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Guaranteeing the protection of refugees from modern slavery

UNHCR

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**Forum:** United Nations High Commissioner for Refugees

**Issue:** Guaranteeing the protection of refugees from modern slavery

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## Introduction

Slavery has always been a delicate subject for the world. It is one of the worst things we as humans can do to each other. It is immoral, cruel, and unfair, and no human should ever be subject to slavery. In the past and the present, slavery has darkened the pages of our history. Currently, there are around 50 million people suffering from modern slavery, and that number doesn't look like it's going down. One of the most common forms of modern slavery is the enslavement of refugees. These refugees are vulnerable, dealing with poverty, instability, and health issues. This is taken advantage of by human traffickers and migrant smugglers. They then torture and oppress these refugees, and many times, these refugees don't have any protection from the outside world.

Luckily, there is still hope; nations all around the world are working together to tackle this concerning issue, and if the right measures are taken, modern slavery can still be fought against. It is up to the delegates to work together to come up with innovative, effective, and safe solutions with the aim of making sure that as many refugees as possible are not subject to modern slavery. This research report will further elaborate on the history of slavery as a whole and the current situation of refugees being brought into slavery. It will also underline what is needed to avoid this form of modern slavery.

## Key terms

### Exploitation

The act of treating an individual unfairly or harshly in order to benefit from their work

### Forced labor

When individuals are forced to provide work or service through the use of force or coercion.

### Human trafficking

The illicit act of transporting or coercing individuals in order to benefit from their work or service, usually in the form of sexual exploitation or forced labor.

### **Modern slavery**

When an individual is exploited by another individual for personal or commercial gain.

### **Refugee**

An individual who has been forced to flee their country due to persecution, war, or natural disasters.

## **General Overview**

In the 15th century, the Roman Catholic Church split the world in half, giving Spain the power to colonize the New World in its pursuit of land and gold and giving Portugal an advantage in trade in West Africa. The Romanus Pontifex of 1455 gave Portugal the ability to invade and make people along the territories of the West African coast slaves. At the time, the Queen of Spain, Queen Isabella, had sponsored Christopher Columbus's exploration plans, as she saw it as an opportunity to expand her wealth and authority; she rejected the enslavement of the Native Americans and argued that they were Spanish subjects. When the Spanish established an Asiento (a contract), which gave other nations the permission to ship and sell people as slaves, other countries such as France, Denmark, England, and the Netherlands joined in the trade, as they too were looking for economic and geopolitical power. These nations were all participating in the exchange of not only people but also goods from various leaders along the West African coast, those of which had been known to manage societies that contained mineral-rich land and wealth in goods such as gold. This eventually led to a new form of slavery, known as the trans-Atlantic slave trade, later resulting in one of the largest global forced migrations. The Atlantic world and colonial North America emerged from these trades of human bodies and the product of their labor. The trans-Atlantic slave trade created a system where slavery was not only commercialized but also inherited and racialized; victims of this process were seen as commodities and had very limited freedom in order to ensure power.

In the current world, despite slavery being illegal, there are many places where it still takes place, in forms such as human trafficking or forced- and child labor. Furthermore, buying individuals has become much cheaper than during the Trans-Atlantic slave trade, which has led to an increase in slaves over

decades. According to the Global Estimates, during 2021, over 50 million people were involved in some form of modern slavery, including roughly 27.6 million people forced to work and 22 million in forced marriages. All forms of modern slavery are serious violations of human rights and create a permanent effect on a person's well-being and mental health. One of the most common forms of modern slavery is debt bondage, a form of forced labor; this is a way in which people are manipulated into working in order to obtain little to no pay, simply with the aim of paying off their debt. There are an estimated 21 million people involved in forced labor. Forced labor comes with several mistreatments of individuals, such as abuse in the forms of extremely long working hours and psychological and physical abuse. Along with forced labor, there is also the trafficking of people across seas, to which over 27.6 million people are victims. Human trafficking is a very prevalent issue; it involves the kidnapping of vulnerable individuals, such as those going through economic hardship, psychological vulnerability, or those who don't have a social safety net, and manipulating or coercing them to obtain a form of forced labor or sexual exploitation.

When refugees travel to new foreign countries, settling in can be very challenging. Additionally, many individuals become refugees due to fleeing their home country due to ongoing conflict, persecution, or human rights violations. These refugees leave their homes, sometimes their families, and other things behind, putting them in very vulnerable situations and at a loss for basic needs. Oftentimes, people living in poverty or with a lack of economic options resort to debt bondage as it is their only option to obtain some form of income to feed themselves and/or their families. These people are usually the ones human traffickers target to manipulate for labor. Furthermore, along with this, when situations are extremely drastic and people need to immediately flee their country, finding transport can also be very risky. Migrant smuggling is something that many individuals resort to when at desperate times. It refers to helping individuals leave a country illegally, which they usually have to pay a significant amount of money for. This process frequently develops into human trafficking. Refugees risk a lot when participating in these illicit activities. However, for most of them, it is their only possibility to find safety.

