems were implemented where a woman’s nationality was not dictated by her spouse’s.

The international idea of nationality by citizenship was first enforced in the Hague Convention of 1930, when the international community sought to ensure that all individuals had a nationality. Because statelessness has stood as more of a concept subsequent to the implementation of nationality, the next section serves to outline past action taken and highlight some of the major cases of statelessness in the past.

League of Nations

During the 1920s, issues with nationality—ranging from the loss of nationality due to marriage, to the distinctions between statelessness and refugee statuses—greatly concerned the League of Nations. This prompted the League to enact the Convention on Certain Questions relating to the Conflict of Nationality Laws of 1930, and more specifically, the Protocol Relating to a Certain Case of Statelessness of 1930. These Conventions set out to formally determine the difference between stateless individuals and refugees. They also marked the beginning of many more conventions that discussed the issue of statelessness in greater detail.

The Rohingya Crisis (1947–Present)

The beginning of the conflict began during World War II, when the Rohingya were loyal to British colonizers and Rakhine Buddhists sided with the Japanese invaders. Since independence in 1948, the Rohingyas have faced persecution by the military of the predominantly Buddhist Rakhine State. In 1978, the military conducted bloody killings, rape, and arson against more than 200,000 Rohingya. Myanmar’s 1982 Citizenship Law—which only offers citizenship to members of its 135 recognized national ethnic races—excludes the Rohingya, leaving them stateless and stripped of their basic rights and legal protections. In 1991, the military then forced over 250,000 Rohingya to leave for Bangladesh, only to be forced back and placed in camps in Rakhine state.

On August 25, 2017, Rohingya militants and local police clashed to cause the third—and largest—mass cleanse

168 Ibid.
170 Ibid.
of Rohingya from Myanmar. Since then, almost 600,000 Rohingya have attempted to flee from Myanmar to Bangladesh.\textsuperscript{171}

In an attempt to “repatriate” the Rohingya group, Myanmar issued the National Verification Card (NVC) in 2016. However, many speculate that the NVC is merely a discriminatory legal document for the Myanmar government to limit the Rohingya’s movement, access to education, and freedom of expression.\textsuperscript{172} The United Nations Independent Fact-Finding Mission on Myanmar noticed an increase in pressure on the Rohingya group to accept the NVC, and also deemed the NVC a “genocide card” that further oppressed the Rohingya within the country.\textsuperscript{173} The conflict between the ethnic group and the country persists, and very few Rohingya have been able to enjoy the right to citizenship.\textsuperscript{174}

\textbf{Kurds in Syria (1978–Present)}

The Kurds are the largest non-Arab ethnic minority in Syria, making up almost 10 percent of the population.\textsuperscript{175} Even though they represent a sizable portion of Syria’s demographic, they are discriminated against and are divested of their legal rights and protections. The problem began in 1962, when a census stripped 120,000 Syrian Kurds of their Syrian citizenship due to a wider problem between the country and the ethnic group.\textsuperscript{176} That being so, it was reported that the census was carried out arbitrarily, where some members of a family would lose their citizenship while others were able to enjoy theirs. Because of the Kurds’ lack of Syrian citizenship, they were alternatively given red identity cards by the Ministry of Interior. With this identification, the Kurds were prohibited from voting, owning property, and having their marriages legally recognized. On top of these restrictions, they were denied passports and then could not legally leave or return to Syria. Those with the issued red card were essentially considered “foreigners.”\textsuperscript{177}

Worse off than the “foreigners” are those who are not registered under the Syrian government; these Kurds were referred to as maktoumeen, meaning “unregistered” or “not appearing in the records.”\textsuperscript{178} The maktoumeen status is passed down through generations, and in 1996, consisted of 75,000 Kurds.\textsuperscript{179} Maktoumeen children face extreme difficulties in being admitted for education, as they cannot enroll in school without the approval of Political Security—one of Syria’s internal security forces. Although maktoumeen are allowed to attend school, the Human Rights Watch reported that even so, these children are treated in a discriminatory manner and are limited to opportunities compared to Syrians of other ethnicities.

