

International Conventions on Trafficking

Human Trafficking is merely the latest term for the institution of slavery which has existed throughout human history in many, if not most cultures. Slavery has a variety of different forms and definitions. The definition of slavery has been a continuous political struggle and has gone through many incarnations. The first international instrument to condemn slavery was the Declaration Relative to the Universal Abolition of the Slave Trade in 1815. Between 1815 and 1957 there have been 300 international agreements outlawing slavery. Prohibitions against slavery are now considered customary international law. The International Court of Justice has defined protection against slavery “as obligations owed by a State to the international community as a whole.”

The United Nations defines human trafficking as the: “recruitment, transportation, purchase, sale, transfer, harbouring or receipt of persons by threat or use of violence, abduction, force, fraud, deception or coercion (including abuse of authority), or debt bondage for the purpose of placing or holding such person, whether for pay or not in forced labour or slavery-like practices.”

Trafficking can manifest itself in several categories including labor, sex, child and organ trafficking. It can affect men, women and children.

No one knows the extent of trafficking in Armenia. Only that we have evidence of trafficking and must begin to work on ways to help people begin to protect themselves.

These are the conventions on trafficking that are currently the most pertinent to the fight against trafficking:

The Palermo Protocols: Heads of State from more than 80 different countries came to Palermo on the 15 November 2000 to sign one or both of the Palermo Protocols against human trafficking, especially in the case of women and children and protocols against the smuggling of migrants. It has been recommended that Armenia adopt these protocols and definitions of trafficking. Please see the copy of the protocols included in this packet. The Palermo Protocols are an addendum of the United Nations Conventions Against Transnational Crime (UNOTCC) to which Armenia is a signee.

Convention Against the Elimination of Discrimination Against Women (CEDAW):

This is not specifically a convention against trafficking but rather it protects women against discrimination and attempts to guarantee their equality in all matters. This Convention was written in 1979 and ratified by Armenia in 1993. While trafficking is never solely about one gender it is important that this convention be recognized and enforced to help protect one of the target groups of traffickers. Discrimination against women is considered one of the push-pull factors of trafficking. This convention defines discrimination as: “...any distinction or exclusion or restriction made on the basis of sex which has the effect or purpose of nullifying the recognition, enjoyment or exercise by

women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

Convention on the Rights of the Child (CRC): Guarantees the basic human rights of children under the age of minority, civil, political, social and economic, it also prohibits discrimination against children. The CRC has an Optional Protocol that prohibits the sale of children, child prostitution and child pornography. Please see a copy of the convention included in this packet.

Definitions related to trafficking

Serfdom-[T]he condition or status of a tenant who is by law custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person for reward or not and is not free to change his status.

Forced labour-All work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily.

Debt Bondage-the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.