

Forum: Congress on Crime Prevention and Criminal Justice (CCPCJ)

Issue #18-01: Addressing trafficking through border controls.

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Guiding Questions as you Read

1. Why is human trafficking a risk if there are not strict border control laws?
2. How can countries filter and control the trafficking of drugs through maritime and land borders?
3. To what extent should there be leniency when it comes to refugees trafficking through borders? How does your delegation manage this issue?

Introduction



We live in a world where extremes are common, especially with issues like trafficking and border controls. Nations do their best to eradicate or control this issue, but to what extent can they filter and administrate trafficking? Border control is a very controversial issue that most countries face. Even though strict laws and regulations are applied in every country, they always face issues of illegal trafficking of either humans or material objects through land and maritime borders. Some examples of this are drugs, **human trafficking** and **illegal immigration**.

Human trafficking is defined as the trade of humans in exchange for forced labor, sexual slavery, or sexual exploitation either for the the trafficker or other parties, according to the United Nations Office on Drugs and Crime (UNODC). Illegal migrant smuggling is the criminal profit-seeking practice of smuggling a person into a country border (without documentation) in exchange for financial or material benefits. (UNODC). Drug trafficking is the global illicit trade involving the manufacture, distribution and sale of drugs prohibited by the law. These issues are extremely severe and should be controlled. Nevertheless, criminals use border controls as an easy access to break the law and traffick.

Border controls are the measures followed by a country to protect the entry and exit of humans and goods through its borders. These are adopted to fight illegal activities such as terrorism, migrant smuggling, and/or trafficking. However, institutions that run borders often lack staff and funding, thus, criminal organizations, as well as regular people (mostly refugees) take advantage of this, smuggling goods or people across the border. According to the US Custom and Border Protection Agency, in 2018 there was a “47 percent increase in family units deemed inadmissible and apprehended along the Southwest Border” (CBP). Most of these people were from Central American countries who were trying to cross the border illegally and enter the United States. Since border control security has increased through the years, migrants are resorting to smugglers, who are paid profitable amounts of money in return for fraudulent documents and helping smuggle these people into countries illegally. These smugglers, just like illegal traffickers’

Definition of Key Terms

Migrant Smuggling: The importation of people into a country via the deliberate evasion of immigration laws. This includes bringing illegal immigrants into a country, as well as the unlawful transportation and harboring of people already in a country illegally. Immigration and Customs Enforcement (ICE)

Human Trafficking: The trade of humans for illegal purposes and exploitation.

Sex Trafficking: Branch of human trafficking where victims are forced into sexual slavery and/or forced to commit commercial sex acts.

Forced Labor: Labor trafficking is a form of modern-day slavery in which individuals perform work or services through the use of force, fraud, or intimidation. Labor trafficking includes situations of debt bondage, or forced jobs on adults or children. These types of traffickers use violence, threats, lies, and other forms of coercion to force people to work against their will in many industries. (NHTH)

Drug Trafficking: The illegal practice of growing, producing, distributing and selling substances subject to drug prohibition laws. (UNODC)

Current Situation

Human Trafficking Through Borders

Human trafficking is a crime and a violation of the victim's **human rights**, as it is done through coercion and often leads to commercial exploitation. Authorities in the border are known as "first responders" as they have the duty and initial control to stop crime organizations from trafficking or smuggling victims in and out of the country. Most of these victims are conformed of women and children, but throughout the years, regardless of upgrades in security, this number has increased. (Democratic Control of Armed Forces DCAF). There are many reasons that motivate human trafficking. Some include sexual exploitation (these include pornography, prostitution or any other sexual favor) and forced labor, and they apply to both adults and children.

