

**Forum: United Nations Third General Assembly (GA3)**

**Issue: The question of combating human trafficking and modern slavery**

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**Introduction**

In the mid-16th century, Portugal, driven by the desire of wealth, began the trafficking and slavery of the Africans in the state of Kongo, one of the largest African states at the time). The Portuguese had done so for a source of cheap labor, free services most commonly in the primary sector, and personal pleasure. This initiated a “domino effect,” as many of the world’s leading powers at the time saw an opportunity to trade goods and services in exchange for slave labor, viewing it as an untapped market. For instance, European countries such as Spain, France, Italy, Portugal, Netherlands, and most notably Great Britain were known for their infamous slave trade. During this time, the rights of slaves were largely disregarded, as many continued to engage in the inhumane practice of human trafficking. However, there was significant opposition to the slave trade, which later became a driving force behind the American Civil War. This period also gave rise to Abraham Lincoln's famous speech against slavery. Another key event was the Somerset v Stewart case, which ruled that slavery had no legal basis under English law and was a violation of Habeas Corpus.

As of now, although majority of these countries have abolished slavery and made human trafficking illegal, there is still a major concern of human trafficking in many countries. Combating human trafficking and modern slavery is a complex, global issue that requires integrated efforts among governments, international organizations, NGOs and the private sector.

## **Definition of Key Terms**

### **Human Trafficking**

The unlawful act of transporting or coercing people in order to benefit from their work or service, typically in the form of forced labor or sexual exploitation.

### **Slavery**

The practice or system of owning slaves.

### **Sex Trafficking**

The action or practice of illegally transporting people from one country or area to another for the purpose of sexual exploitation.

### **Coercion**

The practice of persuading someone to do something by using force or threats.

### **Palermo Protocol**

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is a protocol to the United Nations Convention Against Transnational Organized Crime.

### **Slave Trade**

The procuring, transporting, and selling of human beings as slaves, in particular the former trade in black Africans as slaves by European countries and North America.

### **American Civil War**

The American Civil War was a civil war in the United States between the Union and the Confederacy, which was formed in 1861 by states that had seceded from the Union.

### **Somerset v Stewart Case**

Somerset v Stewart 98 ER 499 is a judgment of the English Court of King's Bench in 1772, relating to the right of an enslaved person on English soil not to be forcibly removed from the country and sent to Jamaica for sale.

### **Non-governmental Organization**

A non-profit organization that operates independently of any government, typically one whose purpose is to address a social or political issue.

### **Child Labour**

The employment of children in an industry or business, especially when illegal or considered exploitative.

### **Forced Labor**

All work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.

### **Concentration Camps**

A place in which large numbers of people, especially political prisoners or members of persecuted minorities, are deliberately imprisoned in a relatively small area with inadequate facilities, sometimes to provide forced labour or to await mass execution.

### **Modern Slavery**

when an individual is exploited by others, for personal or commercial gain.

### **Key Issues**

#### **Hidden Nature of the Crime of Human Trafficking**

To identify people at risk of being trafficked and ensure comprehensive protection, we need to make the invisible, visible. Because they work within underground networks, traffickers are difficult to detect because of their invisibility. Frequently, they employ complicated techniques to mask their conduct, such as fake names, shell companies, and cryptographically secure communications. They may be housed in families as domestic workers or work on farms or in factories, or they may be locked away.

In addition, victims are often held in a state of psychological duress whereby their traffickers will threaten to hurt them or their families and limit their ability to get help. Victims are often afraid of retaliation, deportation and criminal charges if they are migrants and lack official papers. Also, or due to other reasons, the victims themselves may ignore that they are being trafficked and lead them to debts or personal problems with formalizing their work. This creates a cycle where victims are powerless to do anything and can not rely on the police for help.

This invisibility is compounded by cultural factors as well. Victims may also be reluctant to report because of cultural stigma around issues such as sexual exploitation or forced labor, common in some societies. Those cut might perceive themselves at risk of being shunned by their kin and kindred, creating further barriers to rescue and recovery efforts.

### **Economic vulnerability**

Economic factors are one of the root causes for human trafficking and modern slavery. In the process of despair, those in economically vulnerable backgrounds remain most susceptible to exploitation. Poverty, illiteracy, unemployment, and social disparities are among some of the factors nurturing nonchalant habitat where people can be easily skirted into trafficking. But Victims are often duped into trafficking using offers of fake jobs, education or a more promising life. Targeting victims who can not recognize or are able to avoid the risk of exploitation due to economic desperation.

