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# ECOSOC

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Study Guide – KleMUN 2014

## **Study Guide Economic and Social Council**

- **The Committee – ECOSOC**
- **Topic A – Elimination of Human Trafficking and its sources**
- **Topic B – Promoting the Right of Education and enforcing girl's and women's rights**

### **The Committee – ECOSOC**

The Economic and Social Council was founded in 1945 and is a primary organ of the United Nations. The body consists of 54 member states and the seats are distributed based on geographical representation. ECOSOC acts under Chapter X of the Charter of the United Nations.

The committee is the main platform for economic and social issues and is responsible for the economic, social, humanitarian, and cultural activities by the UN. <sup>1</sup> After its reform in 2006 its new mandates are to assess the progress in achieving the internationally agreed development goals in the Annual Ministerial Review <sup>2</sup> and to coordinate the work with development partners in the Development Cooperation Forum<sup>3</sup>.

ECOSOC may initiate studies and reports, make recommendations, call international conferences,<sup>4</sup> as well as establish functional and regional commissions, sessional bodies and ad hoc committees.<sup>5</sup> However it only may do so within its competences, that is international economic, social, cultural, educational, health, or related matters.

Decisions in ECOSOC are passed with a simple majority. However, the decisions of ECOSOC are not binding to every member state.

### **Further Readings**

<http://www.un.org/en/ecosoc/about/>

<http://www.britannica.com/EBchecked/topic/178315/Economic-and-Social-Council-ECOSOC>

<http://www.un.org/en/documents/charter/chapter10.shtml>

<http://www.un.org/en/ecosoc/about/faqs.shtml>

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<sup>1</sup> <http://www.britannica.com/EBchecked/topic/178315/Economic-and-Social-Council-ECOSOC>

<sup>2</sup> <http://www.un.org/en/ecosoc/amr/index.shtml>

<sup>3</sup> <http://www.un.org/en/ecosoc/dcf/index.shtml>

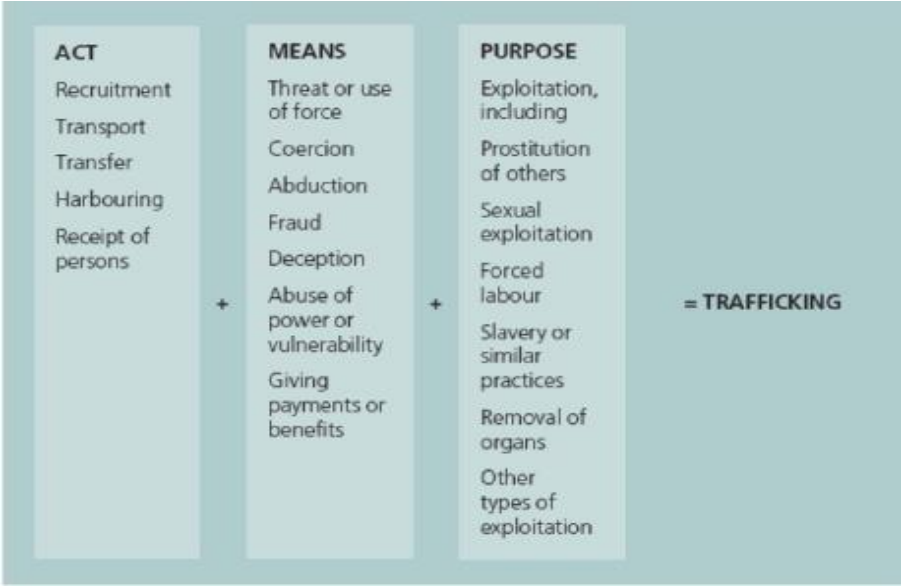
<sup>4</sup> <http://www.un.org/en/documents/charter/chapter10.shtml>

<sup>5</sup> <http://www.un.org/en/ecosoc/about/pdf/rules.pdf>

**Topic A: Elimination of human trafficking and its sources**

**What is human trafficking?**

Human trafficking is characterized by three elements<sup>6</sup>:



-Human trafficking is not necessarily connected with abduction or a change of location.

-Even given the victim’s consent human trafficking stays illegal and does not absolve the trafficker from his/her responsibility.

**Historical Overview:**

The beginning of the slave trade by Portugal and Great Britain from Africa to Europe in the 14<sup>th</sup> century marks the start of human trafficking. By the 16<sup>th</sup> century all European countries were involved in the slave trade.<sup>7</sup> Between the 17<sup>th</sup> and the 19<sup>th</sup> century an estimated 12 million Africans were shipped to North America<sup>8</sup>, until slavery was forbidden in the US in 1865. The first, however, to condemn slavery by law were the British in 1807. In 1904 the first international agreement for the suppression of “White Slave Traffic” was established, protecting white women and children from being prostituted. In 1910 a convention against “White Slave Traffic” was signed by 13 states.

