

**Oasis International School Model United Nations**

United Nations Office on Drugs and Crime

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**Topic 1:** Addressing the issue of migrant smuggling and human trafficking in the Middle East and North Africa region

14th Annual OISMUN Conference

November 2021

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## **ABSTRACT**

Organized crime is a continuing crime of highly centralized enterprises that profit from illicit activities, they are constantly increasing through the corruption of public officials and the use of force to maintain protection of their criminal operations, such organizations engage in offenses spanning several countries. Recently, organized crimes have grown more complex, mainly because criminals have transformed their operations by broadening their reach and making it difficult for law enforcement to combat the threat they pose to society.

Migrant smuggling and human trafficking are one of the activities under organized crimes, they have greatly increased over the past few years, mainly uplifting in the the Middle East and North Africa region.

Human trafficking, also known as “modern-day slavery” is the illegal trade of human beings through force, fraud and coercion for labor purposes and sexual expolitation.Traffickers exploit others for their own profit by ensnaring victims into forced labor and luring them using manipulation. The following crime deprives victims of their freedom as well as their basic human rights,since victims are forced to perform activities under slavery-like conditions.

While migrant smuggling is sometimes linked to human trafficking, it’s a seperate crime that takes place across borders. Smugglers assist migrants to illegally enter or stay in a country where they are not a resident, for financial or material gain. Smugglers therefore create a business out of migrant needs by facilitating their illegal activities.Many migrants die at sea or at land due to the lack of provisions and can even suffocate since they spend days inside a container. Those who manage to make it into other countires risk being exploited and abused by human traffickers. The crime is constantly increasing due to the lack of migrant’s legal documents and difficulty entering a country.

## **INTRODUCTION**

Traffickers use many illegal methods to control their victims such as blackmail, abuse, violence, illegal removal of official documents and emotional manipulation. They often use fraudulent employment agencies, fake promises of education and job opportunities to trick and coerce their victims”[[1]](#footnote-0). Furthermore, this organized crime is in third place of international exchange to the point where its profit reached 10 billion dollars.[[2]](#footnote-1)

The process of human trafficking consists of three elements: the act, the means, and the purpose. The act is that the trafficker must recruit, transport, harbor, or recieve people, the means is the method used, and the purpose is for exploitation[[3]](#footnote-2).

One of the major causes behind human trafficking is due to the fact that victims of human trafficking usually live in extremely difficult conditions, in countries where they suffer violence and poverty, which causes them to develop severe psychological trauma. These socioeconomic factors create situations where victims are desperate for better living conditions, and are therefore willing to be illegally trafficked or concerningly place their children in situations where they will most likely get trafficked. In addition, victims involved are difficult to identify since they are well hidden and/or highly traumatized. Therefore these victims are unlikely to divulge information about the crime to those investigating it in fear of confronting law enforcement. The need for cheap labor and the profit of $150 billion annually generated by human trafficking are also few of the reasons that make human trafficking substantial.

As for migrant smuggling, it is a crime with a low risk of punishment and high reward for the criminals involved. In other words, migrants give their consent to the smugglers, making it difficult to be considered as victims in absolute terms, and smugglers are barely held accountable despite the hazardous situations they may put the migrants in. Migrants often turn into victims of other severe crimes during the smuggling process, violence and exploitation are widespread traits of smuggling.

The main root behind this highly profitable business traces back to smugglers, who seize the opportunity created by the need or desire to escape poverty, natural disasters, conflicts, or are seeking employment opportunities or education elsewhere. [[4]](#footnote-3) In this context, migrants are vulnerable to the promises of smugglers offering them safety during the migration process. Illegal migrants face harsh conditions on their journey, with no guarantee that they will make it to their destination.

## **KEY TERMS**

**Organized crime:**  A continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or force to protect its operations.

**Migrant smuggling:** the facilitation, for financial or other material gain, of irregular entry into a country where the migrant is not a national or resident. The criminals behind this highly profitable business seize the opportunity created by the need or desire of people to escape not just poverty and lack of employment opportunities but also natural disaster, conflict or persecution.

**Migrant**: A person who moves from one place to another, especially in order to find work or better living conditions.

**Smuggling:** consists of selling illegal and menacing services to people in other countries. Smugglers are usually individuals that are part of a well-organized, multinational network of criminals.

**Human trafficking:** The recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit. Men, women and children of all ages and from all backgrounds can become victims of this crime, which occurs in every region of the world.