Further, the demands of a global economy for cheap labor help fuel trafficking. Low-wage workers are the foundation of numerous industries—agriculture, construction, textiles and domestic work—that depend on their labor to generate profit. For instance, labor trafficking may be part of multinational supply chains in countries with weak labor laws or lax enforcement. Exploitation becomes easier in the informal workforce because the workers mostly do not have legal rights.

In places with severe inequalities, just being able to survive means lower-run workers will take jobs that are dangerous or exploitative. It is this vulnerability that the traffickers prey upon, often realizing that these individuals have little recourse and will rarely file a complaint.

### Corruption and Organized Crime

Organized criminal networks are often blamed as perpetrators of human trafficking and modern slavery. They are influential, well-resourced networks that operate internationally. Ruthless traffickers protect their fiefdoms by using violence, bribery and intimidation. These criminal enterprises operate on an international scale, moving their operations quickly from one jurisdiction to another and sometimes tipping off local law enforcement in advance.

The involvement of corrupt law enforcement or government officials can make it difficult to battle trafficking. The second option is that officials are themselves directly involved in the trade or, at least, they tolerate it in exchange for bribes or political favors. In regions with high levels of corruption, the traffickers themselves can almost get away with their crimes and victims have no hope for justice.

Given the impunity for traffickers in many countries and the difficulty of prosecuting transnational crime, these groups operate effectively. Those prosecutions of trafficking cases and the sentences they bring may even be too weak to really act as meaningful

deterrents on after-the-fact law enforcement, if traffickers eventually do manage to get arrested.

### **Lack of Awareness and Cultural Norms**

Public awareness is only a small part of the battle against human trafficking and modern slavery — but it can also be one of the most challenging. Some justify their doubt using the excuse that the problem is far from massive or are either completely ignorant or possibly looking over at the fact that it might be happening in your front yard, and you do not realize it. Traffickers take advantage of these gaps, hiding in sectors or places where local populations and authorities might not think to look. Awareness-raising will also motivate people to report suspicious activities and support anti-trafficking initiatives.

Not to mention in some societies, it is perpetuated by nothing but cultural norms and practices. Where child labor, forced marriage and debt bondage might already be part of the local traditional system. Such practices may be more entrenched in some societies, perhaps normalized particularly in rural or disadvantaged communities and thus harder to recognise and treat as modern slavery.

Take for example child marriage, which may be considered a means of ensuring a girl's future or safeguarding family honor in some cultures, while at the same time leading to sexual exploitation and slavery. Only in some cases is debt bondage recognized as the exploitative conditions in which people are resigned to work off their financial obligations.

### **Lack of International Cooperation**

As a transnational crime, human trafficking involves the movement of people across borders to circumvent scrutiny and capture for their criminal activities. It makes it more difficult for any one country to address trafficking, when a multilateral approach will be required to do so effectively. With border crossing also tough to monitor for victims and

traffickers, the difficult conditions see less oversight on known weak immigration systems smuggling people into more lenient enforcement countries.

As well, there are legal and policy differences between state systems of law that make international cooperation, especially on emerging technology issues like quantum hacking, even more complicated. In part, this is because some countries may not have a broad anti-trafficking law, or if they only focus on labor exploitation or sex trafficking. Such variation can leave gaping holes in enforcement, which traffickers often exploit through the weakest links in global regulation. There are also bureaucratic and political roadblocks to cross-border investigations and prosecution, especially in parts of the world with less sophisticated diplomatic relationships.

Trafficking is a global issue and as such requires international cooperation, but modulating this kind of interstate partnership, particularly amongst nations with different political and judicial systems can be extremely difficult.

### **Victim Identification and Protection**

Despite efforts to fight human trafficking, it remains one of the hardest phenomena to identify. Victims do not always fit the stereotypical image of victims – working in illegal industries or seemingly employed by choice. Traffickers typically isolate victims and have control over many aspects of their lives, including making it difficult for them to escape or reach out for help. Many times the victims are unaware of their rights, or do not understand they are being preyed on. That is especially the case with labor-trafficking victims, who might have been operating under a false impression that they are receiving wages and are legally employed.

Even when identified, victims are not supported enough for their rehabilitation. In turn, many have not enough or none at all resources to house them for longer periods of time, offer legal counseling, psychological sessions and work requalification courses that play important roles in their recovery. Victims unable to access services and without protection

are at risk of re-trafficking or further exploitation. Further, in some countries, the legal framework may even criminalize victims as offenders--for example, sex trafficking in prostitution or undocumented migration--which indicates that you are an accomplice and does not count on your aiding.