After World War I the League of Nations broadened the term to “Traffic in women and children,” which was not connected to a race anymore. The League also conducted the first

<sup>6</sup> <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html?ref=menuside>  
<sup>7</sup> <http://www.eden.rutgers.edu/~yongpatr/425/final/timeline.htm>  
<sup>8</sup> <http://www.gilderlehrman.org/history-by-era/slavery-and-anti-slavery/resources/facts-about-slave-trade-and-slavery>

studies on human trafficking to gather information about the extent of the problem and integrated non-governmental organizations into the decision making process.

The United Nations passed the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others in 1949, approaching the issue right from the beginning. The next important impulse was the Fourth World Conference on Women in 1995 defining trafficking, recognizing it as an act of violence against women and developing a plan of action. In the last two decades the issue of trade in persons has been widely recognized and actively tackled. However, the effectiveness is in great need of improvement. There are at least 20.9 million victims of human trafficking worldwide, without the prospect of a decline.<sup>9</sup>

### **International Law concerning Trafficking**

Human trafficking violates basic human rights, including rights to personal integrity, equality, dignity, health, security, and freedom from violence and torture.

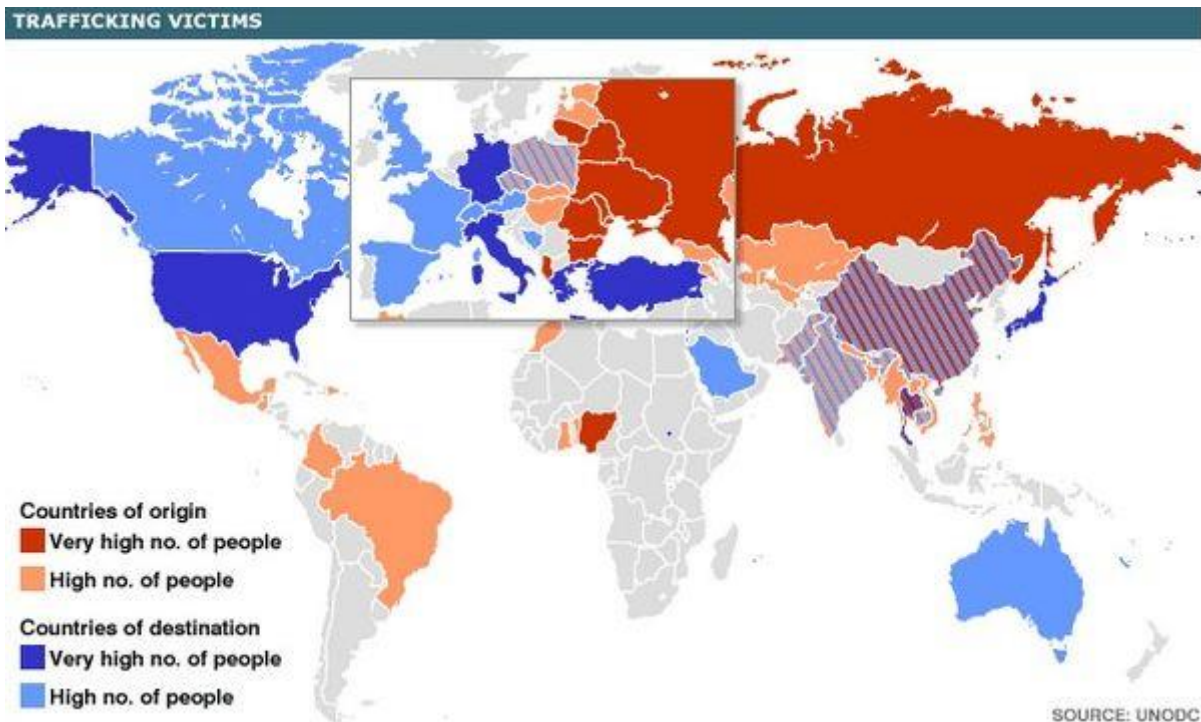
The “Palermo Convention” or “UN convention against Transnational Organized Crime” from 2003, together with its protocols, is the main international instrument to fight human trafficking. It has been signed and ratified by 178 UN members; five have signed but have not yet ratified it. Its main objectives are the adoption of new (legal) frameworks, law enforcement, the creation of domestic criminal offences, training for national authorities, protection and legal assistance for the victims, facilitation of international cooperation and above all the recognition of member states for the issue. However, it is not only important that the states recognize the convention and its protocols, but also that they criminalize human trafficking, including attempts, participation as an accomplice and the organization of human trafficking.<sup>10</sup> Currently 61 countries have passed laws addressing human trafficking as the primary focus, most of which have been passed after 2000, which shows that the recognition of human trafficking has grown and the issue is being taken seriously.<sup>11</sup>