## Timeline

Date	Event
500	Invasion of England by the Saxons - Led to the enslavement of the Native Britons
1380	The Black Plague
1455	Romanus Pontifex - Confirmed the territories Portugal was exclusively entitled to for trade along the West African coast.

1500s- 1870s Trans-Atlantic slave trade - Around 13 million African individuals were kidnapped and enslaved, including children, women and men.

1781

The Zong Case

2004 UN appoints a Special Rapporteur on Human trafficking.

2015 The establishment of the UNSDGs - Aims to end slavery, forced labor and human trafficking.

## Major parties involved

### Afghanistan

According to the Global Slavery Index of 2023, over 500,000 people were estimated to be living in modern slavery, Afghanistan has one of the highest prevalences of modern slavery in Asia and the Pacific. The country has become one of the most vulnerable countries to modern slavery due to the recent seizure of power from the former government in 2021 by the Islamic fundamentalist group, the Taliban. This group has inflicted an increase of violence on vulnerable groups such as women, young girls, and people part of the LGBTQ+ community. Moreover, forced labor and debt bondage are something that has been significantly existent in Afghanistan, with over 90% of children working over 30 hours a week. The working conditions are not only unhealthy but can also be life-threatening. The majority of these workers are employed in sectors such as salt mining, brickmaking, and carpet weaving. Additionally, Commercial sexual exploitation of children (CSEC) is another form of modern slavery that has been widely documented, with boys at greater risk than girls, known as Bacha Bazi - "boy play." Despite the new regime, the former government had made efforts to battle modern slavery by further developing their support and identification of victims; in 2018, they launched a National Referral Mechanism and a Trafficking in Persons Online Database.

Afghanistan has been suffering from many humanitarian crises for over 40 years. Even though they have had around 76,000 returning refugees and hosting over 50,000 refugees, these individuals are expected to face extremely difficult situations.

### Brazil

According to the Global Slavery Index of 2023, there were at least one million people in modern

slavery in Brazil. The government's response to this was considered to be above the average regional response, and they scored 29/100. The index expresses that most of the action their government took was on national and regional coordination of the response to modern slavery. Additionally, over the years, the number of victims rescued from modern slavery has significantly increased, most of these victims were not only exploited in the agricultural sector, which is a key sector for Brazil's economy, but were also women. Moreover, one of the most common forms of human trafficking was illegal adoption, which is also referred to as "Brazilian-style adoption"; it made up 9% of the trafficking cases that the Federal Police registered. Illegal adoption is often hard to identify due to the lack of contact between child protection networks and the organizations charged with combating human trafficking.

In addition, the total refugee population in Brazil is around 300,000, most of which have come from Venezuela, Cuba, Colombia, and Afghanistan. According to UNHCR, refugees appreciate the protection the Brazilian Government provides, which thus allows them to obtain documents and education and find employment. The country has played a pivotal role in the international protection of refugees, also being the first country in South America to ratify the 1951 UN Convention on Refugee Status.

### **International Labor Organization (ILO)**

The ILO is a human rights group and an agency of the United Nations. They unite different governments, workers, and employers' organizations to discuss the 'labor world.' They aim to promote social justice and ensure that human and labor rights are internationally recognized. In 1930, the ILO created the Forced Labor Convention; it legally binds States to take action regarding the prevention of forced labor and the protection of its victims. The convention has been ratified by only 60 states worldwide. As previously mentioned, modern slavery comes in various forms: forced or child labor, human trafficking, and exploitation. The ILO has actively been working on battling all these issues. They have established several conventions addressing some of these issues; the ILO Convention No. 138 requires countries to establish an appropriate minimum age for employment, as they find that one of the most useful methods of preventing child labor is to tackle it at the root cause: the companies hiring them; they have created many projects and advocacy activities with the goals of eliminating the root causes of human traffickings, such as poverty and inefficient labor migration systems. The overall mission of the ILO is to promote jobs and the protection of vulnerable individuals; they believe that no person, regardless of age, race, origin, or religion, should be forced to work under duress and inhumane treatment.