Social stigma, in some areas, can prevent re-integration of victims back into their communities. Those who have been sexually exploited, specifically, face rejection and are often shunned upon return from sex trafficking.

## **Major Parties Involved and Their Views**

### **United Kingdom**

The United Kingdom has achieved a series of positive changes in fighting modern slavery, mainly attributed to the Modern Slavery Act 2015. Introducing tough legislation that is a first of its kind in the country, the Modern Slavery Act increases existing penalties for slavery and human trafficking, integrates new offenses of slavery and human trafficking, and also improves on the services provided for victims of crime. Moreover, this part of the Act makes it mandatory for companies whose annual earnings are more than £36 million to provide within one year public statements on how they have done in ridding their supply chains from slavery.

Besides internal reforms within the country, modern Britain has been making efforts towards fighting slavery all over the world. It signed the Palermo Protocol (2000), which contains the United Nations Convention against Transnational Organized Crime supplement and on trafficking of women and children. The UK is further committed to the Forced Labour Convention No.29 and the Abolition of Forced Labour Convention 105 of the International Labour Organization which aim to eradicate forced labor in all countries. Other undertakings include the European Convention on Human Rights and the Council of Europe Convention on Action against Trafficking in Human Beings Conclusion. Nevertheless, the critics claim that there is poor compliance to the set rules



and policies, tangible and long-term assistance should be accorded to the victims without delay.

## Australia

Australia has taken substantial efforts to combat modern slavery, of which the most significant is through its passing of the Modern Slavery Act 2018. By way of background, this legislation will require companies with an annual turnover greater than AUD 100 million to report on the risks of modern slavery in their operations and supply chains, as well as what they are doing (if anything) to address those risks. Australia is also involved in international efforts to fight human trafficking and forced labor.

Australia has also ratified important International Labour Organization (ILO) conventions including Forced Labour Convention 29, and Abolition of Forced labour C105 which obligates nations to prohibit forced labor in all its forms. The country is also a signatory to an Optional Protocol of the Convention on the Rights of the Child pertaining to children's sale, prostitution and pornography. The Australian govt. has invested extensively on home front and regionally, including funding anti-trafficking programs in south east Asia as well. However, Australia still struggles with the exploitation of workers in sectors where vulnerabilities remain — such as agriculture and domestic work.

## Netherlands

The Netherlands has been a main advocate of human rights and has thus adopted an elaborate strategy against trafficking in humans (consisting in prevention, victim protection and prosecution). The forefront of effort to help the cause is a Dutch National Rapporteur on Trafficking in Human Beings, who tracks trafficking statistics and evaluates governmental responses. Netherlands is also a signatory of many treaties and conventions such as the European Convention on Actions against Trafficking in Human being (2005). They have coordinated efforts to prevent trafficking and protect victims

that have made it accross Europe. Netherlands works at global level for the elimination of forced labor by participating, among others, as a party to International Labour Organization Forced Labour Protocol 2014 and also it is a state member of significant international legal instruments including Slavery Convention (1926).

## Brazil

Brazil has already been a regional power when it comes to anti-slavery measures, especially for forced labor in sectors such as agriculture and mining. Slavery in any form is prohibited by the Brazilian Constitution of 1988. In addition, the creation of The National Pact to Eradicate Slave Labor includes more than a thousand business owners as well members from civil society organizations and public sectors. Brazil is a party to major international treaties, including the International Labour Organisation (ILO) Forced Labor Convention (No. 29), and The Inter-American Convention on International Traffic in Minors concerning child trafficking for labor or sexual exploitation. Mexico has praised Brazil's Mobile Inspection Units which have removed thousands of forced labor victims from remote areas. Similarly, Nigeria commended Brazil for combating trafficking with specific reference to child sexual exploitation and supporting those who have been freed.