\begin{flushright}
171 Ibid.
173 Ibid.
174 Ibid.
176 Ibid.
177 Ibid.
178 Ibid.
179 Ibid.
\end{flushright}
The Karanas in Madagascar (1960s–Present)

The Karana are an ethnic minority group in Madagascar—with historic roots in India—that make up at least 20,000 of the Malagasy population. They arrived in Madagascar in the mid-1800s and opened many businesses on the western coast of Madagascar. Even with their extensive history in the country, they are not recognized as citizens of the countries and are therefore stateless. The issue dates back to the 1890s, when the French colonized Madagascar and employed Karanas as middlemen in their businesses in a sly effort to weaken the Malagasy rule. When the French lost control of Madagascar in 1960, the Karanas ultimately found themselves without a place in society. The Malagasy Republic, better known as Madagascar, determined citizenship on an ethnic basis; in doing so, the Karana, as an ethnic group, were barred from citizenship. Ever since, the Karana have found it difficult to experience economic or social upturn, as they must satisfy rigorous conditions to stay in the country. Many Karanas lack access to quality education and formal employment and must obtain residency permits to legally stay in the country.

Past UN/International Involvement

United Nations High Commissioner for Refugees (UNHCR)

This UN body has been a leader in combating statelessness, as it has promoted and continues to promote the importance of eradicating statelessness through long standing collaboration and support. The UNHCR is working to provide accurate statistics on the number of stateless people worldwide; it works in collaboration with the United Nations Population Fund to reduce discrepancies between reports and estimates produced by the UNHCR. The UNHCR has also assisted states in reviewing nationality laws and procedures related to statelessness. In Serbia, for instance, the UNHCR has helped national authorities digitize civil registries that help displaced individuals and the minority Roma populations acquire proof of identity more easily. The UNHCR has also provided legal advice to stateless individuals, raised awareness of stateless situations, and provided support to affected states and populations. The organization has also created a software application called Focus, which centres on strengthening results-based management. They plan to implement this in the combat against statelessness by providing an overview of all activities in the effort to fight statelessness. This is beneficial in helping identify which operations require more human and financial resources for maximized efficacy.

UNHCR Statelessness Campaigns

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184 Ibid.
185 Ibid.
Some of UNHCR’s external efforts are focused on statelessness campaigns, the most successful of which is the #iBelong Campaign. The #iBelong Campaign is a 10-year campaign that involves digital platforms, posters, videos, and extensive media use to educate and promote decision makers and the public on the importance of eradicating statelessness.\footnote{Nicholas Keung, “UN launches #IBELONG campaign to end statelessness,” November 4, 2014, \url{https://www.thestar.com/news/immigration/2014/11/04/un_launches_ibelong_campaign_to_end_statelessness.html}.} Since its launch in November 2014, more than 166,000 stateless people have had their nationality confirmed, 20 states have joined the 1954 and 1961 Statelessness Conventions, nine states have established or improved statelessness procedures, and much more.\footnote{“Four years into its #iBelong Campaign to end statelessness, UNHCR calls for more resolute action by states,” United Nations High Commissioner for Refugees, November 13, 2018, \url{https://www.unhcr.org/news/press/2018/11/5be95d7c4/four-years-its-ibelong-campaign-end-statelessness-unhcr-calls-resolute.html}.} The #iBelong Campaign was and continues to be extremely successful in informing policymakers, governments, and the general public about the importance of addressing statelessness, as supported by its impressive statistics. Other campaigns the UNHCR has implemented include the Campaign to End Statelessness Within 10 Years and a campaign launched on the 50th anniversary of the 1961 Convention on the Reduction of Statelessness.\footnote{Ibid.}

1954 Convention Relating to the Status of Stateless Persons

In response to the Economic and Social Council of the United Nations’ 1948 request to study statelessness, the Secretary General formed an Ad Hoc Committee. This Ad Hoc Committee drafted a Protocol relating to the Status of Stateless Persons, eventually leading to the formation of the Convention Relating to the Status of Stateless Persons of 1954.\footnote{Carol Batchelor, The 1954 Convention Relating to the Status of Stateless Persons: Implementation Within the European Union Member States and Recommendations for Harmonization, 2005.} This Convention, adopted on September 28, 1954 and enacted on June 6, 1960, is seen as the primary international instrument focused on regulating and improving the legal status of stateless individuals, and ensuring that stateless people have access to basic rights and freedoms without discrimination. It sought to resolve the legal holes that engender statelessness by pinpointing the root of the issue and providing legal provisions that promote the acquisition of an identity for stateless individuals.\footnote{Ibid.}