### **Saudi Arabia**

Among the Arab States region, Saudi Arabia has one of the highest prevalences of modern slavery. According to the Global Slavery Index of 2023, more than 800,000 individuals were living in modern slavery. Many of these work under the Kafala system, which consists of a group of laws and policies that assign responsibility for migrant workers to employers, giving them control over the worker's ability to enter, live, and oftentimes leave the country. Nonetheless, the country has also made efforts to address this issue, they launched a National Referral Mechanism with the aim of improving the support for victims and survivors, considering the risk factors, and reforming the Kafala system. In 2021, they became the fifty-second country in the world to ratify the instrument of ratification of the Protocol of 2014 for the Forced Labor Convention of 1930. Despite these efforts, results have been insufficient, migrant workers in Saudi Arabia have faced harmful physical, mental, and sexual abuse, long hours, passport and wage retention, and denial of food.

Moreover, in 2022, 335 people obtained refugee status and around 14,000 registered asylum seekers, most of whom had fled from Syria, Eritrea, Iraq, and Somalia due to war and violence. According to Saudi Arabian law, the state may grant political asylum if the public interest requires it. Saudi Arabia does not have a structured asylum system for those fleeing their home country as they are not parties to the 1951 Refugee Convention. However, they have shown a willingness to improve their partnership with UNHCR and have recognized refugees by UNHCR to temporarily remain in the country.

### **Spain**

Despite Spain's history in the rise of the transatlantic slave trade, they have become the 19th country in the world to ratify the instrument of ratification of the Protocol of 2014 for the Forced Labor Convention of 1930, thereby also joining the journey of eradicating modern slavery. Nevertheless, the Global Slavery Index of 2023 indicates that approximately 100,000 people still live in modern slavery,

more specifically forced labor and forced marriage. Over the years, Spain has worked towards creating a vigorous legal and institutional framework in order to better tackle human trafficking, such as the adaptation of the provision of the Penal Code - including the 2009 first Global Plan of Action to Combat Trafficking in Person. Furthermore, the geographical location of Spain makes it a very useful transit country for human traffickers, as it provides a pathway between South America and Africa. Nonetheless, Spain has made notable changes in its legislation with the purpose of fighting human trafficking.

In 2023, the Refugee Statistics show that Spain hosted over 380,000 refugees. The nation has established new Immigration Regulations that aim to improve an individual's integration in a new country;

it gives them the opportunity to find employment and educational opportunities.

## United Kingdom

During the slave trade, the United Kingdom was one of the most successful slave-trading parties, with Portugal, they made up around 70% of all the African individuals that were transported to the Americas. Within the years 1640-1807, the country was the most dominant, having approximately transported 3.1 million Africans to British colonies that were located in places such as the Caribbean and North and South America. Britain's participation in the transatlantic slave trade lasted for nearly three centuries. The journey to the abolition of slavery was quite lengthy. The resistance and rebellions conducted by enslaved Africans, along with the abolition movement in the country, eventually led to the Abolition of the Slave Trade Act, which passed on March 25, 1807. The act meant that the selling, buying, or transferring of slaves would be illegal. However, farmers were still able to use their existing enslaved labor. Therefore, despite slavery being abolished in 1834, it continued to take place until around 1838.

In 2015, the UK parliament established the Modern Slavery Act, which discusses the way human trafficking and modern slavery are expected to be dealt with. The act includes a wide range of penalties one can be liable for, depending on which part of the Act they have violated, such as imprisonment for life, conviction on indictment, and confiscation of assets. Moreover, in the case of refugees, the UK hosts around 500,000 refugees, with its home office budgeting around almost 3 million pounds for the distribution of food and shelter.

## Possible solutions

### Renewing and developing regulations on working conditions

One area that has to be improved if this issue is to be resolved is the regulations on working conditions. These regulations are very free and differ greatly depending on the country, and this gives a lot of countries and governments the freedom to allow forced labor and modern slavery. This is why renewing and developing regulations on working conditions, labor, and slavery as a whole must change. These regulations must be stricter, clearer, and preferably similar in every country. As for refugees subject to modern slavery, one aim of the committee could be to ensure that refugees are given fair jobs and opportunities by the government upon arrival in the country to ensure that they are treated well in the workplace.



## Ratification of the ILO Forced Labor Convention

The ILO Forced Labor Convention was a convention held in 1930 with the purpose of reducing the use of forced labor. In this convention, it was defined that forced labor is “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” With this convention also came the exceptions for this definition, such as military service and any work as a consequence of being convicted in a court of law. This convention makes sure that modern slavery is avoided as much as possible, but it is the most effective if all countries sign it, which is not the case. Although the majority of countries in the ILO have ratified it, countries like Afghanistan and the United States of America haven't. As a result of this, you can see that, for example, Afghanistan is one of the countries where modern slavery is the most present. To guarantee protection for not only refugees but for all people, it is important that the convention is ratified by all nations.

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