**Forced labor:** Work that is performed involuntarily and under the menace of any penalty.

**Exploitation**: the action or fact of treating someone unfairly in order to benefit from their work.

## **BACKGROUND INFORMATION**

 Data on human trafficking is difficult to obtain because of it's discreet nature and it's inaccurate and misleading info. In the Middle East and North Africa (MENA) region, there are several countries that do not recognize several forms of human trafficking as human trafficking such as domestic servitude and forced marriage, this issue is due to the fact that they are performed in a domiciliary private environment as seemingly normal practice. Consequently, many victims are left unprotected and prone to abduction and exploitation. Moreover, victims of human trafficking are viewed as illegal immigrants and are then punished.

Today, human trafficking is one of the major issues of the MENA region. As a large number of migrants, mainly from sub-saharan Africa and Asia are led to leaving their hometowns and going to the Middle-East, only to find themselves executing forced labor or jobs with an extremely low wage, they find worse living conditions and experience mental health issues later on.

In fact, human trafficking and migrant smuggling remain muliti-dimesnional threats that cause global health risk. They have devastating outcomes on the victims who suffer psychological trauma, theft and severe abuse. The impact even goes beyond individuals since it undermines the safety and the security of the countries in reference.

Economically, human trafficking is responsible for a great loss every year, "The cost of trafficking in human beings is borne by the public because the crime persists. These are the cost of extra public services, diverted and thereby lost economic output, and the value of the lost quality of life. Without trafficking these extra services would not be needed, economic output would not be diverted, and the quality of life would be higher. Trafficking is a drain on the resources of everyone, except the traffickers who extract great profits from this criminal exploitation."[[5]](#footnote-4). The illegal profits gained from migrant smuggling and trafficking are earned at the expense of states and their individuals. On a social scale, migrants whose human rights are violated are not able to contribute to society to their full potential.

As stated by the Trafficking in Persons report (TIP report) [[6]](#footnote-5), human trafficking crimes are prevalent in countries like Kuwait, Oman, Qatar, the United Arab Emirates, Saudi Arabia, Algeria, and South Sudan. Unfortunately, because of the low wages, workers find themselves unable to pay their debts which accumulates to a high cost of living and travelling.

 According to UNODC’s 2020 Global Report on Trafficking in Persons,”the detected victims in North Africa and the Middle East showed that sexual exploitation, forced labor and exploitative begging have equivalent shares (nearly 30 percent each) amongst the different forms of exploitation” [[7]](#footnote-6), and out of the North African victims, a considerable proportion of 31% are children.

In compliance with international reports, Egypt managed to set an example by making significant efforts to fight this crime, more specifically, they inaugurated a shelter for female and child trafficking victims. They also managed to increase prosecutions, train officials and raise awareness to the public. With the help of UNODC, and the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons in Egypt (NCCPIM&TIP), they managed to organize the first workshop to combat human trafficking as well as migrant smuggling in the MENA region[[8]](#footnote-7).

In addition, the The National Council for Human Rights (NCHR) launched a confidential and multilingual hotline specifically for human trafficking. The Hotline staff are trained to listen to human trafficking survivors, provide an immediate safety plan for those in a crisis and/or facilitate reporting to specialized human trafficking task forces, they may receive calls from victims or reports from witnesses of the particualr crime.”. The National Human Trafficking Hotline is funded by the U.S. Department of Health and Human Services (HHS) and is operated by Polaris, a Washington, D.C.-based non governmental organization.”[[9]](#footnote-8)

On a separate note, migrant smuggling is usually tied to trafficking purposes, but it also has its own protocols for its prevention, such as the Protocol against the Smuggling of Migrants by Land, Sea and Air.

IOM’s Missing Migrants Project (MMP) is a data source that delivers information regarding migrant smuggling, it principally collects evidence and data on migrants and disappearances and deaths on a global note, they are often linked to trafficking as well. They successfully recorded 2,828 migrant fatalities worldwide in 2021, including 1,578 located in the MENA region.

 There are organizations that are proposing solutions to the issue, for instance; the International Labor Organization, who try to warn migrants of fraudulent schemes that promise people work and transportation to another state, and Interpol Organization, who have created a special training course for officers across the MENA region specifically to aid victims of human trafficking. However, as information on human trafficking is scarce, these efforts are not enough to solve the problem.

## **MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED**

* 1. *Major countries involved*
* **The Islamic Republic of Iran:**

Being under the third tier in the annual Trafficking in Persons (TIP) report by the U.S. State Department's Office to Monitor and Combat Trafficking in Persons, The Islamic Republic of Iran’s government has not met the minimum requirements to eliminate human trafficking and since 2011. Women and children are trafficked to European countries. In fact, according to IKR press reports,in the year 2018 around 2000 woman from Iran entered the Iraqi Kurdistan region, where many of whom turned out to be victims of sex trafficking. The Iranian State Welfare Organization assists victims of trafficking through particular social emergency centres that provide counselling and health care services, they also operate temporary shelters for disturbed women and young runaway girls.