The Convention has been successful in being the first formal effort that focuses on addressing statelessness, setting out provisions for states in preventing and combating statelessness, and globalizing awareness of the issue.\footnote{Ibid.}

1961 Convention on the Reduction of Statelessness

The Convention on the Reduction of Statelessness of 1961 was established to complement the Convention of 1954 and contains additional information from international negotiations over the decade since the last Convention.\footnote{“Convention on the Reduction of Statelessness,” United Nations High Commissioner for Refugees.} These two Conventions sought to serve as the legal foundation in addressing statelessness. This Convention specifically lay down rules for the conferral and non-withdrawal of citizenship in an effort to prevent statelessness. The Convention instructs states to circumvent rendering its people stateless in the context of
territory transfer, encourages states to grant nationality to children automatically at birth, and sets out many more safeguards for stateless individuals. These Conventions assisted in setting out a systematic method of identifying instances of statelessness, and provided the tools to combat statelessness.\textsuperscript{193}

\textbf{Institute on Statelessness and Inclusion (ISI)}

Although other non-governmental organizations (NGOs) have provided information on the issue, the ISI is the first and only NGO focused on tackling statelessness internationally. The organization’s headquarters are in the Netherlands but has an office in the United Kingdom. The ISI—guided by their values of inclusivity and collaboration, critical mindedness and innovation, and openness and responsibility—sets out to combat statelessness by protecting the right to a nationality.\textsuperscript{194} The ISI has crafted a strategic plan for the years 2018 to 2023, identifying four goals it sets to pursue: promoting children’s right to nationality, combating discrimination, broadening effective engagement on statelessness, and improving their organization.\textsuperscript{195}

The ISI has submitted over 60 country reports with more than 40 partners to United Nations human rights mechanisms, published eight Statelessness Essentials booklets, and produced two Flagship World’s Stateless reports.\textsuperscript{196}

\textbf{Current Situation}

Article 15 of the Universal Declaration of Human Rights states that:

1) Everyone has the right to a nationality.

2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.\textsuperscript{197}

Because statelessness challenges these clauses as it indicates the absence of a nationality, this issue is thus seen as a human rights issue. That being so, all states have a responsibility to alleviate this issue.

Under international law, stateless people are still entitled to some human rights, and in some countries, stateless people are granted special status that gives them access to these rights. Nonetheless, the majority of stateless populations are unnoticed by the law and consequently cannot enjoy the most basic human rights.

In 2017, it was reported that around 70 countries had 3.9 million stateless individuals; however, given the difficult nature of documenting these undocumented people, the UNHCR has concluded that this is only a piece of the total number, a total that could be three times as large as this estimate.\textsuperscript{198}

\begin{flushleft}
\textsuperscript{193} Ibid.
\textsuperscript{194} “About Us,” Institute on Statelessness and Inclusion, https://www.institutesi.org/about-us.
\textsuperscript{195} Ibid.
\textsuperscript{196} Ibid.
\textsuperscript{197} Ibid.
\end{flushleft}
Defining Statelessness

Nationality and Citizenship

Before defining statelessness, it is necessary to distinguish between nationality and citizenship; while these two terms are closely interconnected and sometimes used interchangeably, they are not the same. A nationality is the title given to an individual who is a member of a state and possesses more ethnic and racial connotations. It is acquired by birth, adoption, marriage, or descent. Individuals can only be a national of one country. Citizenship, however, is particularly the legal relationship between a state and an individual. Citizenship lays down the grounds for legal rights and responsibilities; people can hold citizenship from more than one country. Article 15 of the Universal Declaration of Human Rights focuses on nationality but does not talk about citizenship. Additionally, stateless individuals are those without nationality or citizenship.199

De Jure and De Facto Statelessness.