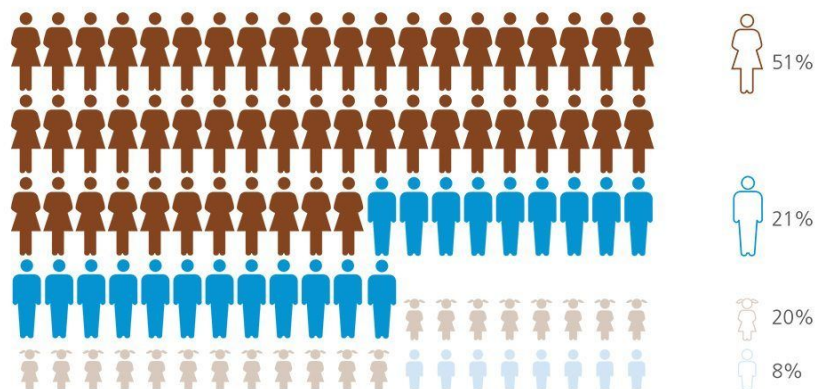
It is very hard to spot victims of this crime because they are usually threatened because of money, family or law restrictions to eventually get caught up in the web of human trafficking (UNODC). Forced labor can be seen in different angles, as people are used for fabrication, slavery and domestic work. This happens all around the world but is common in countries like the Philippines, since it is considered a source country, where a lot of labor is needed. Source countries are those where the trafficking originates from (people are taken from the country to another place).

21 million people victims of forced labour



This is why big companies and factories exploit adults and children for manufacturing, fishing and agriculture taking advantage of low social class of these individuals, according to the International Labor Organization.

Trafficking victims can be women, men, boys and girls



Source: UNODC elaboration of national data.

Migrant Smuggling

This issue has risen through the years since security measures in land, air and maritime borders have increased. Smugglers are using these circumstances to manipulate migrants into paying high fees for entrance into a new country. Certain measures must be taken in order to smuggle these migrants in that specific country, making the smugglers go to extremes; from falsifying documents, smuggling them through cargo, to sending them at sea with the risk of drowning, risking the migrants life just to have money in exchange. Most of the time, smugglers take advantage of the large amount of migrants fighting for a better quality of life to manipulate them (UNODC).

Drug Trafficking

As previously stated, this is a severe issue, as the illegal trafficking of these narcotics through any type of border is contributing to the world-wide drug epidemic. Crime organizations use humans or other resources to smuggle these drugs in through hidden compartments. Some of the most common routes to smuggle opioids like Heroin are The Balkan and Northern routes.

Other routes include the southern route and the northern route. The southern route facilitates the transport of drugs Central Asia and Africa, while the northern route facilitates the transport of these drugs to the Russian Federation. Then, they go towards Europe to the Western side of the world making the complete Balkan Route (these go through Iran, Turkey and all of Europe). This is an estimated market of 13 billion USD, making it the most important heroin route in the world (UNODC).

Comprehension Question: To what extent can the trafficking crisis around the world be better managed by the border controls of each nation to ensure the safety of all individuals?

Major Parties Involved and Their Views

India

India stands as the country with the highest rate of human trafficking, mostly in the form of sex trafficking. The number of cases was exponentially increasing through the years due to the fact that not even half of the cases are investigated by the authorities. Nevertheless, according to the U.S Department of State, India has recently made significant efforts to meet the minimum standards for the elimination of trafficking. Some of the efforts include further investigation into cases that involve official complaints or reports, convicting traffickers, and making efforts to raise awareness on the issue.

China

China has been identified as one of the countries with the highest rate of human trafficking in the world as well. According to the Borgen Project, the issue of human trafficking affects 236 million people in China, and the issue has expanded so much that to all continents Chinese trafficking victims are spread all over the world. Many individuals are brought into China with false promises of work, and are later sold into human trafficking organizations. The country has only started to take action on the issue after it was brought to light internationally, however, efforts still remain minimal.