* **The State of Libya:**

The State of Libya is a destination and transit country for men and women from sub-saharan Africa and Asia who are trafficked for forced labor or sexual exploitation with an estimate that one to two percent of Libya’s 2 million foreigners may be victims of trafficking. It is placed in the tier two watchlist in the TIP report for its failure to provide evidence of its efforts. In recent years, the UN as well as governments have begun to acknowledge the human rights violations as well as the Libyans’ failure to address the issue. The program of” “Dismantling human trafficking and migrant criminal networks in North Africa” is supposedly contributing to the efforts of dismantling criminal networks engaging with human trafficking and migrant smuggling in Libya.

* **The People’s Democratic Republic of Algeria:**

Algeria is also a transit and destination country for human trafficking and migrant smuggling. Sub-saharan men and women migrate there voluntarily, but illegally with the assistance of smugglers. Men may be forced into unskilled labor and women into prostitution to repay smuggling debts. Criminal networks facilitate the illegal migration process by arranging transportation, forging documents and promising employment. It has been placed in the tier two watchlist in 2017 in the TIP report as the government is making efforts to combat the issue, but none are really combating trafficking. However, the National anti-TIP Committee of Algeria took part in a partnership with UNODC, organizing a specialized training workshop on countering human trafficking for purposes of labor exploitation, participants of the workshop discussed indicators that help identify human trafficking cases and the crucial role of labor inspectors in ending human trafficking.

* **The Kingdom of Saudi Arabia:**

The Kingdom of Saudi Arabia is a tier 2 watchlist country according to the TIP report, as it does not fully comply with the standard of combatting human trafficking, it is doing significant efforts to do so. It is a destination of men and women from South-East Asia and East Asia that are trafficked for the purpose of exploitation. Some fall into conditions of involuntary servitude and suffer mental and physical abuse.

With the help of UNODC and The International Organization for Migration (IOM), the Kingdom of Saudi Arabia’s National Committee to Combat Human Trafficking (NCCHT) is supposedly launching a National Refferal Mechanism (NRM). With an estimate of 13 million foreign workers, this co-operative framework highlights practices for handling cases of human trafficking and protecting victims or potential victims of this crime in Saudi Arabia.

* 1. *Major Organizations involved*
* **International Organization for Migration (IOM)**

The International Organization for Migration is an intergovernmental organization,it provides services and gives advice that concerns migration to migrants and governments as well. This organization aids internally displaced people, migrant workers and refugees. In September 2016, IOM became a related organization of the United Nations. IOM was established 6 December 1951 to help resettle those displaced during World War II (estimated 11 million people). Their stated mission is to “ promote humane and orderly migration by providing services and advice to governments and migrants.” As of 2021, IOM has 173 member states and 9 observer states.

With regard to the issue of migrant smuggling, IOM’s comprehensive approach to the issue is based on direct assistance to the migrants in need; “1- Provide protection and assistance to the smuggled migrants, 2- Address the causes of migrant smuggling, 3- Enhance states’ capacity to disrupt activities of migrant smugglers, 4- Promote research and data collection on migrant smuggling”[[10]](#footnote-9)

By the end of 2020, , IOM supported “over 27 States in conducting resettlement, humanitarian admissions and relocation for a total of 40,536 refugees and other persons in situations of vulnerability, with significant operations out of Afghanistan, Greece, Jordan, Lebanon and Turkey.” [[11]](#footnote-10)In 2020, the organization also managed to return 107,212 stranded migrants to their home countries, most of whom were displaced due to COVID-19.

* **The International Criminal Police Organization (Interpol)**

 Interpol is an intergovernmental organization that helps the police force in 194 member countries ensure safety and security, and they focus on counter-terrorism, organized crime, and cybercrime. They do this by sharing data and information on crimes and criminals, and offer a range of technical and operational support. Regarding the issue of migrant smuggling and human trafficking, they conduct operations to dismantle the criminal networks behind migrant smuggling, specialized training for frontline officers, and offer support for complex international cases. Its governing body is the General Assembly. Operations include Operation Sawiyan in 2018, which rescued 94 sudanese victims, including 85 minors, which were rescued from illegal migration and exploitation, and Operation Libertad in 2018, where nearly 350 victims were saved from sexual exploitation and forced labor in the Americas.