According to the Statelessness Convention of 1954, a person is considered stateless if he or she is not considered as a national by any state under the operation of its law.200 Those who satisfy the profile of a stateless individual are referred to as de jure stateless persons. The UNHCR estimates that there are at least 10 million stateless people globally, but acknowledge that this is only a rough estimate.201

A complicating factor to this definition is de facto statelessness; de facto statelessness refers to people that are stateless, even if they do not satisfy the legal definitions of statelessness. While a person may technically have citizenship, if they are rendered de facto stateless, they are unable to fully make use of their privileges.202 Additionally, the pronounced 1954 and 1961 Conventions do not protect de facto stateless persons as they do not fit the profile of a typical stateless individual. The UNHCR has detailed the main categories of de facto stateless individuals:

1) De facto stateless individuals who do not enjoy the rights attached to their nationality;
2) De facto stateless individuals who are unable to establish their nationality or cannot determine their nationality;
3) In the situation of state succession, de facto stateless individuals that are given the nationality of a state other than that of their habitual residence.203

This adds another layer to combating statelessness, as states must not only work towards providing citizenship to stateless individuals, but also ensure that all individuals with citizenship are granted the rights and opportunities they are entitled to. While the United Nations Office has yet to formally define what de facto statelessness is, it has been noted that stateless persons are unable to enjoy the legal protection or assistance of

200 Ibid.
201 Ibid.
202 Ibid.
their state. Assistance in the form of property rights, education, relief, social security, and the exercise of trades and professions are all under question for de facto stateless persons.  

Refugees and Stateless Persons

Another important consideration is the difference between refugees and stateless people. The purpose of this distinction is the ability to invoke protection from one's state; according to the UNHCR, while refugees are unwilling to receive protection from their country of nationality, stateless persons are unable to invoke this protection. Most stateless people never leave the place they were born, have not crossed an international border, and are not under threat of persecution. On the other hand, refugees are defined as people who have fled war, violence, conflict, or persecution by crossing international borders. Yet statelessness and refugee status are not mutually exclusive; some stateless individuals who are forced to flee their country of origin also qualify as refugees. As well, some refugees may experience the loss of their nationality due to their displacement, thereby rendering them stateless refugees. If an individual is both a refugee and stateless, they will first be treated as a refugee and protected under the Refugee Convention of 1951; these individuals will be included in the UNHCR’s refugee statistics, but not in any statistics pertaining to statelessness.

Causes of Statelessness

Discrimination

The issue of statelessness has roots in other human rights issues, such as statelessness that stems from discrimination; such discrimination can be on the basis of religion, race, ethnicity, language, or gender.

Minority groups rendered stateless due to ethnic discrimination are particularly common; the Rohingyas in Myanmar, Kurds in Syria, Kinyarwanda-speaking groups in the Democratic Republic of the Congo, and Hatians in the Dominican Republic, are all examples of longstanding ethnic tensions birthing discriminatory practices that result in a minority group’s statelessness. It is estimated by the UNHCR that more than 75 percent of the world’s known stateless populations belong to minority groups. Currently, at least 20 countries maintain nationality laws in which nationality is denied on a discriminatory basis. The most commonly experienced form of legal discrimination is the inability for stateless minorities to obtain the documentation and identification required—such as national ID cards and birth certificates—to acquire citizenship. Consequently, stateless minorities often struggle to find a decent job or a remunerative profession, hindering their economic mobility and trapping them in a vicious cycle of poverty.

204 Ibid.
206 Ibid.
207 Ibid.
209 Ibid.
210 Ibid.
Additionally, gender-discriminatory citizenship laws can prevent women from passing on their nationality to their children in cases where their husbands are not of a particular nationality.\textsuperscript{211} Children may also not be able to obtain their other parent’s nationality for other reasons, including the inability to locate the parent or find a legal connection to the parent, the parent’s unwillingness to confer nationality, the parent’s lack of legal documentation, or the parent’s country of citizenship preventing them from conferring nationality.\textsuperscript{212} Such laws leave these children without the proper documentation and citizenship rights as their mother, perpetuating childhood statelessness. While these regulations directly disadvantage women, the effects of such discrimination are felt by girls, boys, men, and the communities in which these laws are enforced.\textsuperscript{213} Countries that have nationality passed down patrilineally include Brunei, Iran, Kuwait, Lebanon, Qatar, Somalia, and Eswatini.\textsuperscript{214} Other countries that deny women the right to pass down nationality, yet have safeguards against childhood statelessness include Bahrain, Burundi, Iraq, Jordan, Kiribati, Liberia, Libya, Nepal, Oman, Saudi Arab, Sudan, Syria, Togo, and the United Arab Emirates (UAE).