## Development of Issue/Timeline

Date	Event	Outcome
1400-1800	Rise of modern slavery and human trafficking	Portuguese, British, French, Dutch, and Spanish begin trafficking slaves from Africa into colonies and homeland.
22nd June 1772	Somerset v. Stewart Case	Stated that slavery had no basis in the English law and was

		thus a violation of the Habeas Corpus.
<b>25th March 1807</b>	The British Parliament passes the Abolition of the Slave Trade Act	This act, made it illegal to participate in any form of transatlantic slave trade.
<b>1st August 1833</b>	The British Slavery Abolition Act is passed	This had completely abolished slavery in the British empire, including all the colonies.
<b>27th April 1848</b>	The French abolished slavery in its colonies.	Freeing those once enslaved specifically in the Carabians and other tribes and colonies.
<b>1st January 1863</b>	President Abraham Lincoln issued the Emancipation Proclamation	This declared the freedom of slaves in the confederate held territories during the American Civil war
<b>18th December 1865</b>	The 13th amendment was ratified to the US constitution.	This abolished any act of slavery or human trafficking in the United States
<b>18th May 1904</b>	The International Agreement for the Suppression of the White Slave Traffic is signed	First International treaty that addressed Human Trafficking, focusing mainly on the prostitution of women

<b>25th September 1926</b>	The League of Nations introduces the slave commission	Frees over 200,000 slaves
<b>10th December 1948</b>	The United Nations adopts the Universal Declaration of Human Rights (Article 4)	States that "no one shall be held in slavery or servitude."
<b>17th July 1998</b>	The Rome Statute was established	This had introduced the international criminal court which declared slavery and human trafficking as crime against humanity
<b>15th November 2000</b>	The United Nations Palermo Protocol is adopted	to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime
<b>1st January 2007</b>	The UK Modern Slavery Act	strengthening protections for victims of human trafficking and increasing penalties for traffickers
<b>26th March 2015</b>	Update to the UK Modern Slavery Act	Required larger business to report to the government to

		ensure slavery is not taking place.
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## Previous Attempts to Solve the Issue

### Slave Commission from the League of Nations

The League of Nations was an organization born from the Paris Peace Settlement after World War 1, proposed by President Woodrow Wilson. The slave commission was amongst the many, but was one of the most successful, freeing over 200,000 slaves during the time of the league. The league had also made its member states promote the abolishment of slavery and human trafficking in any form.

### Palermo Protocol

The Palermo Protocol can be called the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which was adopted by the United Nations in the year 2000. It is a treaty of the United Nations Convention against the Transnational Organized Crime being aimed at fighting human trafficking around the world. The protocol emphasizes a three-pillar approach: Prevention, protection and prosecution are the three corresponding measurable goals of the BAVG. It calls on nations to outlaw every form of human trafficking and to ramp up collaboration in the prosecution of those involved in the practice, in addition to requiring them to offer aid such as shelter, legal services and rehabilitation to those who have been trafficked. These serve to target vulnerable groups that include women and children most of whom are normally engaged in trafficking. More than 170 states have joined the protocol, which serves as a foundational document of worldwide fight against trafficking. Due to these approaches, the Palermo Protocol has created the legal framework for changes and coordination of actions with regards to cross-border trafficking and domestic trafficking.

### UK Modern Slavery Act

The legislation Mainly the UK Modern Slavery Act 2015 was an effort with legal intent formulated to fight human trafficking and slavery in the UK. It incorporated previous crimes of enslavement and trafficking of human beings, increased the severe treatment for those who committed these crimes and offered more legalized protection for the victims. One of the essential aspects of the Act is the transparency in supply chains provision which is a requirement to the businesses with an annual turnover exceeding £36 million to state action taken to eradicate slavery from supply chain. Furthermore, under the Act provisions of the Independent Anti-Slavery Commissioner have been instituted to help eradicate slavery, and pursue organizations from failing to prevent it. This was described as the beginning of change to this law and people complained that while it has brought a lot of changes into effect, much needs to be done to enhance enforcement and ensure that victims are properly protected.

## **Possible Solutions**

### **Empowering Legal Framework and Enforcement**

The most important measures that can help to eliminate slavery and trafficking in the modern world is the development of a qualified legal base and effective measures for its implementation. Currently many countries have laws against slavery although implementation of these laws is still a major challenge since; corruption, incompetency, inadequacy of resources, political will, are real issues that compromise the completion of this noble course. Governments have to make sure not only that these laws embrace all aspects related to cybercrime but they also stick to them to the point the penalties for offenders are severe. Another important area for legal changes should be penetration of the victims' rights, allowing them to report a crime without considering possible consequences. It is nearly impossible to address the issue of human trafficking without cooperation of the countries of origin, transit and destination. For example, while many countries have ratified the United Nations Palermo Protocol it must be wholly incorporated into their national legislation and there is need for enhanced cooperation between developed and developing countries in sharing intelligence information and

counter tracking of the trafficking networks. Moreover, the formation of programs such as anti-trafficking within police stations regularly guarantees minor effective investigation, prosecution, and conviction of violators.

