

International Organizations and Human Trafficking

Background of Policy Issue- Human Trafficking in an International Context

International organizations have been created to advance trade, peace, and solve diplomatic problems among many states (Slomanson 119). “International society has, in spite of the diversity of culture and political systems, been progressively drawn closer together and become more unified” as problems become more global than local or regional (Slomanson 121). Increasingly, people do not want to wait until problems in distant parts of the world spread to their own area and are beginning to pressure their government, the United Nations, and international organizations to act on problems before they get to out of hand (Slomanson 121).

Human trafficking is a serious and virtually unpublicized crime, which exists in many countries, including developed nations in Europe and North America. “Human trafficking, mainly of women and children for prostitution and child sex, is the fastest growing organized crime activity in the world, producing an estimated \$70 billion in illegal profits and enslaving as many as two million individuals” (Kreisher). Slaves are now often kept for only a short time for agricultural or other forms of labor, are very inexpensive and considered disposable (Bales 9). The main predictors of slavery in a country from highest to lowest are “high levels of government and police corruption, high level of infant mortality, population has high proportion of young people and children, and the country has low gross domestic product (GDP) per capita” (Bales p. 99). Until corruption and economic difficulties can be addressed in a productive and meaningful way in many countries, there will be more than adequate supply of potential trafficking victims.

Various types of organizations are involved in combating the world's problems, including human trafficking. Public international organizations (PIO) "must be: (1) established by some form of international agreement among States; (2) created as a new international legal entity that functions independently of State sovereign control; and (3) created under International Law" (Slomanson 118). Nongovernmental organizations are those organizations not created by treaties but still operating at international levels (Slomanson 129). The NGOs have been carrying a heavy load of researching and informing others about the levels of human trafficking around the world. Governments and international organizations are beginning to take notice and slowly develop plans of action. International organizations and governments must continue to research human trafficking causes and affects, educate the publics of both origin and destination countries, and develop practical and sustainable plans to address the corruption and economic difficulties which leave people especially vulnerable to human trafficking

The United Nations

When the United Nations was forming and developing since World War II, it "was conceived to implement a system of collective security to discourage the unilateral use of military force. The United Nations also serves as a forum for improving the economic and social conditions of its member States" (Slomanson 128). Powerful states have tried to maintain their sovereignty as much as possible, while less developed and economically secured states have usually tried to work through the United Nations to advance their countries capabilities on the world stage, as well as domestically. "The six principal organs of the United Nations are the: General Assembly (GA), Security Council (SC), Economic and Social Council (ESCO), Trusteeship Council (TC), Secretariat, and

the International Court of Justice (ICJ),” (Slomanson 136) many of which could be, and are, used to combat human trafficking.

The General Assembly cannot issue binding laws to the nation-states of the world, but can and does promote conferences and studies on social, economic, political and other issues which allow local, regional, and international organizations the opportunity to share information and coordinate action (Slomanson 139). The Security Council does not include all member states in a debating body, as the General Assembly does, but both can perform dispute resolution between states.

The Security Council consists of five permanent countries and ten rotating states, and despite the dramatically fewer number of states involved, because of the relative power of the security council’s permanent states it has much more influence than the inclusive General Assembly. There have been movements to implement reform of the Security Council distribution to reflect world demographic trends more accurately, by encouraging permanent representatives from each continent (Slomanson 141). “The Group of 77 developing states as well as the Non-Aligned Movement remain disparate, dislocated, collectively weak, and ineligible for structural leadership” (Puchala 93) within the United Nations, greatly reducing their ability to affect any meaningful change of policy without the express support of the United States (Puchala 94). The Security Council is responsible for maintaining, or creating, international peace through the use of diplomacy, economic pressure, and force as a last resort (Slomanson 141). Because states more often than not refuse to cede any substantial sovereignty to the United Nations, veto authority was given to the five permanent members of the Security Council. States are reluctant to cede sovereignty because they wish to continue to decide if, when

and where to engage in hostilities with other states, or even their own citizens (Slomanson 143). Therefore the United Nations' standing army called for in Article 43 was not created because states did not want "an international police force able to react to threats to the peace in different ways than UN members might prefer" (Slomanson 143). This insistence on substantial sovereignty has certainly hindered the United Nations as a whole in performing some of the goals of the charter, specifically investigations into trafficking throughout various states, which must be coordinated through local police with their express consent, which cannot be expected if high levels of corruption and complicity exist within the state or region from which the trafficking originates.