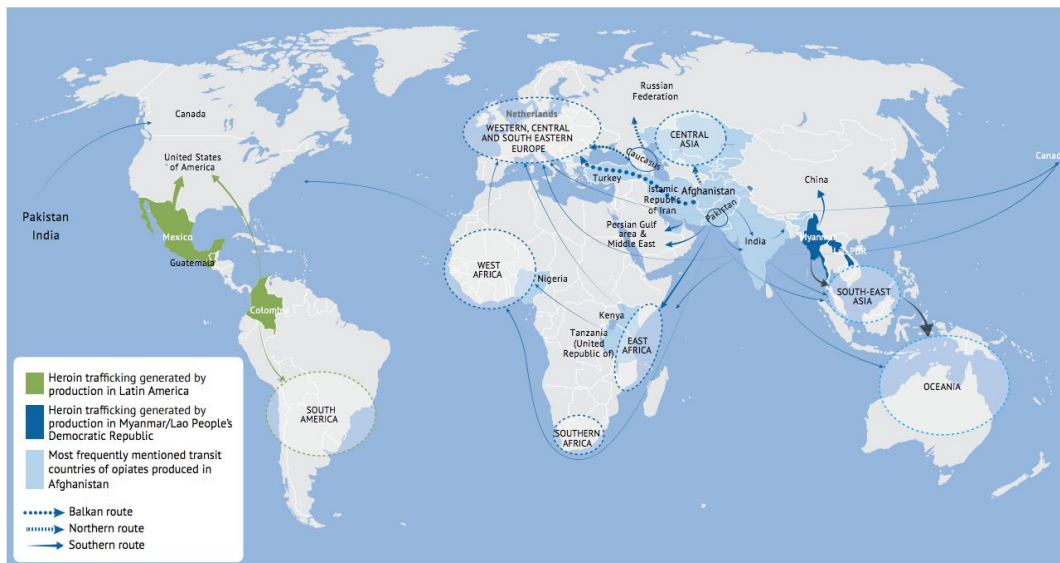
Colombia

According to figures from the UNODC, 171,000 hectares were being used for coca cultivation in Colombia in 2017, making the country one of the biggest suppliers of cocaine in the world. Once it is produced it is trafficked through the borders by local dealers and guerrillas through small boats and cargo, so that when they pass border security, officials can be bribed or intimidated. Once they pass the border, drug cartels from Mexico, Central America and Venezuela help smuggle these internationally.

Afghanistan

Afghanistan is considered to not only be the major opium producer in the world but the world's leading producer of cannabis, leading to high rates of illegal drug trade.

According to the 2018 UNODC Afghan Opiate Trafficking Report, in 2017 “the total area under opium poppy cultivation in Afghanistan was estimated at 328,000 hectares.” These products are illegally transported to the European Union through the “Balkan Route” through Turkey, and the “northern route” which travels through Central Asia and into Russia. The map below gives an insight on the main opiate flows in the world.



Source: *UNODC World Drug Report 2017* (Vienna, 2017)

United States

The border between Mexico and the United States is a major zone where migrant smuggling often occurs as people from Latin America are in the search of a better life in the United States. Individuals are smuggled into the US in various ways, including by truck, foot, trail, or remote tunnel. . It is hard to estimate or know the exact number percentage of migrants who are smuggled into the country every year. Nevertheless, unsuccessful cases lead many deaths in the border due to starvation, jeopardization of routes, or conditions at the border.

European Union (EU)

Lack of economic opportunities and the political instability of African countries has made the European Union a common area for African migrants. Many of these individuals are smuggled to Europe though sea, which has increased the rate of deaths, as unfortunately many die on their way. Nevertheless, there are many

successful cases as well, but as previously stated it is hard for the authorities to have the exact number of these. For this reason, the European Union has taken actions including the implementation of sanctions on anyone who intentionally assists other individuals to enter the EU illegally.

One aspect that has made this issue very controversial is the Syrian refugee crisis which is causing a wave of immigration to most EU countries seeking for safety. The EU has received about 6.2 million Syrians fleeing the crisis as the EU has mobilised €17 billion in the EU and neighboring countries to facilitate these refugees. Nevertheless, the EU has been unable to allocate all refugees and provide stay in their countries because of the quantity and size of the crisis.

Timeline of Events

Date	Description of event
July 1997	The United Nations Office on Drugs and Crime (UNODC) was established with the purpose of combating crimes such as drug trafficking, human trafficking, and migrant smuggling.
May 2002	The Office of the High Commissioner for Human Rights launched the “Recommended Principles and Guidelines on Human Rights and Human Trafficking” to help nations tackle the issue
December 2011	UN General Assembly adopts resolution A/RES/66/183 on “International cooperation against the world drug problem,” which encourages all nations to take actions towards the issue through solutions such as, but not limited to: placing sanctions, investing money from the nation on combating the issue, and increasing cooperation between border and nations, through the sharing of information and more.
January 2013	The EU implements an action plan called “EU Drugs Strategy 2013-2020” which aims to combat the issue by supply reduction, improved coordination, international cooperation and information sharing, monitoring, research and evaluation.