\textit{State Succession}

The dissolution of states, or state succession, can cause many individuals to lose their former national identities.\textsuperscript{215} This has been experienced with the dissolution of the Soviet Union, where many former Soviets fell through the cracks of legal provisions and were left stateless. With state succession, the difficulty lies in attributing a nationality to individuals that are affected by the consequent change in state.\textsuperscript{216} While this is a less frequent cause of statelessness than discriminatory laws is, state successions typically lead to millions being left without a nationality, impacting far more people than discrimination-based statelessness does.

\textit{Conflicts of Laws Between States}

Cases of statelessness may also occur when the national law in one state conflicts with that of another state, resulting in an individual without the nationality of either country. Even though both sets of laws may be drafted without issue, in practice, discrepancies in state laws often result in a denial of citizenship. For instance, if one state only grants nationality by descent, but the individual’s parents are nationals of another state, the parents are unable to confer their nationality to their child.\textsuperscript{217}

\begin{itemize}
  \item \textsuperscript{211} Ibid.
  \item \textsuperscript{213} Ibid.
  \item \textsuperscript{214} Ibid.
  \item \textsuperscript{215} Ibid.
\end{itemize}
Effects of Statelessness

Children’s Rights and Education

While statelessness is often the result of human rights violations, such a status can perpetuate negative further hindrances to a child’s human rights. For instance, not having citizenship can result in exclusion from child health programmes—such as childhood immunizations—and challenges in school admissions.

Statelessness, in particular to schools, has led to an education gap in stateless individuals that spans generations, driving the vicious cycle of poverty stateless individuals often endure. Another issue with education is that, even with graduation, students cannot receive diplomas or other graduation certificates if they are stateless. As a result, these individuals are limited to low-paying jobs, such as at farms, factories, or restaurants.218

On top of limited access to basic services, childhood statelessness can also lead to risks such as violence, abuse, trafficking, and other forms of exploitation. As well, there are clear psychological impacts on stateless children and their families as they live precariously at the mercy of neighbouring governments.219

Employment

Another long-standing issue due to statelessness is the difficulty of finding work. Stateless people must get permission to work from the government, and even then, this request is sometimes denied. With this still being true, individuals without citizenship are excluded from an array of professions that require qualifications or documentation stateless people cannot obtain; this limits employment options to working informally or for extremely low pay. In these work conditions, safety is rarely a guarantee; risks of exploitation, unpredictable work conditions, and a lack of proper worker treatment are all circumstances that stateless individuals are subjected to.220 Furthermore, stateless individuals are prevented access from any form of social security that would support them financially and keep them out of poverty. Typically, stateless individuals are excluded from services like pension entitlements, disability allowance, property ownership, business registration, and financial services like bank loans.221

Family Life

Statelessness can also directly affect family lives; when even one member of a family lacks citizenship, this can cause problems for the rest of the family and for the maintenance of family relationships. Such problems include the challenges of contracting a marriage, finding a partner, and even finding the desire to start a family; the lack of a nationality can discourage individuals from forging relationships because of the legal difficulties that will follow. Moreover, the threats of detention or deportation can impact family life, as physical separation can lead to emotional hardships or the inability for a parent to care for or support their family.

218 Ibid.
220 Ibid.
221 Ibid.
Challenges

Citizenship as a Political Weapon

Statelessness is caused when a country decides and identifies who they consider to be their citizens. There are, however, supposed restrictions to this notion, as stated in Article 1 of the Hague Convention of 1930: “It is for each State to determine under its own law who are its nationals. This law shall be recognized by other States in so far as it is consistent with international conventions, international custom, and the principles of law generally recognized with regard to nationality.” This clause states that while any state has the right to withdraw nationality from its citizens, this should only be done in extreme circumstances and must adhere to both national and international law. States are thus legally prohibited from using citizenship as an electoral tactic—such as stripping citizenship from populations that will not vote for them—or a means of achieving ethnic or religious homogeneity by stripping citizenship from those whose religious beliefs differ from the norm. Even so, many countries in the Middle East still use citizenship as a political weapon to the extent that it creates widespread statelessness.