The Economic and Social Council of the United Nations is charged with promoting "(a) higher standards of living, full employment, and conditions of economic and social progress and development; (b) solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race sex, language, or religion" (Slomanson 144). Like the General Assembly, the Economic and Social Council commissions reports and conferences on various issues, including human trafficking. The focus is usually on migration, information campaigns, and victim services in the reports issued from Europe or North America. There is very little research or expressed opinion on how to specifically address the circumstances which contributed to the victims being vulnerable to trafficking in the first place.

Within the Secretariat, or bureaucracy of the United Nations, the Secretary General issued a 2005 report on the new types of threats faced by the world, now that

people are threatened most not by inter-state conflicts, but by individuals, transnational groups, or their own governments (Puchala 113). He was promoting “collective security, development, and human rights” on the part of all nations to combat common security threats, recognizing that different states had different priorities and interests, not to mention different beliefs about the best approaches to solve various problems within the greater security setting (Puchala 114). While stopping human trafficking through increased aid and development is generally considered a security, as well as humanitarian, goal, development is vague and undefined, with no specific directives given to states or organizations on the best development plan for each of the hotspot regions for human trafficking.

The European Union

The European Union has been evolving over time starting with the 1957 Treaty of Rome creating a common market, and greatly expanded powers given away by the nation-states in the 1992 Maastricht Treaty which anticipated the region having no internal frontiers, economic and monetary union, common foreign and security policy, and citizenship of the Union rather than just nation-state citizenship (Slomanson 159). International organizations are sometimes given the ability to make member states agree to an enforcement policy regarding a particular issue which affects the states involved in the organization. An example would be the European Union, in which individual states forgo their sovereignty in some areas to the EU institutions (Slomanson 128- 129). “Unlike the United Nations, the EU’s institutions are generally endowed with the necessary sovereignty to require member States to treat their citizens in ways that they would not otherwise be required under national law” (Slomanson 161).

The European Union is able to use its ever expanding economic power to influence other nation-states' actions on certain issues, (Slomanson 161) which can be a powerful force to helping regions known for human trafficking reduce corruption and improve economic situations, if the state is at all interested in changing. Within the United Nations, the European Union is much more, than the current leader the United States, committed to and interested in leading the United Nations. The European Union is more open to using the United Nations as a multilateral, consensus building forum to promote a broad range of issues throughout the world than the United States, which sees the United Nations as just another tool for pursuing its own interests (Puchala 91). Because of a lack of a common security policy or "a meaningful foreign policy," the European Union is not yet able to take over the lead from the United States in most areas (Puchala 92). The European Union is very involved with the United Nations as "the largest financial contributor to the UN system" paying almost 40% of the regular budget and two fifths of the peacekeeping budget, as well as being the "world's largest provider of overseas development assistance" (Puchala 97) much of which no doubt will help in reducing the extreme circumstances tied to high human trafficking rates in certain countries.

The United States

The United States has a very complicated and turbulent relationship with the United Nations. The role of the United Nations varies according to which country and at what time is asked. Some countries feel free to ignore the United Nations and international opinion on most issues, especially internal or very distant problems, which most of the rest of the international community is extremely interested in or focused on at

the time (Puchala 89). This continued disregard for the United Nations as the preeminent opinion and action dispenser of international relations by substantial numbers of countries, although certainly not all, has led to the weakening of power within the organization in certain areas, many of which were not considered consistently powerful over time anyway (Puchala 89). The role of the United States in this apparent decline, or at least ebb and flow of power within the United Nations is undeniable. The United States has not had a truly consistent and far-sighted policy with regards to the United Nations as a whole, and specific organizations within the United Nations. “Therefore, although power qualifies the United States to lead at the UN and even as this power bestows considerable influence, proclivity and policy render ‘the only remaining superpower’ a reluctant multilateral leader” (Puchala 91). The United States still sees the United Nations as a convenient “forum for the pursuit of” the interests of the United States (Puchala 91).