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<sup>9</sup> <http://www.equalitynow.org/node/1010>

<sup>10</sup> <http://www.unodc.org/unodc/treaties/CTOC/>

<sup>11</sup> [http://www.no-trafficking.org/resources\\_int\\_tip\\_laws.html](http://www.no-trafficking.org/resources_int_tip_laws.html)



### Main forms of human trafficking

- Sex trafficking

Sex trafficking is the trafficking of persons for sexual exploitation. Sex trafficking is the most common form of trafficking, covering 79% of all cases. 98% of the persons trafficked for sexual exploitation are women and children.<sup>12</sup>

- Labor Trafficking

Labor trafficking is the second most common form, covering 18% of the cases.<sup>13</sup> However, labor trafficking is more difficult to detect, therefore, it is impossible to provide exact numbers. One has to distinguish between debt bondage (a person working off debt; the work often being worth much more than the actual debt) and forced labor (involuntary work exacted under the menace of a penalty).

- Child Trafficking

The definition of human trafficking involving children is stricter as they are in need of special protection. For children, an improper act due to an improper purpose is considered human trafficking even without improper means. The International Labor Organization estimates

<sup>12</sup> <http://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html>

<sup>13</sup> idem

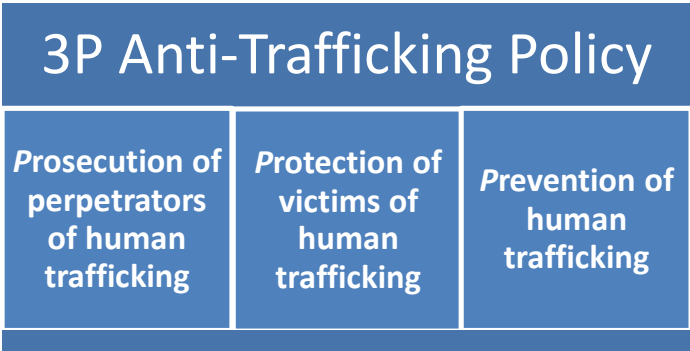
that 1.2 million children are trafficked every year. Around 20% of all trafficked persons are children. In some African countries children make up nearly 100% of all victims.<sup>14</sup>

**People involved:**

Persons of any age, gender and race can be victims of human trafficking. Most of the victims, however, are children, women and people from less developed countries. Often migrants and indigenous people are especially at risk. Both men and women are operating as traffickers. Usually the offenders have the same nationality as the victims. Often the former victims even become perpetrators themselves to escape their own suffering.<sup>15</sup>

**Main Objectives<sup>16</sup>**

- Although the awareness of human trafficking has risen over the last decades, it still does not receive full recognition. Local governments are especially not conscious of the far-reaching obstacles connected with



the trade in persons. It is the most important global objective to raise the awareness and foster the commitment to fight human trafficking.<sup>17</sup>

- Even if the less developed states recognize human trafficking as a major global issue, often they are not able to act against it. Thus, it is most crucial to give technical, financial, and tuition support to those states and help them set up and enforce new laws to effectively fight human trafficking on a legal basis.

- Due to the secret nature of trafficking it is difficult to obtain convincing information. Few studies are based on large-scale research and numbers of victims are imprecise. To detect the factors of trafficking and develop effective counter measures against it, knowledge about the actual dimension of the problem is crucial.<sup>18</sup>

<sup>14</sup> idem

<sup>15</sup> <http://www.unodc.org/unodc/en/human-trafficking/faqs.html>

<sup>16</sup> [http://www.uni-marburg.de/fb02/empinsti/research/human\\_trafficking?language\\_sync=1](http://www.uni-marburg.de/fb02/empinsti/research/human_trafficking?language_sync=1)

<sup>17</sup> <http://www.ungift.org/knowledgehub/en/about/goals.html>

<sup>18</sup> <http://www.migrationpolicy.org/article/human-trafficking-need-better-data>

- While counteracting the perpetrators it is important not to forget about the victims. Legal aid and psychological help, as well as support to build up a new life are necessary to give the victims a new perspective on life.
- Intensified international and transnational cooperation with all parties concerned, including, but not limited to local governments, non-governmental organizations and research institutes can foster a holistic approach and the possibility to tackle the problem more sustainably.
- While combating trafficking, it is important to actually improve the victims' situation. For example, one of the first states to address human trafficking in a law was India in 1956 with the Immoral Traffic Prevention Act. Yet the act dragged a lot of people into poverty or an even more dangerous work and life. This dilemma has to be considered.