In November 2012, the Bahraini government ordered 35 of its citizens to be stripped of their nationality because they had previously opposed the government by pushing for more equality—especially for members of the Sunni minority—and political freedoms. Another case of the weaponization of citizenship in the Middle East occurred in the UAE. In 2011, the UAE government retracted seven activists’ citizenships due to their alleged threat against the security of the state. Although the seven men were rendered stateless on no legal basis, they were considered “men of opinion, social activists and advocates for reform.” A similar instance occurred in Kuwait with the Bidoon minority.

It is necessary for countries to abide by both national and international law if stripping citizens of their nationality becomes a possibility. All cases also must be done only on a legal basis, rather than suspicion or religious prejudices against the individual or group. It is seen that these aforesaid conditions, however, are ignored by many countries, which in turn, leaves many individual stateless under baseless reasons.

Authoritative Discretion

While statelessness is optimally combated through legal frameworks being in place, solving this issue is also contingent on the ability of states to efficiently apply the framework without bias. In many countries, laws pertaining to statelessness are implemented erroneously and exclude certain individuals or groups who are consequently left stateless. In some cases, the regulation of nationality, to which authorities are responsible for, have a large margin of discretion. Because of this, subjective bias and prejudice, bureaucracy, corruption, or abuse of power can prevent individuals’ access to citizenship.

223 Zahra al Barazi and Jason Tucker, “Citizenship as political tool: the recent turmoil in the MENA and the creation and resolution of statelessness,” Tilburg University.
224 Ibid.
225 Ibid.
Inability to Speak Out

It is important to note that those without citizenship are usually aware of the opportunities they are denied, as well as their vulnerability in society (such as inability to access social services or apply for professional jobs). This results in the reluctance to speak out or take action when faced with abuse or injustice. In some cases, stateless people may find themselves in instances of human trafficking of persecution as a result of the lack of legislative and social support they receive.226

Possible Solutions and Controversies

Data Collection

Due to a lack of reliable statistics, a possible solution is to promote better mapping of stateless populations in each country, with respect to known instances of ethnic, religious, and gender discrimination. A better understanding of the scope of the problem will help with providing clear evidence in proving the prevalence of statelessness, and also lead to more effective efforts in alleviating statelessness. 227 Delegates could consider the practicality of targeted surveys and studies to better understand the magnitude of statelessness in areas with known stateless populations, or collaboration with governments to share data from civil society actors.228

Even so, it is to be noted that quantitatively assessing statelessness is complicated, especially when stateless individuals live on the margins of society and tend to be undocumented in national databases.

Preventing Statelessness

Gaps in Citizenship Laws

When deliberating on solutions, it is important to find proactive measures that prevent statelessness from occurring in the first place. This is particularly crucial when dealing with childhood statelessness, as many children face complications with acquiring citizenship from birth. Possible solutions to target statelessness that begins at childhood include promoting birth registration in all countries, so that children are granted the appropriate legal documents that prove their nationality, should citizenship be granted by merit of a child's place of birth. Other points of consideration are complications that arise if a child’s parents are stateless, or if the children are born on ships, planes, or in transit. It is necessary to establish all-encompassing legal provisions that will account for every child's situation in their attempts to attain the necessary documents to prove their nationality.229 Particularly so, the committee can consider raising awareness of the safeguards to prevent

226 Ibid.
228 Ibid.
childhood statelessness, advocate for the reformation of nationality laws in regards to children, and coordinate with other bodies like UNICEF to build awareness.230

Another solution to prevent statelessness is law reformation that addresses the gaps in citizenship laws. Delegates should consider how discriminatory citizenship laws can lead to intergenerational statelessness, and how one state’s laws may conflict with other relevant legislation that could cause statelessness. It is also important to determine under what circumstances an individual can lose their nationality, including failing to perform military service, marrying a foreigner, or committing a crime.231

