



# General Assembly

Distr.: General  
5 September 2017

English only

---

## Human Rights Council

### Thirty-sixth session

11-29 September 2017

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

**Joint written statement\* submitted by the International  
Organization for the Elimination of All Forms of Racial  
Discrimination (EAFORD), Union of Arab Jurists, non-  
governmental organizations in special consultative status,  
International Educational Development, Inc., World Peace  
Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2017]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-15395(E)



\* 1 7 1 5 3 9 5 \*

Please recycle



## The Crime of Trafficking in Persons Prevails\*

### Background

Human trafficking is a serious violation to international human rights law as it encompasses a raft of exploitative practices. This horrendous crime does not always require the crossing of an international border; and it is not necessarily the same as migrant smuggling, as the latter always ends with the migrants' arrival to their destination, whereas human trafficking embodies the exploitation of the victim. Today, 21 million people<sup>1</sup> are affected by forced labour, trafficking and slavery around the world.

International human rights law forbids forced labour, debt bondage, forced marriage, and the sexual exploitation of children and women. The Charter of the United Nations and the Universal Declaration of Human Rights declare that all people have a right to liberty and security, to not to be subjected to slavery, forced labour and torture; and to have access to fair conditions of work and living standards, regardless of their race, sex, ethnic origin or other distinction. Additionally, in 2000, the United Nations General Assembly adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,<sup>2</sup> to tackle the situation of victims of human trafficking and for the promotion and protection of their rights. Moreover, in 2010, the General Assembly adopted the Global Plan of Action to Combat Trafficking in Persons<sup>3</sup>, which comprises strategies for preventing trafficking, prosecuting criminals and protecting victims. It stresses the importance of obtaining more data, research and analysis about the problem, and it establishes the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, especially women and children, aiming to provide humanitarian, legal and financial aid to victims of trafficking. In addition, in September 2015, the world adopted the 2030 Sustainable Development Agenda and included goals on trafficking in persons for the next 15 years, in Goal 5 (Gender Equality), Goal 8 (Decent Work for all), and Goal 16 (Peace and Justice).

### Human Trafficking in Conflict

Human trafficking is a prevalent characteristic of modern conflict because it increases impunity, enabling criminal networks to operate more easily. Additionally, the dearth of access to legal migration alternatives, forces many people to use the services of illegal facilitators, augmenting their exposure to exploitation. Considering that the pressure to flee from conflict is critical, this leads people to take exorbitant risks. As a matter of fact, internally displaced persons are more vulnerable because they lack legal documentation, regular access to labour markets, and have a limited access to education, so traffickers offer them a lifesaving bridge to employment and to safety. To make matter worse, living in such circumstances refugees and IDPs have no choice rather than to accept exploitative conditions. At the same time, conflict and post-conflict situations increment the vulnerability of those fleeing, to trafficking for purposes of organ removal. In Iraq, armed groups have set up a system for acquiring and selling human organs from hostages as an important source of income. Specifically, it has been one of the five major income sources for ISIL, along with trafficking of women and girls. Furthermore, many children in countries affected by conflict had left school, which made them more vulnerable to the abuse and exploitation of trafficking criminals.

Customarily, trafficking networks target impoverished communities to exploit their vulnerabilities with the purpose of prostitution, forced labour and domestic servitude. Most of the cases follow the same pattern: victims are recruited in the country of origin, transferred and then exploited in the country of destination. Similarly, trafficking of women and girls for sexual exploitation during conflict is remarkably common and it proves the sexual violence exercised against the civilian population. In the Syrian Arab Republic, ISIL forces women into marriages with its fighters. Frequently,

---

1 *ILO 2012 Global estimate of forced labour*, ILO Report 2012. Available at:  
[http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---  
declaration/documents/publication/wcms\\_181953.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf)

2 General Assembly Resolution A/RES/68/192

3 General Assembly Resolution A/RES/64/293

trafficking practices include the abduction of women of ethnic minorities. ISIL has abducted hundreds of Yezidi women and girls from Iraq and forcibly transferred them to the Syrian Arab Republic where they were forced into marriage, systematic rape, and forced pregnancy. In the case of the Syrian Arab Republic, refugees are reported to be quite vulnerable to trafficking in neighbouring countries, particularly in Jordan, Lebanon, and Turkey.<sup>4</sup> Also, Syrian refugee children and women are more and more submerged in street begging in those countries, which increases their vulnerability to forced labour and sex trafficking.

While most States have enacted anti-trafficking laws and have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children; bringing it into a reality remains difficult as the majority of States have done little to enforce these laws and have not reported trafficking convictions, which entails there is still a high scale of impunity for criminals involved in trafficking.

The plight of refugees in Iraq is equally deplorable since armed groups recruit children as young as 13-year-old to serve as fighters. Some of them are forced to donate blood for injured fighters. Moreover, reports have stated that children are recruited to serve as suicide bombers.<sup>5</sup> Similarly, the financial hardship and instability in Iraq have led to a substantial increase in the vulnerability of women and children to trafficking. In fact, Iraq has become one of the worst places regarding prostitution and sexual exploitation as women are forced into temporary marriages to support their families.

The international community must tackle this major problem by improving preventive measures, the protection of vulnerable populations, and the prosecution of criminals of trafficking in persons. In addition, all stakeholders must contribute to monitor the compliance of the commitments made by the States. In the Universal Periodic Review (UPR) framework, for instance, by contrasting national reports with the progress in matters related the Prevention and Combating of Trafficking in Persons; and the monitoring of all actions adopted by states to combat gender-based violence and trafficking for the purpose of exploitation.

## Recommendations

We, NGOs Signatories to this statement recommend to the United Nations and its relevant bodies to:

- Call on the international community to provide specialized assistance for the development of legislation of States to establish safe channels for migrants and to ensure that they get regular access to labour markets.
- Urge the international community to establish national procedures for the protection of victims including trauma counselling, medical care, reintegration services, long-term shelter, and financial assistance, as stressed in the United Nations Global Plan of Action to Combat Trafficking in Persons.
- Urge governments not to punish the victims for activities as a direct result of having been subjected to human trafficking.
- Call on the international community to eliminate all markets generating profits for criminals, and to prosecute all forms of trafficking in persons.
- Foster cross-border cooperation in trafficking investigations, particularly in the most vulnerable countries affected by this crime.
- Urge governments to take coordinated measures to defeat trafficking in persons, promoting the creation of integral national anti-trafficking strategies and plans of actions to ensure that human beings have equal rights and protection for a dignified life free of fear, enforcing international law and international human rights law for all people.

---

<sup>4</sup>*Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons —A Study of Syria, Turkey, Lebanon, Jordan and Iraq*, Vienna, 2015 Report of International Centre for Migration Policy Development; available at

[https://www.icmpd.org/fileadmin/ICMPD-Website/Anti-Trafficking/Targeting\\_Vulnerabilities\\_EN\\_\\_SOFT\\_.pdf](https://www.icmpd.org/fileadmin/ICMPD-Website/Anti-Trafficking/Targeting_Vulnerabilities_EN__SOFT_.pdf)

<sup>5</sup> “*Addressing Human Trafficking and Exploitation in Times of Crisis*”, IOM Report- Geneva, 2015. Available at <https://publications.iom.int/books/addressing-human-trafficking-and-exploitation-times-crisis-evidence-and-recommendations-0>

\*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGOs without consultative status, also share the views expressed in this statement.