**Questions to consider in your research:**

- What is your country's historical background concerning human trafficking?
- How is your country involved in the fight against human trafficking?
- Which economic impact does human trafficking have on your country?
- What actions and decisions have the United Nations taken so far?
- How can the outlined "Main Objectives" be approached?

**Further Readings:**

<http://www.un.org/en/ecosoc/about/faqs.shtml>

<http://www.ungift.org>

<http://www.humantrafficking.org/>

<http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>

<http://un-act.org>

[http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking in Persons 2012 web.pdf](http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf)

<http://www.unodc.org/unodc/treaties/CTOC/>

## **Topic B: Promoting the right of education and enforcing girl's and women's right**

**"Eliminate gender disparity in primary and secondary education, preferably by**

**2005, and in all levels of education, no later than 2015" - *Millennium Development Goal 3***

### **Human Rights = Women's and Children's Rights**

The *Universal Declaration of Human Rights* (UDHR), adopted in 1948, was the first document that named a basic set of rights that every human "without distinction of any kind"<sup>19</sup> has.

The UDHR is however, only the first of numerous human rights treaties that are in force today and which govern the obligations of states and the rights of individuals and groups all around the globe. Ever since the adoption of the UDHR, human rights have been argued about - whether it was the question if all those rights should be treated as equally important or if cultural peculiarities should limit their application in certain regions or states.

One effect of this debate is that it took 45 years for the international community to formally declare, during the *World Conference on Human Rights* held in 1993, that human rights and women's rights are inseparable from one another<sup>20</sup>. And even today, this notion is widely disregarded and ignored, causing women in every country to be subjected to violence, inequality and other forms of injustice. Indeed, it was even deemed necessary to have an own *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) which seeks to eliminate the still existing biases against women that are prevalent in our world and also names some human rights which are specific to women.

Another group that is especially vulnerable to human rights violations is children. And while they possess all the rights recognized by the UDHR, it has also been recognized that there

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<sup>19</sup> Universal Declaration of Human Rights (UDHR), Article 2; <http://www.un.org/en/documents/udhr/>  
Convention on the Rights of the Child (CRC), Article 28;  
<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

<sup>20</sup> Vienna Declaration on Human Rights, Article 18;  
<http://www.ohchr.org/en/professionalinterest/pages/vienna.aspx>



are some rights which are specific to them due to their unique situation. These rights are formulated in the *Convention on the Rights of the Child* (CRC) which was adopted in 1989.

### **Enforcing Women's and Children's Rights**

Women's and Children's Rights are closely interwoven and linked to each other. While the rights given to women directly influence the children's development and upbringing, the protection of children's rights has positive effects in the future when these children become adults and have kids of their own. In this way they can not only complement but also reinforce each other, making the whole greater than the sum of its parts.

Therefore, CEDAW and the CRC are also interlinked and can be seen as two separate but related treaties and interpreted accordingly.<sup>21</sup> Whereas the CEDAW focuses on a gender-based approach to human rights, the CRC has an age-based approach. Obviously this leads to an overlap between both Conventions, however, this overlap should not be seen as a needless duplicity, but as a chance to see which rights are of special importance to both women and children.

This two-pronged approach is especially relevant, as young women – specifically aged 10 to 19 - constitute one of the most vulnerable groups in our society: "as children in an adult world, as females in a masculine world, and as young people going through puberty."<sup>22</sup> The reasons that cause violence against women also apply to them, however, being children still, they are even more vulnerable than their counterparts, be they adults, males or male adolescents.

Violence against women is widespread and can be found everywhere in the world. It is unfortunately one of the uniting features of humanity and it is the direct consequence of an "unequal power balance between men and women".<sup>23</sup> Indeed, it is so wide-spread that one-third of all women worldwide will experience violence based on their gender. These forms of violence are as manifold as the different cultures in which they occur. However, some general distinction can be made based on the perpetrators. Those are frequently family

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<sup>21</sup> Women's & Children's Rights, page 24.

<sup>22</sup> Ibid., page 32.