Discrimination in Citizenship Laws

While discrimination in citizenship laws are reflective of the societal norms that are difficult to change, there are still measures that can be taken to promote the reformation of citizenship laws. Such reformation would be particularly pertinent to states that are not purposely discriminatory. It is important for laws to be improved in order to prevent statelessness from being passed down or occurring in the younger generation. The committee can consider providing technical advice for reforming nationality laws, and work with bodies like the United Nations Entity for Gender Equality and the Empowerment of Women to advocate for equal gender rights.232 Additionally, countries with inclusive laws can help lead others to improve their own legislation by using their own laws as an example.

Raising Awareness

Acknowledging the successes of UNHCR’s #iBelong campaign, raising awareness can not only inform the public about the issue of statelessness, but also empower stateless groups and individuals to reach out for help to legal bodies. Possible ways to raise awareness include using social media, creating advertisements, or promoting the #StatelessnessINDEX—an assessment for countries in Europe to determine whether they are effectively reducing statelessness—to provide legal training and support to specialists. Programmes could also be implemented to offer legal assistance to stateless persons, as done in Moldova.233 In Moldova, the Law Center of Advocates (LCA), a public association, plans to use the #StatelessnessINDEX to better understand the scope of statelessness; the programme visits residence centres in the Republic of Moldova to better document stateless individuals, and provide information to stateless individuals about their options in attaining a nationality.234 Such programmes can better mobilize stateless persons to seek help from governments or third-party organizations in order to gain rightful nationality.

231 Ibid.
232 Ibid.
234 Ibid.
Bloc Positions

North America

As with numerous other countries, nations within North America, such as the United States and Canada, lack statistics pertaining to statelessness. The number of reported stateless persons within North America is significantly lower than that of developing countries, but are of concern nonetheless; the UNHCR reports that there are at least several hundred stateless people in North America, but it is speculated that that number is much higher. In regard to the United States, the country has not signed either the Convention on Statelessness of 1954 or 1961 as it conflicts with their tradition of American citizens voluntarily renouncing citizenship. The United States has legal safeguards to prevent citizens from becoming stateless, but because the United States does not have a legal framework for recognizing stateless individuals, stateless groups are treated as non-American citizens.

Canada, however, has ratified the Convention on the Reduction of Statelessness of 1961, and follows the provisions under that Convention. Canada has not signed the Convention of 1954 because it sees no reason to sign both Conventions, and because they believe they already contain all necessary safeguards to address the situation of stateless individuals. The country has been effective in helping stateless persons within their borders obtain citizenship and have access to the necessary rights and opportunities.

European Union

Statelessness is still a significant problem inside the European Union (EU). Two member states, Latvia and Estonia, are home to stateless populations that are among the largest in the world. Other countries house thousands of stateless individuals, excluding those which are unreported. There are gaps in nationality regulations that can leave people stateless, and other shortcomings in regard to identification and protection of stateless persons in relation to migration. In response to these problems, the EU has placed greater emphasis on the EU Action Plan on Human Rights and Democracy, which states that one of its objectives is to “[achieve] greater policy coherence” by addressing “issues of coherence and consistency between the EU’s external and internal human rights policy.” Simply put, European states are focused on modifying national laws and policies to be consistent with those under international law. This prevents possible loopholes that lead to statelessness or bar individuals from the rights they are entitled to on the basis of citizenship.

The EU has also employed conventions and strategic plans—from the European Convention on Nationality of 1997 to the EU Global Approach on Migration and Mobility—in order to combat statelessness. The EU has also indirectly participated in improving different aspects of statelessness, by supporting children’s rights programmes, raising awareness to prevent statelessness, promoting birth registration, supporting the UNHCR,

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236 Ibid.
238 Ibid.
239 Ibid.
and more. Nonetheless, despite these seemingly pioneering efforts, Europe is not united in its fight against statelessness; because of conflicting national laws from countries including Cyprus, Estonia, and Poland, not all member states of the EU have signed and ratified the Conventions of 1954 and 1961.