### Strengthening Border Control

It becomes easier for human traffickers to carry out their activities especially in countries where the government has little or no power to ferm them. The increase in the borders' strength can clearly improve a country's capacity in identifying and combating trafficking cartels. Enhanced stringent measures along the borders serve a purpose of monitoring cross border physical movement hence denying the traffickers easy access to the victims. Intense checkpoint systems, the application of technologies, as well as the cooperation with foreign counterparts may prevent suspicious acts and make timely actions. Moreover, stronger border protection promotes better cooperation of law enforcement agencies, which is particularly important in countering the understanding of the trafficking network. That is why when traffickers feels there are stern measures put in place to prevent traffickers from crossing various borders, then there are reductions in trafficking cases. To a large extent, if flaws in the security of borders are eliminated, there are huge improvements in dealing with human trafficking and protection of victims.

### Move towards a planned economy?

A planned economy, where the government exerts significant control over economic activities, can enhance visibility into the operations of businesses and households. This centralization allows for more informed policymaking, helping the government identify trends and allocate resources effectively. One notable benefit is the potential to combat human trafficking and modern slavery. With a clearer understanding of the economic landscape, the government can detect irregularities that may indicate trafficking networks. It can also implement social programs focused on education and job training to empower vulnerable populations. Enhanced oversight can enforce labor standards, protecting workers from exploitation. While privacy concerns may arise, the benefits of

safeguarding citizens against trafficking and exploitation can justify this trade-off. In a planned economy, governments focus more on the people rather than profits of firms (opposite of a free market ideology). This means that some methods that some firms use to mass produce goods and services that could be declared as “harmful” which could lead to the underproduction of certain goods and services in an economy, this causes more exports into the country to make up for the lack of these goods. Therefore this not only prevents profit maximization but also leads to more costs for certain goods, which could cause the country’s economy/GDP grow slower.

### **Addressing Poverty and Inequalities**

Modern slavery is fueled by poverty as well as social imparity. Hundreds of millions of people are susceptible to abuse because they are poor, illiterate or unemployed; the majority of these individuals live in developing nations. Responding to modern day slavery one has to attack these root causes of modern day slavery through an environment of sustainable development. Governments and international organizations should promote education for the vulnerable groups thereby training them on economic opportunities and enhanced bargaining to deny the traffickers vulnerable groups a bead on them. Interventions for rural populations from which many victims originate might include skills development, and access to microfinance to support departure from exploitative situations. In addition, efforts should be made to improve the availability of social protection that include healthcare, unemployment and housing subsidies and so on in order to lower the extent of people that go to seek exploitative employment contracts. Combating institutionalized poverty will eventually decrease the number of vulnerable persons that traffickers access.

### **Using advanced technologies to our advantage**

Experience from application of advanced technologies show that the fight against modern slavery and human trafficking can significantly benefit from using these tools. AI, for instance, can identify the network and trafficking patterns while blockchain can help in



achieving a clear supply chain. Such tools are being used in analyzing big data from social media as well as job offers, and advertisements for instances of trafficking in persons or forced labor. Such understandings can help governments and police forces to follow and free victims and to apprehend offenders. It will be easier for companies using blockchain EL to check whether their supplies are from ethical sources, and for consumers to herein know the products that contain products of slavery. Further, those applications that might be designed to enable people to report suspicions of trafficking without revealing their identity means that the communities can actively participate in the fight against human trafficking.

### **Enhance International Cooperation**

Due to the nature of human trafficking, this problem cannot be solved domestically alone. Transnational crime groups exist, and people are moved across borders in different countries before getting to the final one. Some international organizations such as the United Nations, Inter Police and the International Labour Organization (ILO) can improve cooperation by exchanging information on criminal activity and synchronizing their strategies for raiding the traffickers and synchronizing laws on the fight against human trafficking. Member countries need to tread this path in order to harmonize the legal provisions and procedures in the extradition of traffickers as well as the protection of victims rights in transnationality. These outlaw so that many nations can facilitate cooperation between them in order to address different trafficking syndicates in a particular country and assist victims in gaining access to safe harbors while eliminating legal loopholes that may be manipulated by trafficking criminals. There are similar currents on the regional level, for example, the activity of the Association of Southeast Asian Nations that is working on the problem of combating trafficking in Southeast Asia.

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