<sup>23</sup> Ending Violence against Women and Girls - Protecting Human Rights. Good Practices for Development Cooperation. Eschborn, Deutsche Gesellschaft für Technische Zusammenarbeit, 2005, page 9. [www2.gtz.de/dokumente/bib/05-1048.pdf](http://www2.gtz.de/dokumente/bib/05-1048.pdf)

members, community members or even the state itself.<sup>24</sup> Violence against women is also not only a clear human rights violation and objectionable on moral grounds, but also a burden for society, generating poverty, as victims of violence not only incur costs for health care but are also less productive and less able to provide for their families.<sup>25</sup>

### **Education as human right**

One of the human rights recognized by the UDHR, CEDAW and CRC alike is the right to education, thereby emphasizing that this is of major importance in the development of both children and women.

Education can benefit a humans whole life, from the moment of birth till death. Indeed, it is not only one of the basic rights that everyone is entitled to, but should also "be compulsory" on the elementary level<sup>26</sup>, meaning that everyone - regardless of gender - should have at least visited an elementary school.

Indeed, the Millennium Development Goals (MDG) #2 as well as #3 are both dealing with this human right. MDG #2 seeks to "Achieve universal primary education", while #3 aims to "Eliminate gender disparity in primary and secondary education [...]".<sup>27</sup> Unfortunately, achievement of these goals is still not complete. Even though progress has been made and enrollment in primary schools has risen to 90% in developing countries, the percentage of drop-outs is still the same as in 2000 at 25%, meaning that one out of four children that starts primary education will not finish it.<sup>28</sup>

One of the factors that determines whether a child will enroll in school or not is gender. About 60% of the children who lack basic reading and writing skills are female<sup>29</sup> and of the 101 million children not attending primary school in 2008, more than half of them are female.<sup>30</sup> This trend unfortunately only grows during secondary education.<sup>31</sup> The reasons for

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<sup>24</sup> Ibid., page 13 et seq.

<sup>25</sup> Ibid., page 26.

<sup>26</sup> UDHR, Article 26

<sup>27</sup> United Nations Millenium Development Goals (MDGs); <http://www.un.org/millenniumgoals/>.

<sup>28</sup> MDG #2 2013 Fact Sheet; [http://www.un.org/millenniumgoals/pdf/Goal\\_2\\_fs.pdf](http://www.un.org/millenniumgoals/pdf/Goal_2_fs.pdf)

<sup>29</sup> Ibid.

<sup>30</sup> United Nations Population Fund and United Nations Children's Fund: Women's & Children's Rights: Making the Connection. New York, 2010, page 18.

[http://www.unfpa.org/webdav/site/global/shared/documents/publications/2011/Women-Children\\_final.pdf](http://www.unfpa.org/webdav/site/global/shared/documents/publications/2011/Women-Children_final.pdf)

this are multitude and range from "the absence of women teachers and female role-models in villages"<sup>32</sup> to direct violence perpetrated against young women.

Whether it be attacks by radical organizations like Boko-Haram in Nigeria that target schools and girls in specific<sup>33</sup> or more entrenched cultural traditions like female genital mutilation, "it is a bitter irony that while primary education is promoted as a means of advancing greater female equality, the school itself is often the very place where girls risk experiencing violence."<sup>34</sup>

### Questions to consider in your research:

- What is your country's historical and cultural background concerning Education and Women and Children's rights?
- What direction should the development of Women's and Children's rights take in your country?
- Which economic and social impact has violence against women on your country?
- What actions and decisions have the United Nations and your country taken so far?
- What has your country done to achieve the MDGs #2 and #3?

### Further Readings:

- Universal Declaration of Human Rights: <http://www.un.org/en/documents/udhr/#atop>
- Convention on the Elimination of All Forms of Discrimination against Women: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article1>
- Convention on the Rights of the Child: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- Women of the World: Know Your International Human Rights (good introduction in human+women's rights in general): <https://www.humanrights.gov.au/publications/women-s-human-rights-united-nations-convention-elimination-all-forms-discrimination#Heading159>

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<sup>31</sup> United Nations: The Millenium Development Goals Report 2013. New York, 2013, page 16.

<http://www.un.org/millenniumgoals/pdf/report-2013/mdg-report-2013-english.pdf>

<sup>32</sup> Savitri Goonesekere and Rangita de Silva-de Alwis: Women's and Children's Rights in a Human Rights Based Approach to Development. New York, United Nations Children's Fund, 2005, page 34.

<http://www.unicef.org/gender/files/WomensAndChildrensRightsInAHumanRightsBasedApproach.pdf>

<sup>33</sup> Spokesmen for the United Nations Secretary-General, New York, 2014.

<http://www.un.org/sg/statements/index.asp?nid=7601>

<sup>34</sup> Ending Violence against Women and Girls, page 28.

- United Nations Inter-Agency Network on Women and Gender-Equality:  
<http://www.un.org/womenwatch>
- UN Women: <http://www.unwomen.org/en>