**Africa**

Because of a lack of administrative infrastructure, statelessness is largely undocumented in the African continent. However, it is worth noting that many African states have made steps towards addressing statelessness. For example, the African Human Rights system has developed its positions on the right to nationality, and the Abidjan Declaration by the Heads of State of the Economic Community of West African States illustrates the continent’s urge to mitigate statelessness.

Even so, Africa still has many shortcomings in regards to discriminatory citizenship laws and a lack of nationality laws. One particular example is the Shona in Kenya, who are an ethnic group that have lived in the country for more than 50 years, yet are still not recognized as nationals. In addition, nine African states still discriminate against women and their ability to confer their nationality to their children. Nationality laws are not designed to accommodate displaced individuals, such as refugees, which results in the loss of citizenship status for many individuals fleeing various conflicts on the African continent. It is estimated that at least one million people in Africa are stateless, although the actual number is thought to be much higher.

**Middle East**

The Middle East has many large stateless populations, such as stateless Kurds in Syria. Even so, the Middle East has demonstrated commitment in combating statelessness by ratifying various human rights conventions and documents. One issue that has majorly caused statelessness in the region is the citizenship issues that arise with state succession. After falling under multiple different rules and being subject to great instability, Middle Eastern countries—such as Saudi Arabia, Lebanon, and Jordan—have failed to prioritize the acquisition of citizenship for its stateless citizens. Gender discriminatory citizenship laws have also caused statelessness in the Middle East, as women are unable to pass down their nationality to their children. In Lebanon, around 18,000 women are married to someone of non-Lebanese descent; thus, their children are at a greater risk of statelessness because of the inability for their mothers to confer their nationality. Finally, another problem has emerged in the

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240 Ibid.
241 Ibid.
244 Ibid.
245 Ibid.
246 Ibid.
248 Ibid.
context of migratory movements in the region. For instance, children born in nomadic, migrant, or displaced communities risk statelessness as birth registration is less common in such communities.249

Most of the countries in the Middle East lack special determination procedures or status for stateless individuals. Thus, stateless people are treated as non-nationals, so it is difficult for stateless individuals to obtain residence permits and travel documents. As a result of a lack of these documents, many stateless people are harshly subjected to detention, expulsion from the country, and the inability to return to their place of residence.250 Nonetheless, some Middle Eastern countries have policies that support stateless individuals; in the UAE and Qatar, policies grant residence rights and citizenship privileges for children whose mothers hold citizenship.251

Central and Southeast Asia

While statelessness is a pressing issue worldwide, Asia is home to many of the largest cases of widespread statelessness, including the Rohingya. Discriminatory laws and practices on gender, race, and religion are common in many Asian countries, which largely contribute to the stateless experience in the continent. Asia has the largest number of stateless people in the world; nonetheless, these numbers do not include stateless people in the two most populated countries in the world, as the UNHCR has no records on stateless persons in India or China.252 It is too ideal to say that Asian countries like Myanmar are willing to shift their discriminatory policies to mitigate statelessness, seeing as historically-rooted cultural, religious, social, and gender norms have taken hold of many Asian states. It is important for these countries to reassess their policies and their efforts in combating statelessness, as current reports show that Asia has not successfully addressed the issue.

Discussion Questions

1. What are the social and economic consequences of statelessness for host countries? Is this sufficient motive for your country to further efforts to combat statelessness?

2. What measures could be taken to detect and assist stateless individuals in countries that are less economically and administratively able to handle issues with citizenship?

3. How may countries with discriminatory policies move towards ending statelessness?

4. How could current regulations be improved or better enforced to protect and further the rights of stateless individuals?

5. How can NGOs and third-party organizations assist state governments in combating statelessness?

6. How can governments strengthen or modify border screenings and governmental institutions to better assist stateless individuals?

249 Ibid.
250 Ibid.
251 Ibid.
Additional Resources

The Problem of Statelessness — Consolidated Report by the Secretary-General:

The 1954 Convention relating to the Status of Stateless Persons:

The 1961 Convention on the Reduction of Statelessness:
Bibliography


“Statelessness Index.” *Statelessness Index.* https://index.statelessness.eu/.