October 2013	Operation Lionfish is first launched in Latin America by the INTERPOL with the purpose of targeting drug trafficking through air, land and sea. It has ever since expanded to other regions in the world.
May 2015	The European Union launched “EUNAVFOR MED Operation Sophia” to break the cruel business model of migrant smugglers and human traffickers.
February 2016	The European Migrant Smuggling Centre was established to support EU Member States in targeting criminal networks involved in migrant smuggling and document fraud.
January 2017	Donald Trump becomes acting president of the United States, leading to more policies to combat the issue of migrants at the US-Mexico border, and increased the security around it to prevent migrant smuggling.
September 2017	In the 72nd meeting of the General Assembly, speakers urges all countries to act on the issue of human trafficking especially those involving children, resulting in resolutions to expand current efforts.
August 2018	Operation Sawiyan was launched by the INTERPOL to rescue victims of human trafficking in Sudan. In the same token, Operation Libertad to launched to do the same but in the Americas.

Past International Action

The United Nations has been constantly finding ways to prevent the further expansion of human trafficking, to avoid illegal drug trade, and protect individuals from migrant smuggling. These issues have increased over the past decades, violating human rights and jeopardizing the well-being of not only adults but children as well. For this reason, the UN has also asked nations to contribute to solutions proposed that aim to reduce the risks that these issues have caused.

UNITED NATIONS GLOBAL INITIATIVE TO FIGHT HUMAN TRAFFICKING (UN.GIFT)

This was founded by the International Labour Organization (ILO), United Nations

International Children Emergency Fund (UNICEF), International Organization of Migration (IMO), and other UN bodies. This initiative was established by resolution A/RES/61/180 which aims to improve the coordination of efforts against trafficking in persons by establishing programs that work in partnership with state and non-state actors. Their mission states that “the UN.GIFT (United Nations Global Initiative Fighting Human Trafficking) will increase the knowledge and awareness on human trafficking; promote effective rights-based responses; build capacity of state and non-state actors; and foster partnerships for joint action against human trafficking.”

RESOLUTION A/RES/73/192

This was adopted by the General Assembly on December 17th, 2018, and was titled “International cooperation to address and counter the world drug problem.” This resolution aims to combat the issue of illegal drug trade through measures such as, but not limited to: calling nations to attain the goals set in the “Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,” adopted in 2009, promoting social integration, and asking nations to work in partnership with the UNODC, the WHO, and the International Narcotics Control Board.

PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA, AND AIR

This protocol was adopted by the General Assembly resolution 55/25, and such plan came into force on January 28th, 2004. This initiative was a major achievement as for the first time a definition on migrant smuggling was agreed upon internationally. Moreover, it aims to combat the issue by promoting cooperation between nations, the protection of the rights of smuggled migrants, and last but not least, preventing the worst forms of their exploitation which is often a major consequence of the smuggling process.

Possible Solutions

Unfortunately, the rates of human trafficking continue to grow, and experts have agreed on the fact that a nation's government alone cannot solve this issue. Therefore it is the job of the UN and its bodies to combat the issue in partnership with state and non-state actors. Many individuals get involved in these situations due to false promising job opportunities, as a result of the lack of education that they were given throughout their lives. Therefore, educating individuals is imperative in the process of combating this issue, as education makes humans less vulnerable in situations that may involve trafficking, making them more aware of their surroundings in order to avoid the growing case numbers of human trafficking. In addition, more strict laws and higher sanctions should be placed on companies and organizations that are found to be involved in cases of human trafficking.

On a similar token, migrant smuggling continues to be a huge problem concerning most countries in the world. Many cases of migrant smuggling are caused by the lack of economic opportunities and political instability of the individual's home country. Therefore, it is imperative that all nations work on providing more stability on these countries, which are usually LEDCs, which would lower the percentage of humans fleeing their countries in order to find a better life. Moreover, the high prices of legal paperwork to reside in a country legally, makes it impossible for low-income people to enter a country legally, forcing them to take part in cases that result in migrant smuggling. Therefore, another solution is the creation of entities or organizations that help migrants complete these procedures legally.