## **UN INVOLVEMENT**

 The UN has long recognized the issue of migrant smuggling and human trafficking. In fact, “Take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labor” is target 8.7 of the Sustainable Development Goals (SDGs) adopted by the United Nations. As for migrant smuggling, target 8.8 promotes safety and security for migrants along with target 10.7 that states “Facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies” . In addition, the Global Compact for Safe, Orderly and Regular Migration aims to improve international cooperation on migration and strengthen the contributions of migration to sustainable development.

 In 2000, the United Nations launched the Protocol to Prevent, Suppress and Punish Trafficking in Person, signed by 178 countries, this protocol accustomed a victim-centered approach to human trafficking. It also offers practical help by creating national anti-trafficking strategies and protecting victims of trafficking.

 UNODC was established in 1997 to assist the UN with the aims of addressing issues of” the interrelated issues of illicit trafficking in and abuse of drugs, crime prevention and criminal justice, international terrorism, and political corruption. The office aims long-term to better equip governments to handle drug, crime, terrorism, and corruption-related issues”[[12]](#footnote-11) ,and to maximise the knowledge and awareness of these particular topics.

UNODC launched the Knowledge Management Portal on Migrant Smuggling in May 2017 in order to disseminate information regarding the execution of the UN Convention against Transnational Organized Crime. The Portal provides three databases on Migrant Smuggling; case law, legislation,and a bibliographic database. These can be searched using different criterias while providing access to sources on migrants smuggling.

UNODC is also the permanent coordinator of ICAT,the Inter-Agency Coordination Group against Trafficking in Persons, which is a forum that facilitates coordination among UN agencies and international organizations in order to combat human trafficking. Furthermore, UNODC also takes part in a four year €12 million joint initiative with the European Union, also known as *The Global Action against Trafficking in Persons and the Smuggling of Migrants - Asia and the Middle East.* Their main objective is comprehensively implementing national and international responses and aids to migrant smuggling and human trafficking.

The United Nations have also created a program called “Dismantling human trafficking and migrant criminal networks in North Africa” to aid countries like Libya, Egypt, Tunisia, and Morocco. This program helps the mentioned countries” 1- Improve the detection and interception capacities of front line officers and agencies 2- Streghten the capacities of first responders to identify and investigate cases of migrant smuggling and human trafficking 3-Build the skills and knowledge of law enforcement agencies that will allow for the effective and rapid dismantling of criminal networks, 4-Strengthening the skills of criminal justice practitioners in cases of migrant smuggling and human trafficking, with an emphasis on regional and international cooperation.”[[13]](#footnote-12). The program contributes to the efforts of dismantling criminal networks engaging with human trafficking and migrant smuggling, while upholding the rights of asylum seekers, refugees and migrants behind the two organized crimes.In addition, during a speech to the United Nations General Assembly, President Bush raised the issue of human trafficking and asked leaders of the world to work together to end it.

## **POSSIBLE SOLUTIONS**

* Support programs and conferences to tackle migrant smuggling and human trafficking
* Labor inspectors and service workers to identify human trafficking victims and enviroments
* Effective investigation processes in the suspected areas
* Multilingual hotlines for reporting cases or reaching task forced to act upon the crisis
* Enhanced searching techniques and practical documentation for traffickers and smugglers

## **GUIDING QUESTIONS**

1. Is your country facing human trafficking or migrant smuggling ? What is your country doing about it?
2. What measures can be taken to prevent migrant smuggling from happening in the first place ?
3. How can we help and integrate victims of human trafficking and migrant in the society?
4. What can you do to help tackle organized crimes?
5. Does migrant smuggling have an effect on their victims? If so, what can we do to help?

## **USEFUL LINKS**

* “Human Trafficking and Migrant Smuggling”: <https://www.unodc.org/unodc/en/human-trafficking/index.html>.
* ‌“Middle East North Africa”: <https://www.unodc.org/documents/human-trafficking/Country_profiles/Middle_East_North_Africa.pdf>.
* ‌“Dismantling Human Trafficking & Migrant Smuggling Criminal Networks in North Africa”:<https://www.unodc.org/documents/middleeastandnorthafrica/2020/EUTF/UNODC_ROMENA_-_Dismantling_human_trafficking_and_migrant_smuggling_criminal_networks_in_North_Africa.pdf>.
* “Human Trafficking and Migrant Smuggling”: <https://www.unodc.org/e4j/en/secondary/human-trafficking-and-migrant-smuggling.html>.
* “How Should Migrant Smuggling Be Confronted? Migration research leaders syndicate in support of the global compact on migration”: <https://publications.iom.int/system/files/pdf/how_should_migrant.pdf>.

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