The United States Department of State has become very concerned with human trafficking, especially in the last few years, with new legislation and increased funding such as the renewed Trafficking Victims Protection Act of 2000 which gives the Department of Health and Human Services and the Department of Justice \$2.5 million each in the fiscal year of 2008 which will be increased for both to \$15 million in 2001 (Kreisher). “The bill directs the State Department to establish an office to monitor and combat human trafficking, authorizes the president to support international efforts to combat trafficking and to rescue and care for victims. It also tightens rules restricting U.S. aid to countries cited for failure to stop human trafficking” (Kreisher). The United States is thus interested enough in human trafficking to encourage international

participation and coordination with others. There is also an economic element that can be used like the European Union to encourage offending states to toe the line. Government programs have been created to “raise public awareness about reducing the demand that contributes to trafficking exploitation” (Fact Sheet). The Department of Labor is currently researching potential sources of forced labor to provide to consumers but will not have a list available until 2009 (Fact Sheet). “Since 2001, the Department of Justice Civil Rights Division and U.S. Attorneys’ Offices have seen a 600 percent increase in prosecutions and four straight years of record-high convictions” (Fact Sheet) of human traffickers, proving that interest, research, and international cooperation and participation have resulted in at least some results.

Policy Recommendations

The United Nations, the European Union, and the United States along with other international and local organizations are slowly responding to the issues surrounding human trafficking. They are commissioning studies, conferences, and proposing and passing laws with harsh penalties to combat human trafficking from all angles. This approach includes necessary elements of protecting the victim and prosecuting the trafficker, but it does not address the circumstances which allowed the person to become prey for the trafficker in their place of origin. Again, the main predictors of slavery in a country are “high levels of government and police corruption, high level of infant mortality, population has high proportion of young people and children, and the country has low gross domestic product (GDP) per capita” (Bales 99). Information from the European Union, the United States, and the United Nations along with many other international organizations is percolating down into local levels across the globe through

internet, television and print campaigns warning people of the risks and consequences to those involved in human trafficking in any number of ways. Educating local law enforcement and government official is a main policy goal of the United States and organizations affiliated with it. This is only useful in places where the level of corruption is not serious enough to permeate the police and government officials. In countries with high levels of trafficking though, corruption is usually endemic, often the police will charge protection fees to ignore trafficking or even participate in the act of kidnapping itself (Bales 8). It is impossible to enslave people without the tacit support of the government and police (Bales 8).

There are calls for having permanent Security Council members from each continent to provide a more balanced representation of world demographics and issues than is currently perceived. This would be useful from the perspective of stopping human trafficking if it encouraged greater coordination between the main countries of origin, usually very underdeveloped, and the main destination countries, usually moderately to very developed in comparison. This will probably not sit well with more developed nations who will feel pressured to send more resources to affected areas than they are currently willing to send. Just sending more money to the areas seems to be the general plan espoused by many, but it should be tailored to each specific region's particular needs and strengths, as an investment instead of just aid, which is often mismanaged and brings no long lasting gains to the receiving nation.

The fight against human trafficking has been led by non-governmental organizations and international organizations for quite some time. International organizations like the European Union, are beginning to really produce procedures and

results for others to study and implement. The United States must continue to work multilaterally on human trafficking issues, as it has proved capable of doing so in this area of international affairs. The United Nations must continue to promote this problem to member states and affiliated international organizations so it can be effectively recognized and ideas for solutions, from different types of economic and educational investment to prosecution standards, can be widely disseminated and implemented.

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