Last but not least, the issue of drug trafficking must be addressed more effectively, as the industry have led to an increase in violence in most countries involved. A solution that could be taken into consideration is having regional governments increase the use of sanctions on public and private individuals that are found to be involved in illicit activities, as well as strengthening border security. Moreover, it is important that a database with information regarding the location, status, and names of individuals involved in illegal drug trade, is accessed by all nations in order to enhance the cooperation between states, making the trafficking of drugs more challenging. In addition, it is of major importance that nations expand collaborative efforts to counter money laundering and corruption in countries involved in the production and trafficking of drugs.

Bibliography

"AFGHAN OPIATE TRAFFICKING ALONG THE NORTHERN ROUTE." *UNODC* , United Nations ,
www.unodc.org/documents/publications/NR_Report_21.06.18_low.pdf.

Agt. "World Drug Report." *World Drug Report 2018*, www.unodc.org/wdr2018/.

Alexander.sauer. "United Nations Office on Drugs and Crime." *Response to the Opioid Crisis*, www.unodc.org/unodc/es/opioid-crisis/index.html.

Alexander.sauer. "United Nations Office on Drugs and Crime." *United Nations Convention against Transnational Organized Crime*, United Nations ,
www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html.

Anonymous. "Drugs Policy." *Migration and Home Affairs - European Commission*, 6 Dec. 2016,
ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs_en.

"Convention for the Suppression of the Traffic in Persons." *OHCHR*,
www.ohchr.org/EN/ProfessionalInterest/Pages/TrafficInPersons.aspx.

"General Assembly Speakers Call for Stronger, More Tailored Responses to 'Heinous' Human Trafficking Crimes, Especially Those Targeting Children | Meetings Coverage and Press Releases." *United Nations*, United Nations,
www.un.org/press/en/2017/ga11957.doc.htm.

"Global Report on Trafficking in Persons." *UNODC* , United Nations ,
www.unodc.org/documents/Global_Report_on_TIP.pdf.

"India - United States Department of State." *U.S. Department of State*, U.S.

Department of State,
www.state.gov/reports/2019-trafficking-in-persons-report-2/india/.

Kevin.town. "Transnational Organized Crime:Let's Put Them out of Business."

Smuggling of Migrants: the Harsh Search for a Better Life,
www.unodc.org/toc/en/crimes/migrant-smuggling.html.

"Operations to Curb Human Trafficking." *INTERPOL*,

www.interpol.int/en/Crimes/Human-trafficking/Operations-to-curb-human-trafficking.

Ragnhild.johansen. "United Nations Office on Drugs and Crime." *Global Report*

on Trafficking in Persons,
www.unodc.org/unodc/fr/human-trafficking/global-report-on-trafficking-in-persons.html.

"Resolution Adopted by the General Assembly on 19 December 2011 ."

A/RES/66/183 - E - A/RES/66/183, United Nations ,
undocs.org/A/RES/66/183.

Sala, Mar Romero. "Drug Trafficking and Colombian 'Peace'." *Global*

Americans, 8 May 2019,
theglobalamericans.org/2019/05/drug-trafficking-and-colombian-peace/.

Thelwell, Kim. "Causes of Human Trafficking in China." *The Borgen Project*, Kim

Thelwell
https://Borgenproject.org/Wp-Content/Uploads/The_Borgen_Project_Lo-go_small.jpg, 14 May 2019,
borgenproject.org/causes-of-human-trafficking-in-china/.

"Trafficking in Persons - United Nations and the Rule of Law." *United Nations*,

United Nations,
www.un.org/ruleoflaw/thematic-areas/transnational-threats/trafficking-in-persons/.

“UN.GIFT.HUB.” *About*, www.ungift.org/about/.

“United Nations Official Document.” *United Nations*, United Nations,
www.un.org/en/ga/search/view_doc.asp?symbol=A%2FRES%2F73%2F192.

Useful Links for Research

- I. Complete 2018 Global Report on Trafficking of Humans by the UNODC
https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf
- II. Part 1 of the 2018 the Global Drug Report by the UNODC concentrated on policies
https://www.unodc.org/wdr2018/prelaunch/WDR18_Booklet_1_EXSUM.pdf
- III. Global Study on Smuggling of Migrants 2018 by the UNODC
https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf