



NHSMUN

**CCPCJ**

**BACKGROUND GUIDE**

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**Director-General**  
**Jordan Baker**

**Delegate Experience**  
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**Global Partnerships**  
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**Anshul Magal**  
**Analucia Tello**  
**Sofia Velasco**  
**Renata Venzor**

Dear Delegates,

Welcome to NHSMUN 2025! My name is Ani Hovhannisian, and I will be the Director of the Commission on Crime Prevention and Criminal Justice (CCPCJ) during Session I. My Co-Director Ana Sofia and I are so excited to welcome you to this Committee and we hope that you all have beneficial debates during the conference!

A little bit about myself: I am a sophomore at the University of California, San Diego studying Neurobiology on a pre-med track. I hope to one day work in a medical research lab where I can do both research and interact with patients. I live in Los Angeles and outside of school I love to be outdoors and go to the beach. I've always had an interest in science and the brain, which is why I study what I do, however I also love the incorporation of science and politics and how they impact the world we live in. Which greatly impacts the way I view MUN. I've seen so many topics that require an understanding of both the scientific aspect and the political side to properly address the topic and propose a proper solution. The topics chosen were selected with the intention to be looked at from a multidisciplinary perspective and consider all possible aspects of every problem.

I initially started MUN in my sophomore year of high school where I mostly participated in CCPCJ. I did MUN as a delegate for three years and loved every aspect of it, especially the public speaking aspect of it since I love to talk. I originally joined MUN because I thought I wanted to pursue a career in public policy, however, as my career interests changed, I didn't quit because MUN allowed me to grow different skills such as leadership and communication. Yet, the number one thing MUN gave me was a community as I've met most of my closest friends in MUN. This is my second time being a part of NHSMUN, but I have chaired multiple times before throughout my MUN journey. I'm excited to chair for you all in March and hope you have a great time as well!

With this Background Guide, I hope you can look at well-known issues from a different perspective and consider your involvement and possible impacts. It is essential to stay informed and connected with the world's state. Tolerance and peace are crucial for a livable society, and it is constantly being threatened. Whether you are a first-time delegate or a seasoned one, it is imperative that you approach these topics with the utmost care and respect to ensure that all discussions are engaging and collaborative. If you ever have any questions, concerns, or just want to introduce yourselves, please do not hesitate to contact me or Ana Sofia. We are more than happy to help you with your research and be involved in your preparations for March. See you all in a couple of months!

Sincerely,

Ani Hovhannisian

Director, Commission on Crime Prevention and Criminal Justice (CCPCJ)

Session I

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Dear Delegates,

Hello and welcome to NHSMUN 2025! My name is Ana Sofia Juarez, but you can call me Sofia. I am honored to serve as the Director of the Commission on Crime Prevention and Criminal Justice (CCPCJ) for Session II. My co-director, Ani Hovhannisian, and I are very excited to hear your debates during this year's conference on topics we are both very passionate about— "Reducing re-offending through rehabilitation" and "Acting against trafficking in persons in business operations." We are sure these two critical and exciting topics will lead to a fantastic conference.

Allow me to introduce myself better. I am from Monterrey, Mexico, and I'm 20 years old. I am a third-year law student at Universidad de Monterrey. I'd be lying if I told you that MUN didn't significantly impact me when I decided I wanted to be a lawyer. My favorite university subjects are labor law, commercial law, and criminal law. This is my second year on staff and third year at NHSMUN overall. Last year, I was an Assistant Director for the Legal Committee, and in 2019, I was a delegate representing Morocco in UNESCO. I started Model UN in the sixth grade, and I've loved it ever since.

Apart from school and MUN, I enjoy spending time with my friends, getting to know new coffee places, grabbing lunch, and attending concerts. Some of the best concerts I've attended are Taylor Swift's "Eras Tour," 5 Seconds of Summer's "Take My Hand Tour," and Harry Styles' "Love on Tour." I also love watching TV series; my favorite one is Modern Family. On top of that, I am a huge Formula 1 and football-soccer fan!

In this Background Guide, the topic of "Reducing re-offending through rehabilitation" is full of information that will help you better understand what re-offending is, why it is an issue, and how rehabilitation contributes to this topic. Ani and I have worked very hard on this Background Guide to inform you of the most crucial points on both topics. Throughout this guide, I hope you can find an interest in these two topics. We hope you use this background guide as a starting point for your own research as you write your position papers and develop solutions.

I'm beyond excited to see you guys in New York and cannot wait to hear what everyone must add during the committee. Please feel free to reach out if you have any questions regarding the topic or research; we are here to help.

See you in March!

Best regards,

Ana Sofía Juárez Villarreal

Director, Commission on Crime Prevention and Criminal Justice (CCPCJ)

Session II

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## A Note on the NHSMUN Difference

Esteemed Faculty and Delegates,

Welcome to NHSMUN 2025! We are Terry Wang and Jordan Baker, and we are this year's Secretary-General and Director-General. Thank you for choosing to attend NHSMUN, the world's largest and most diverse Model United Nations conference for secondary school students. We are thrilled to welcome you to New York City in March.

As a space for collaboration, consensus, and compromise, NHSMUN strives to transform today's brightest thinkers, speakers, and collaborators into tomorrow's leaders. Our organization provides a uniquely tailored experience for all through innovative and accessible programming. We believe that an emphasis on education through simulation is paramount to the Model UN experience, and this idea permeates throughout numerous aspects of the conference:

**Realism and accuracy:** Although a perfect simulation of the UN is never possible, we believe that one of the core educational responsibilities of MUN conferences is to educate students about how the UN System works. Each NHSMUN committee is a simulation of a real deliberative body so that delegates can research what their country has said in the committee. Our topics are chosen from the issues currently on the agenda of that committee (except historical committees, which take topics from the appropriate time period). We also strive to invite real UN, NGO, and field experts into each committee through our committee speakers program. Moreover, we arrange meetings between students and the actual UN Permanent Mission of the country they are representing. Our delegates have the incredible opportunity to conduct first-hand research, asking thought-provoking questions to current UN representatives and experts in their respective fields of study. These exclusive resources are only available due to IMUNA's formal association with the United Nations Department of Global Communications and consultative status with the Economic and Social Council. No other conference goes so far to deeply immerse students into the UN System.

**Educational emphasis, even for awards:** At the heart of NHSMUN lies education and compromise. Part of what makes NHSMUN so special is its diverse delegate base. As such, when NHSMUN distributes awards, we strongly de-emphasize their importance in comparison to the educational value of Model UN as an activity. NHSMUN seeks to reward students who excel in the arts of compromise and diplomacy. More importantly, we seek to develop an environment in which delegates can employ their critical thought processes and share ideas with their counterparts from around the world. Given our delegates' plurality of perspectives and experiences, we center our programming around the values of diplomacy and teamwork. In particular, our daises look for and promote constructive leadership that strives towards consensus, as real ambassadors do in the United Nations.

**Debate founded on strong knowledge and accessibility:** With knowledgeable staff members and delegates from over 70 countries, NHSMUN can facilitate an enriching experience reliant on substantively rigorous debate. To ensure this high quality of debate, our staff members produce detailed, accessible, and comprehensive topic guides (like the one below) to prepare delegates for the nuances inherent in each global issue. This process takes over six months, during which the Directors who lead our committees develop their topics with the valuable input of expert contributors. Because these topics are always changing and evolving, NHSMUN also produces update papers intended to bridge the gap of time between when the background guides are published and when committee starts in March. As such, this guide is designed to be a launching point from which delegates should delve further into their topics. The detailed knowledge that our Directors provide in this background guide through diligent research aims to increase critical thinking within delegates at NHSMUN.

**Extremely engaged staff:** At NHSMUN, our staffers care deeply about delegates' experiences and what they take away from their time at NHSMUN. Before the conference, our Directors and Assistant Directors are trained rigorously through hours of workshops and exercises both virtual and in-person to provide the best conference experience possible. At the conference,

delegates will have the opportunity to meet their dais members prior to the first committee session, where they may engage one-on-one to discuss their committees and topics. Our Directors and Assistant Directors are trained and empowered to be experts on their topics and they are always available to rapidly answer any questions delegates may have prior to the conference. Our Directors and Assistant Directors read every position paper submitted to NHSMUN and provide thoughtful comments on those submitted by the feedback deadline. Our staff aims not only to tailor the committee experience to delegates' reflections and research but also to facilitate an environment where all delegates' thoughts can be heard.

**Empowering participation:** The UN relies on the voices of all of its member states to create resolutions most likely to make a meaningful impact on the world. That is our philosophy at NHSMUN too. We believe that to properly delve into an issue and produce fruitful debate, it is crucial to focus the entire energy and attention of the room on the topic at hand. Our Rules of Procedure and our staff focus on making every voice in the committee heard, regardless of each delegate's country assignment or skill level. Additionally, unlike many other conferences, we also emphasize delegate participation after the conference. MUN delegates are well researched and aware of the UN's priorities, and they can serve as the vanguard for action on the Sustainable Development Goals (SDGs). Therefore, we are proud to connect students with other action-oriented organizations to encourage further work on the topics.

**Focused committee time:** We feel strongly that face-to-face interpersonal connections during debate are critical to producing superior committee experiences and allow for the free flow of ideas. Ensuring policies based on equality and inclusion is one way in which NHSMUN guarantees that every delegate has an equal opportunity to succeed in committee. In order to allow communication and collaboration to be maximized during committee, we have a very dedicated administrative team who work throughout the conference to type up, format, and print draft resolutions and working papers.

As always, we welcome any questions or concerns about the substantive program at NHSMUN 2025 and would be happy to discuss NHSMUN pedagogy with faculty or delegates.

Delegates, it is our sincerest hope that your time at NHSMUN will be thought-provoking and stimulating. NHSMUN is an incredible time to learn, grow, and embrace new opportunities. We look forward to seeing you work both as students and global citizens at the conference.

Best,

Terry Wang  
Secretary-General

Jordan Baker  
Director-General

## A Note on Research and Preparation

Delegate research and preparation is a critical element of attending NHSMUN and enjoying the debate experience. We have provided this Background Guide to introduce the topics that will be discussed in your committee. We encourage and expect each of you to critically explore the selected topics and be able to identify and analyze their intricacies upon arrival to NHSMUN in March.

The task of preparing for the conference can be challenging, but to assist delegates, we have updated our [Beginner Delegate Guide](#) and [Advanced Delegate Guide](#). In particular, these guides contain more detailed instructions on how to prepare a position paper and excellent sources that delegates can use for research. Use these resources to your advantage. They can help transform a sometimes overwhelming task into what it should be: an engaging, interesting, and rewarding experience.

To accurately represent a country, delegates must be able to articulate its policies. Accordingly, NHSMUN requires each delegation (the one or two delegates representing a country in a committee) to write a position paper for each topic on the committee's agenda. In delegations with two students, we strongly encourage each student to research each topic to ensure that they are prepared to debate no matter which topic is selected first. More information about how to write and format position papers can be found in the NHSMUN Research Guide. To summarize, position papers should be structured into three sections:

**I: Topic Background** – This section should describe the history of the topic as it would be described by the delegate's country. Delegates do not need to give an exhaustive account of the topic, but rather focus on the details that are most important to the delegation's policy and proposed solutions.

**II: Country Policy** – This section should discuss the delegation's policy regarding the topic. Each paper should state the policy in plain terms and include the relevant statements, statistics, and research that support the effectiveness of the policy. Comparisons with other global issues are also appropriate here.

**III. Proposed Solutions** – This section should detail the delegation's proposed solutions to address the topic. Descriptions of each solution should be thorough. Each idea should clearly connect to the specific problem it aims to solve and identify potential obstacles to implementation and how they can be avoided. The solution should be a natural extension of the country's policy.

Each topic's position paper should be **no more than 10 pages** long double-spaced with standard margins and font size. **We recommend 3–5 pages per topic as a suitable length.** The paper must be written from the perspective of your assigned country and should articulate the policies you will espouse at the conference.

Each delegation is responsible for sending a copy of its papers to their committee Directors via [myDais](#) on or before **February 21, 2025**. If a delegate wishes to receive detailed feedback from the committee's dais, a position must be submitted on or before **January 31, 2025**. The papers received by this earlier deadline will be reviewed by the dais of each committee and returned prior to your arrival at the conference.

Complete instructions for how to submit position papers will be sent to faculty advisers via email. If delegations are unable to submit their position papers on time, please contact us at [info@imuna.org](mailto:info@imuna.org).

**Delegations that do not submit position papers will be ineligible for awards.**

## Committee History

The Commission on Crime Prevention and Criminal Justice (CCPCJ) was established in 1992 by the United Nations Economic and Social Council (ECOSOC) at the request of the United Nations General Assembly (UNGA) in resolution 46/152. This resolution aimed to coordinate and strengthen global efforts to decrease crime rates and promote criminal justice.<sup>1</sup> There are 40 member states in the CCPCJ committee who are elected by members of the ECOSOC and are chaired by a board of those members. ECOSOC chooses the 40 members of the CCPCJ through a selective voting process, selecting representatives from United Nations (UN) Member States for a four-year term, ensuring geographical distribution and representation from different legal systems. The CCPCJ is the main policymaking body of the UN in the field of crime prevention and criminal justice.<sup>2</sup> Any crime related policy needs to pass through the CCPCJ and the ECOSOC, then sent to the General Assembly for official endorsement.

The main reason for the creation of the CCPCJ committee was due to the Cold War. The Cold War was a pivotal era of ideological tension and strategic competition between the Western Bloc, led by the United States, and the Eastern Bloc, led by the Soviet Union, from 1947 to 1991, influencing global governance, international relations, and economic systems.<sup>3</sup> During the Cold War, there were global security concerns on the political and military aspects, with a special focus on the rivalries between the blocs led by the United States and the Soviet Union. After the war, new threats including organized crime, drug trafficking, money laundering, and terrorism became evident. These phenomena directly affected public safety and required coordinated global responses.<sup>4</sup>

The committee's power expanded in 2006, when the General Assembly passed resolution 61/252, directly increasing their jurisdiction. This resolution expanded the CCPCJ's mandates, which are crime prevention, justice reform, and international cooperation. This enabled the committee to function as the governing body of the United Nations Office on Drugs and Crime (UNODC), also leaving it to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund.<sup>5</sup>

There are four main focuses within the committee.<sup>6</sup> First is crime prevention which is the most perceptible function. The main function of the committee is to develop and implement effective strategies to prevent crime. Second is criminal justice reform which aims to ensure that human rights are respected and that there is efficiency in the fight against crime, much of which has been done by the institution with initiatives to reform judicial and prison systems around the world. Third is emerging crimes where the body works on crimes that have become more relevant in recent years, such as cybercrime and environmental crimes. Lastly, global conferences, where the commission organizes periodic conferences that bring together experts and representatives from around the world to discuss advances and challenges in the field.<sup>7</sup> When all four focuses are brought together, CCPCJ creates well-thought-out extensive legislation that can be applied all around the world for the betterment of society and the safety of all.

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1 UNODC, "The Commission on Crime Prevention and Criminal Justice," Unodc.org, 2019, <https://www.unodc.org/unodc/en/commissions/CCPCJ/index.html>.

2 UNODC, "The Commission on Crime Prevention and Criminal Justice,"

3 "Turning down the Heat: A Low-Key CCPCJ Follows the High Drama of the CND.," 2024, Global Initiative, June 6, 2024, <https://globalinitiative.net/analysis/turning-down-the-heat-a-low-key-ccpcj-follows-the-high-drama-of-the-cnd/>.

4 Ian Tennant, "Fulfilling the Promise of Palermo? A Political History of the UN Convention against Transnational Organized Crime," *Journal of Illicit Economics and Development* 2, no 1 (2021): 53–71, <https://doi.org/10.31389/jied.90>.

5 UNODC, "The Commission on Crime Prevention and Criminal Justice,"

6 "CCPCJ Mandate and Functions," United Nations : Office on Drugs and Crime, 2021, <https://www.unodc.org/unodc/en/commissions/CCPCJ/mandate.html>.

7 "Crime Policy," United Nations : Office on Drugs and Crime, 2021, <https://www.unodc.org/unodc/en/commissions/CCPCJ/policy.html>.





**TOPIC A:**  
**REDUCING REOFFENDING THROUGH REHABILITATION**

Photo Credit: California Department of Corrections and Rehabilitation

## Introduction

Imprisonment is not only the deprivation of liberty; it should provide opportunities for prisoners to develop skills and acquire knowledge that can be useful for them post-release to avoid future re-offense.<sup>1</sup> Re-offending, or recidivism, refers to the moment when a previously detained offender commits another crime after their prison release. Incarceration on its own cannot amend prisoners' social reintegration obstacles. That is why the International Covenant for Civil and Political Rights (ICCPR) requires that every criminal justice system treat prisoners with the aim of rehabilitation and social reintegration.<sup>2</sup> Rehabilitation is “an ambitious sentencing goal that aims to decrease criminal acts”.<sup>3</sup> It is often employed as a tool to reduce re-offending in different ways, depending on the type administered.

The United Nations Standard Minimum Rules for the Treatment of Prisoners, also known as the Nelson Mandela Rules, is the most important international document that sets the standards for good practices in the treatment of prisoners and prison management.<sup>4</sup> These rules clearly establish the provision of prison rehabilitation programs, which foster prisoners' willingness and ability to lead a law-respectful and self-supporting life after their release. These are key concepts to follow when aiming to reduce recidivism and improve public safety, which is the ultimate objective of any sentence of imprisonment.<sup>5</sup>

Among the endless efforts to reduce re-offending, there are essential factors to consider, such as poverty, social inequalities, and discrimination.<sup>6</sup> These act as obstacles to successful rehabilitation programs, as well as the lack of availability of efficient rehabilitation programs due to prison overcrowding.<sup>7</sup> Together with the increased prisoner population, the lack of seamless transitions from the custodial environment to the community, and the need for individualized and ongoing assessments of offenders, it is essential to look for ways to

promote the application of the UN Standard Minimum Rules for the Treatment of Prisoners worldwide to achieve rehabilitation that truly contributes to minimizing re-offending.

## History and Description of the Issue

### Rehabilitation in Criminal Justice Systems

Due to popular belief, it may seem that incarceration provides punishment and helps keep criminals away from public life for a time, creating a “safer” society.<sup>8</sup> Nevertheless, many researchers found that spending time in prison does not lower the risk that someone will offend again. In some cases, it raises the chances that prisoners will commit crimes after release.<sup>9</sup>

That perception that spending a significant amount of time behind bars will lower crime comes from the 18th century with the idea of the rational criminal. The Italian jurist Cesare Beccaria and English criminologist Jeremy Bentham developed

1 Rob Allen, Roadmap for the Development of Prison-based Rehabilitation Programmes (Vienna: United Nations, 2017), [https://www.unodc.org/documents/justice-and-prison-reform/17-05452\\_ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/17-05452_ebook.pdf).

2 Allen, Roadmap for the Development of Prison-based Rehabilitation Programmes.

3 William R. Balestrino, “Reducing Recidivism Through Rehabilitation: An Observational Study on Rehabilitative Programming During and After Incarceration to Determine Best Practices for Successful Reintegration into Society,” *Merge* 7, no. 1 (April 2023): 1-14.

4 United Nations Office on Drugs and Crime, *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, (Vienna: United Nations, 2015), [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf).

5 Allen, Roadmap for the Development of Prison-based Rehabilitation Programmes.

6 Commission on Crime Prevention and Criminal Justice, Report of the Expert Group Meeting on reducing re-offending, E/CN.15/2022/CRP.4, (Apr. 29, 2022), [https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_31/CRP/E\\_CN15\\_2022\\_CRP4\\_e\\_V2202541.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_31/CRP/E_CN15_2022_CRP4_e_V2202541.pdf)

7 “Why Rehabilitation Does Not Work in America,” *Applied Social Psychology (ASP) blog*, accessed August 4, 2024, <https://sites.psu.edu/aspsy/2019/03/02/why-rehabilitation-does-not-work-in-america/>.

8 Jamie Santa Cruz, “Rethinking prison as a deterrent to future crime,” *knowable Magazine*, July 13, 2022, <https://knowablemagazine.org/content/article/society/2022/rethinking-prison-deterrent-future-crime>.

9 Santa Cruz, “Rethinking prison as a deterrent to future crime.”

this.<sup>10</sup> They argued that all criminals are logical, meaning that they would analyze whether it's worth committing a crime or not based on the punishment they might receive.<sup>11</sup>

This theory remained prevalent during the 1970s and 1980s since it suggested a solution to the issue of crime and helped the police keep inmates and prisons in order and under control. This led to a dramatic increase in the number of people serving time in jails and prisons. At the same time, there were clear signs that imprisonment alone might not lower crime rates.<sup>12</sup> Many studies about all those early observations and theories concluded that jail time does not discourage criminals from committing a future crime after release. That there is no link between having high incarceration rates and lower criminal rates. In most countries in the global north, crime rates have dropped dramatically, while in regions like Latin America, these rates have just been increasing. What the Incarceration Nations Network study showed is that, historically, incarceration rates have been entirely independent of the increment of crime rates.<sup>13</sup>

It is important to note that there is a lack of institutional framework in which imprisonment does not consider the reduction of re-offending. A study showed that while incarcerated, offenders associate with each other, endure the pains and difficulties of being in prison, and are cut off from their social contacts, such as family and friends.<sup>14</sup> All of these contribute to the creation of an environment that, instead of pushing them to leave their criminal lives behind, puts them in a situation where causing or likely to cause criminal behavior

is encouraged among themselves.<sup>15</sup>

Nowadays, the rehabilitation system focuses on education, therapy, and skill development.<sup>16</sup> In criminal justice, rehabilitation is a concept that relates to different methods to reintegrate offenders into society by developing personal transformation and growth.<sup>17</sup> Rehabilitation addresses the root causes of criminal behavior, offering those who have made mistakes a second chance to live productive lives.<sup>18</sup> These new rehabilitation programs were developed as a response to the recognition of high re-offending rates.<sup>19</sup> More than half of the prisoners in jails have been incarcerated more than once.<sup>20</sup> For many of them, breaking this cycle of re-offending is extremely hard; between the lack of decent prison conditions and the limited re-entry support, during and after incarceration, it can be challenging to adapt again to everyday life.<sup>21</sup>

Re-offending, also known as recidivism, occurs when a previously detained offender commits another crime after their release, bringing them back to incarceration.<sup>22</sup> There are different programs designed to reduce recidivism in convicts by improving their behaviors, skills, mental health, social functioning, and access to education and employment.<sup>23</sup> Rehabilitation takes into consideration the person as a whole, not only the crime they committed.<sup>24</sup> While incarcerated, there are several moments when prisoners can join the rehabilitation process. Most of these programs begin while the person completes their sentence in jail or community settings, such as probation, following their release.<sup>25</sup>

10 Santa Cruz, "Rethinking prison as a deterrent to future crime."

11 Santa Cruz, "Rethinking prison as a deterrent to future crime."

12 Santa Cruz, "Rethinking prison as a deterrent to future crime."

13 "Prisons Don't Work," Incarceration Nations Network, accessed August 11, 2024, <https://incarcerationnationsnetwork.org/prisons-dont-work/>.

14 Damon M. Petrich, Travis C. Pratt, Cheryl Lero Jonson, and Francis T. Cullen, *Custodial Sanctions and re-offending: A Meta-Analytic Review*, (Chicago: The University of Chicago, 2021), <https://doi.org/10.1086/715100>.

15 Petrich, Pratt, Jonson, and Cullen, *Custodial Sanctions and re-offending: A Meta-Analytic Review*.

16 "The Transformative Power of Rehabilitation in Criminal Justice," Justice Reform Foundation, accessed July 9, 2024, <https://justicereformfoundation.org/rehabilitation/the-transformative-power-of-rehabilitation-in-criminal-justice/>.

17 Justice Reform Foundation, "The Transformative Power of Rehabilitation in Criminal Justice."

18 Justice Reform Foundation, "The Transformative Power of Rehabilitation in Criminal Justice."

19 Justice Reform Foundation, "The Transformative Power of Rehabilitation in Criminal Justice."

20 "Reducing Recidivism: Creating a Path to Successful Re-entry," First Step Alliance, July 15, 2021, <https://www.firststepalliance.org/post/reducing-recidivism>.

21 First Step Alliance, "Reducing Recidivism: Creating a Path to Successful Re-entry."

22 "Recidivism," National Institute of Justice, accessed August 7, 2024, <https://nij.ojp.gov/topics/corrections/recidivism>.

23 "Practice Profile: Rehabilitation Programs for Adults Convicted of a Crime," National Institute of Justice, February 11, 2020, <https://crimesolutions.ojp.gov/ratedpractices/101#1-0>.

24 Justin Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View," Medium, June 3, 2023, [https://medium.com/@justin\\_magnuson/the-importance-of-rehabilitating-offenders-a-holistic-view-90e275a5d2ed](https://medium.com/@justin_magnuson/the-importance-of-rehabilitating-offenders-a-holistic-view-90e275a5d2ed).

25 National Institute of Justice. "Practice Profile: Rehabilitation Programs for Adults Convicted of a Crime."

The rehabilitation provided during community settings may be delivered in different facilities such as psychiatric hospitals or supportive residential housing. In addition, there are cases where some rehabilitation programs act like alternatives to prison—for example, drug courts.<sup>26</sup> This is especially important because it helps redirect offenders into community services rather than correctional facilities, preventing overcrowding inside prisons. Worldwide, there has been a recent and noticeable shift toward a more rehabilitation-oriented criminal justice system.<sup>27</sup> An example of how services in the community work as an alternative to prison is the case of Africa. In this continent, thousands of people are massively put in jail, making their prisons overcrowded, inhumane, unsanitary, and ineffective. These issues act as obstacles to prisoners' rehabilitation and crime prevention. Zimbabwe first introduced Community Service in 1992; this quickly became a practical alternative since it was perceived as more humane, less expensive, and had better response from offenders.<sup>28</sup>

This significant change is backed up by a growing body of investigations that suggests that rehabilitation programs, such as the development of life skills, education, and mental health, indeed reduce re-offending rates and lead to safer communities.<sup>29</sup> The International Journal of Indian Psychology conducted a research paper on The Effectiveness of Rehabilitation in Prisons and the Criminal Justice System. This study consisted of 20 questions to gather information about the effectiveness of prisoner rehabilitation from lawyers, law enforcement agencies, law students, and forensic teachers. This survey was conducted to understand further how effective rehabilitation is in prisons and the criminal justice systems. They gave questionnaires to 52 people. Amongst them were 12 forensic teachers, 15 law students, 15 lawyers, and 10 law

enforcement agencies. From the information they gathered, they concluded that rehabilitation programs can effectively help lower recidivism rates.<sup>30</sup>

The study further confirmed that offenders who are involved in substance addiction treatments and educational and vocational training programs are less likely to reoffend than those who are not involved in these programs. In addition, implementing programs that focus on the development of life skills and help improve health have also been shown to help lower the recidivism rate.<sup>31</sup>

To implement successful rehabilitation in prisons, the first and most important step is to identify each of the offender's unique needs to develop a comprehensive program.<sup>32</sup> This can be obtained through a careful evaluation to determine what issues contribute to their criminal behavior. Besides having a program that works for each offender, it is equally important that jails and prisons have a rehabilitation system that prioritizes a supportive and conducive environment.<sup>33</sup>

While increasing employment for offenders after their release is an essential target of the rehabilitation systems, even further support and education are needed.<sup>34</sup> An example of this is the High-Risk Revocation Reduction (HRRR) Program.<sup>35</sup> HRRR is a program implemented in the state of Minnesota; it is a program designed to reduce re-offending among males who have a high risk of committing a crime again after being released from a state prison but came back for violating the conditions of their supervised release.<sup>36</sup>

The HRRR program not only provides support in housing and employment but also in domestic violence prevention, mentoring, and transportation assistance, and it even provides access to the community hub. The community hub of the

26 National Institute of Justice. "Practice Profile: Rehabilitation Programs for Adults Convicted of a Crime."

27 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

28 "Community service in Africa: An alternative to imprisonment," Penal Reform International, 2004, <https://www.penalreform.org/resource/community-service-africa-alternative-imprisonment/>.

29 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

30 Suman O., Nishchal Sigdel, Reshma S., Bhanu Teja, Sandra SC, and Razi TK, "The Effectiveness of Rehabilitations in Prisons and the Criminal Justice System," *The International Journal of Indian Psychology* 3, no. 11 (September 2023): 4-5, 10.25215/1103.084.

31 Suman., Sigdel, Reshma, Teja, SC, and TK, "The Effectiveness of Rehabilitations in Prisons and the Criminal Justice System," 4-5.

32 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

33 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

34 Charlotte Whelan, "The Importance Of Prison Rehabilitation Programs Before And After Release," Independent Women's Forum, June 29, 2020, <https://www.iwf.org/2020/06/29/the-importance-of-prison-rehabilitation-programs-before-and-after-release/>.

35 Whelan. "The Importance Of Prison Rehabilitation Programs Before And After Release."

36 "Program Profile: High-Risk Revocation Reduction (HRRR) Program in Minnesota," National Institute of Justice, May 8, 2018, <https://crimesolutions.ojp.gov/ratedprograms/598>.

HRRR program includes rehabilitation for inmates with issues such as substance abuse with the Alcoholics Anonymous program and more.<sup>37</sup>

### Benefits of Rehabilitation

The alarming increase in incarceration rate, especially in the United States, happened shortly after the release of a report that supposedly studied the existing evidence on prisoner rehabilitation programs and concluded that “nothing works.”<sup>38</sup> Political discussions led to rehabilitation programs being put aside and started emphasizing punishment and incapacitation, while some scholars and policymakers have questioned the “nothing works” doctrine.

Until recently, research contradicting these reports was scarce; the reality is that there is not much information known about the positive impacts of long imprisonment time and the diminution of re-offending rates.<sup>39</sup> However, there is evidence

that incarceration by itself does not encourage change but rather leaves offenders worse off than when they entered prison.<sup>40</sup> A study conducted in 2002 stated that the majority of Americans agree that the best and most effective way to reduce crime was not only with incarceration but by pairing it with effectively rehabilitating prisoners by providing them with education and job training before their release. In this way, they will have enough tools to escape a life of crime.<sup>41</sup>

The Prisoner Rehabilitation held an additional event of the Crime Congress in Kyoto to discuss the effectiveness and promote the implementation of rehabilitation programs and social reintegration after release.<sup>42</sup> At the end of the 13th United Nations Congress on Crime Prevention and Criminal Justice, the Doha Declaration highlighted the importance of implementing measures to support the rehabilitation and social reintegration of prisoners into the community.<sup>43</sup>

This was established within the framework of the Global

37 Whelan. “The Importance Of Prison Rehabilitation Programs Before And After Release.”

38 Gordon B. Dahl and Magne Mogstad, “The Benefits of Rehabilitative Incarceration,” *The Reporter*, April 6, 2020, <https://www.nber.org/reporter/2020number1/benefits-rehabilitative-incarceration>.

39 Dahl and Mogstad. “The Benefits of Rehabilitative Incarceration.”

40 Colette Wilcox, “Rehabilitation is a Humanitarian Mandate,” *LMU Law Review*, October 20, 2023, <https://lmlawreview.scholasticahq.com/post/2202-rehabilitation-is-a-humanitarian-mandate>.

41 Peter D. Hart Research Associates, *Changing Public Attitudes Toward The Criminal Justice System*, (New York: Open Society Foundation, 2002), <https://www.opensocietyfoundations.org/uploads/bff21c0a-6ef5-489d-b701-f59ffb19bdd6/Hart-Poll.pdf>.

42 “Promoting prison-based rehabilitation programmes and post-release services to foster prisoners’ social reintegration,” United Nations Office on Drugs and Crime, accessed August 11, 2024, <https://www.unodc.org/dohadeclaration/en/crimecongress14/events/8MarPrisons.html>.

43 “Rehabilitation and social reintegration of prisoners,” United Nations Office on Drugs and Crime, accessed July 10, 2024, <https://www.unodc.org/dohadeclaration/en/topics/prisoner-rehabilitation.html>.

Inmates in their lunch/free time living together

Credit: Elisha Dawkins



Programme for the Implementation of the Doha Declaration and its principles on fair, humane, and effective criminal justice systems.<sup>44</sup>

Investing in rehabilitating programs for prisoners is one of the best and most cost-effective ways of preventing their re-offending. A study conducted in 2020 stated that it is possible to find a link between imprisonment costs, incarceration rates, and re-offending rates, at least among European countries. The study showed that countries with lower incarceration rates usually have higher Gross domestic product (GDP).<sup>45</sup> GDP refers to the total market value of all the goods and services produced within a country in a specific period.<sup>46</sup> Rehabilitation comes with significant benefits not only for the individuals directly concerned but also on the larger scale of public safety.<sup>47</sup>

For offenders, these systems offer opportunities for personal growth, self-improvement, and social reintegration, as well as improving their chances of creating a new and lawful life after incarceration.<sup>48</sup> As for the rest of society, successful rehabilitation can lead to a community with a lower crime rate since prisoners who have been effectively rehabilitated are less likely to re-offend.<sup>49</sup> Take Norway; they have one of the best rehabilitation systems within their criminal system. With a system as effective as theirs, they have achieved a 21.2 percent recidivism, a very low rate in comparison to countries like Latvia which has a 52 percent re-offending rate after two years post-release.<sup>50</sup> Some other benefits, for both offenders and society, that come from rehabilitation include an increase

in employment prospects, higher self-esteem, and more marketable job skills for the offenders.<sup>51</sup>

Reducing crime in society can also result in direct and indirect economic benefits to the state. The direct benefits include fewer incarceration costs as offenders will not return to prison. Maintaining many inmates in prison can represent a significant expense for governments. Authorities usually cover the basic needs of the prisoners in their jails, such as food, water, clothing, etc., that prisoners cannot provide for themselves due to their deprivation of liberty.<sup>52</sup> Among the indirect benefits include lower costs for public assistance as offenders use the educational tools, they gained in the rehabilitation programs.<sup>53</sup>

On an individual level, rehabilitation gives offenders another opportunity to redefine themselves as productive members of our communities, and from a humanitarian perspective, it is the right thing to do.<sup>54</sup> Rehabilitation serves as a more humane approach to dealing with offenders. It recognizes that people who commit crimes have faced significant challenges and deserve a second chance to redeem themselves.<sup>55</sup>

Even the United Nations Office on Drugs and Crime (UNODC) has acknowledged the importance and the benefits of rehabilitation, mentioning that reducing re-offending is one of their main goals because it leads to fewer victims, more excellent community safety as well as less pressure on and lower costs for the criminal justice system.<sup>56</sup>

44 United Nations Office on Drugs and Crime, "Rehabilitation and social reintegration of prisoners."

45 Elina Kruze and Janis Priede, "Cost-effectiveness of Prison System Development - Comparison of the European Countries," *European Integration Studies*, Ino. 14, (October 2020): 69-79, <https://doi.org/10.5755/j01.eis.1.14.26384>.

46 Jason Fernando, "Gross Domestic Product (GDP) Formula and How to Use It," Investopedia, last updated June 3, 2024, <https://www.investopedia.com/terms/g/gdp.asp>.

47 United Nations Office on Drugs and Crime, "Rehabilitation and social reintegration of prisoners."

48 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

49 Magnuson, "The Importance of Rehabilitating Offenders: A Holistic View."

50 Denis Yukhnenko, Leen Farouki, and Seena Fazel, "Criminal recidivism rates globally: A 6-year systematic review update," *Journal of criminal justice*, 88, (September 2023): 102115, <https://doi.org/10.1016/j.jcrimjus.2023.102115>.

51 Blackstone Career Institute, "Rehabilitation Programs In Prisons," accessed July 10, 2024, <https://blackstone.edu/rehabilitation-programs-in-prisons/>.

52 Jeanne Hirschberger, "Imprisonment is expensive' – breaking down the costs and impacts globally," *Penal Reform International*, July 24, 2020, <https://www.penalreform.org/blog/imprisonment-is-expensive-breaking-down-the-costs-and/>.

53 Kenzie Koch, "The Impacts of Inmate Rehabilitation," *Guardian RFID*, August 25, 2022, <https://guardianrfid.com/blog/the-impacts-of-inmate-rehabilitation>.

54 Wilcox. "Rehabilitation is a Humanitarian Mandate."

55 "Why is rehabilitation better than punishment?," *LSA Recovery*, accessed July 10, 2024, <https://lsarecovery.org/why-is-rehabilitation-better-than-punishment/>.

56 "Model Strategies on Reducing re-offending," United Nations Office on Drugs and Crime, accessed July 10, 2024, <https://www.unodc.org/unodc/justice-and-prison-reform/cpcj-model-strategies-on-reducing-re-offending.html>.

## Strategies for Criminal Rehabilitation

When talking about the implementation of rehabilitation for prisoners it is vital to keep in mind the expected outcome: an easy reintegration to society. When people have limited access to housing, education, and jobs, they are ten times more likely to become homeless, eight times less likely to complete college, and have significantly higher chances of unemployment than the public.<sup>57</sup>

For offenders to have an easy reintegration, it is important to follow the most adequate strategy. Criminal rehabilitation is now a key part of criminal justice systems worldwide. It's based on the belief that people who commit crimes should be given a second chance to change their behavior and become productive members of society.<sup>58</sup>

A successful rehabilitation has diverse strategies tailored to the individual's needs. The most popular approaches include Cognitive Behavioral Therapy (CBT), the Community Sentences, the Drug and Alcohol Treatment Programmes, and the Educational Programs, which are the strategies employed in countries such as England and Wales.<sup>59</sup> Additionally, community sentences are being implemented in several African countries.<sup>60</sup>

Cognitive Behavioral Therapy (CBT) is a type of therapy provided by psychologists that comes from the idea that thoughts, feelings, and behaviors are interconnected.<sup>61</sup> CBT comes from the idea that all of the thoughts, feelings, physical sensations, and actions are connected in a way that having negative thoughts and feelings can push a person into a

negative cycle.<sup>62</sup> Cognitive Behavioral therapy is implemented to help offenders manage their mental health issues by changing their way of thinking and acting. This therapy aims to help with overwhelming problems, breaking them down into smaller parts for a more straightforward approach.<sup>63</sup> CBT helps identify and challenge criminal thoughts and patterns of behavior to replace them with ideas against committing a crime.<sup>64</sup> Across the United Kingdom (UK), CBT has reduced crime and helped successfully rehabilitate offenders.<sup>65</sup> CBT has proven to be effective in institutions and communities since it addresses most problems related to criminal behavior.<sup>66</sup>

Community sentences are given to people as an alternative to prison. Within this sentence, people must do unpaid work and attend programs to help address their criminal behavior, among other things. A community sentence can last up to three years.<sup>67</sup> This strategy to rehabilitate offenders has been seen as the preferred option for many offenses as an alternative to incarceration. The main advantage of community sentences is that they are provided based on the individual needs of the offender.<sup>68</sup> This strategy is successful because it takes into consideration the specific situation of each individual receiving this rehabilitation; community sentences can address the fundamental causes of their crime and help them change their behavior through rehabilitation.<sup>69</sup> Between what community sentences look like, prisoners are required to do different activities, such as housing, finances, training, or employment.<sup>70</sup>

Under the same ideal of having rehabilitation tailored for each individual, the drug and alcohol treatment programs support

57 "Rehabilitation and Reintegration: Strategies for Successful Re-entry," Orbis, February 23, 2023, <https://www.orbispartners.com/blog/9-ways-to-successful-reentry>.

58 Evelyn Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System," Govnet Justice, October 18, 2023, <https://blog.govnet.co.uk/justice/what-is-rehabilitation-in-criminal-justice>.

59 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

60 Penal Reform International, "Community service in Africa: An alternative to imprisonment."

61 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

62 "Overview - Cognitive behavioural therapy (CBT)," NHS, accessed August 11, 2024, <https://www.nhs.uk/mental-health/talking-therapies-medicine-treatments/talking-therapies-and-counselling/cognitive-behavioural-therapy-cbt/overview/>.

63 NHS, "Overview - Cognitive behavioural therapy (CBT)."

64 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

65 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

66 Patrick Clark, "Preventing Future Crime With Cognitive Behavioral Therapy," National Institute of Justice, May 28, 2010, <https://nij.ojp.gov/topics/articles/preventing-future-crime-cognitive-behavioral-therapy>.

67 "What are community sentences," Prisoners' Families Helplines, accessed August 11, 2024, <https://www.prisonersfamilies.org/what-are-community-sentences>.

68 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

69 Woodland, "4 Effective Strategies for Criminal Rehabilitation in the Justice System."

70 Prisoners' Families Helplines, "What are community sentences."

offenders with substance use disorders, helping them make positive changes in their lives.<sup>71</sup> Drug and alcohol treatment rehabilitation has rapidly increased during the last 15 years among Nordic countries, especially in Denmark, Finland, and Sweden.<sup>72</sup> Offenders who complete these programs are less likely to engage in criminal behavior like drug dealing or theft.<sup>73</sup> The program successfully helps offenders because it reduces the urge to use substances and addresses any issues contributing to criminal behavior, all while still having the opportunity to be an active part of the community.<sup>74</sup>

Finally, the educational programs. These programs have also proven to be a successful approach to reducing crime and re-offending in the UK and the US.<sup>75</sup> These strategies for criminal rehabilitation provide participants with the skills, knowledge, and resources needed to maintain a productive, law-following lifestyle. This includes teaching them how to find and keep jobs, budgeting skills, and developing positive relationships with family, friends, and the community. These skills provide participants with the tools they need to successfully transition back into society and avoid committing crimes in the future. Educational programs also provide the participating offenders access to resources and support services, which include a job placement program, financial aid, and access to counseling services.<sup>76</sup>

On a more global scale, the United Nations Office on Drugs and Crime (UNODC), through the Commission on Crime Prevention and Criminal Justice (CCPCJ), has developed Strategies for Reducing re-offending.<sup>77</sup> These strategies started as a gathering of information by encouraging State Members to share their “written contributions, information on promising practices for possible inclusion in draft model strategies on

reducing re-offending, for consideration by the open-ended intergovernmental expert group”.<sup>78</sup> As the UNODC states, the most relevant United Nations standards and norms that relate to this specific topic are the United Nations Standard Minimum Rules for the Treatment of Prisoners (also known as The Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (also known as The Tokyo Rules), and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (also known as The Bangkok Rules).<sup>79</sup>

For more than 50 years, the UN has been concerned with the criminal justice system’s effective and humane operation. In 1955, the first ever legal instrument that regulated the standards and norms in crime prevention and justice for criminals was adopted. This instrument is the United Nations Standard Minimum Rules for treating Prisoners.<sup>80</sup> Since then, the UN has been working nonstop by developing more principles that cover more specific areas, such as the protection of victims, alternatives to imprisonment, and police use of force.<sup>81</sup>

The UNODC has also investigated reducing re-offending as one of the main themes at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, with the important exchange of ideas and deliberations among Member States. In this same congress, the Member States also dedicated a special workshop to the topic of reducing re-offending.<sup>82</sup> This workshop resulted in the meeting of experts to discuss different rehabilitation programs and strategies further to understand which of them works better among most state members.<sup>83</sup>

71 Woodland, “4 Effective Strategies for Criminal Rehabilitation in the Justice System.”

72 Vibeke Asmussen Frank and Torsten Kolind, “Prison-based drug treatment and rehabilitation in the Nordic countries,” *Nordic Studies on Alcohol and Drugs* 6, no. 29 (December 2012): 543-546, doi:10.2478/v10199-012-0045-4.

73 Woodland, “4 Effective Strategies for Criminal Rehabilitation in the Justice System.”

74 Woodland, “4 Effective Strategies for Criminal Rehabilitation in the Justice System.”

75 Grant Duwe and Makada Henry-Nickie, “A better path forward for criminal justice: Training and employment for correctional populations,” *Brookings*, April 2021, <https://www.brookings.edu/articles/a-better-path-forward-for-criminal-justice-training-and-employment-for-correctional-populations/>.

76 Woodland, “4 Effective Strategies for Criminal Rehabilitation in the Justice System.”

77 United Nations Office on Drugs and Crime, “Model Strategies on Reducing re-offending.”

78 United Nations Office on Drugs and Crime, “Model Strategies on Reducing re-offending.”

79 United Nations Office on Drugs and Crime, “Model Strategies on Reducing re-offending.”

80 “United Nations prison-related standards and norms,” United Nations Office on Drugs and Crime, accessed August 11, 2024, <https://www.unodc.org/newsletter/pt/perspectives/no02/page004a.html>.

81 United Nations Office on Drugs and Crime, “United Nations prison-related standards and norms.”

82 United Nations Office on Drugs and Crime, “Model Strategies on Reducing re-offending.”

83 United Nations Office on Drugs and Crime, “Model Strategies on Reducing re-offending.”



## Prison Overcrowding

Overcrowding occurs when a prison holds more prisoners than the establishment’s “certified normal accommodation” (CNA). CNA represents the standard accommodation for the service to be able to provide all prisoners with their basic needs.<sup>84</sup> It’s a complicated issue that includes the lack of physical space and extends to the availability of resources, the prisoner-to-staff ratio, and the ability to maintain order and safety within the prison environment.<sup>85</sup> Overcrowding in prisons is one of the main issues interfering with making the goal of successful rehabilitation harder to achieve in many countries.<sup>86</sup>

The average number of prisoners incarcerated in overcrowded accommodation during the years 2010-2011 was 20,211—or 24 percent of the population.<sup>87</sup> Around the world, prison overcrowding represents a serious matter. For instance, in the United States, federal prisons operate at 36 percent over capacity.<sup>88</sup> At the same time, in countries like Brazil and the Philippines, prisons operate at more than twice their capacity.<sup>89</sup>

The rapid increase in prison populations over the last six months in countries like England and Wales puts additional pressure on a prison system that has been overcrowded for a long time.<sup>90</sup> Members of different organizations, like the Criminal Justice Alliance, who volunteer to implement a vast amount of tasks within justice systems, reported that the recent increase in prison overcrowding is making their work more complex and is disrupting the rehabilitation of prisoners.<sup>91</sup> Overcrowding places limits on already minimal

resources, making it harder to deliver effective rehabilitation programs for inmates.<sup>92</sup> In overcrowded prisons, the inmate-to-staff ratio becomes irregular, making it almost impossible for staff to attend to the individual needs of each prisoner. The lack of personalized attention can weaken the effectiveness of rehabilitation efforts, which can negatively affect a successful rehabilitation.<sup>93</sup>

A study made by Touro University’s doctoral student in medicine and public health, Michael A. Ruderman showed that serving time in overcrowded prisons makes former inmates more likely to reoffend.<sup>94</sup> This means that individuals who were once in prison holding inmates beyond their capacity are more likely to be rearrested and end up back in prison, forcing the government to spend more money in their process.<sup>95</sup> To conduct this study, Ruderman divided prisons into three categories based on the average levels of overcrowding. In the “low” category, he placed those prisons with an occupancy rate of less than 190 percent of their capacity; those with a rated capacity between 190 percent and 205 percent were “medium,” and those with 205 percent and higher were “high.”<sup>96</sup> What was found in this study was that the people in regions with “high” overcrowding were 2.52 times more likely to violate their parole than the ones from regions with “low” overcrowding.<sup>97</sup>

After two years of observation, this study showed that prison overcrowding can lead to higher rates of probation violations after release from prison.<sup>98</sup> Ruderman also found that these

84 Vicki Helyar-Cardwell, *Crowded Out? The impact of prison overcrowding on rehabilitation*, (London: Criminal Justice Alliance, March 2012), [https://criminaljusticealliance.org/wp-content/uploads/Crowded\\_Out\\_CriminalJusticeAlliance.pdf](https://criminaljusticealliance.org/wp-content/uploads/Crowded_Out_CriminalJusticeAlliance.pdf).

85 Justin Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts,” Medium, August 7, 2023, [https://medium.com/@justin\\_magnuson/how-overcrowded-prisons-undermine-rehabilitation-efforts-13c91768a36f](https://medium.com/@justin_magnuson/how-overcrowded-prisons-undermine-rehabilitation-efforts-13c91768a36f).

86 Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts.”

87 Criminal Justice Alliance, *Crowded Out? The impact of prison overcrowding on rehabilitation*.

88 Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts.”

89 Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts.”

90 Helyar-Cardwell, *Crowded Out? The impact of prison overcrowding on rehabilitation*.

91 Helyar-Cardwell, *Crowded Out? The impact of prison overcrowding on rehabilitation*.

92 Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts.”

93 Magnuson, “How Overcrowded Prisons Undermine Rehabilitation Efforts.”

94 Michael A. Ruderman, Deirdra F. Wilson, and Savanna Reid, “Does Prison Crowding Predict Higher Rates of Substance Use Related Parole Violations? A Recurrent Events Multi-Level Survival Analysis,” *Plos One*, October 22, 2015, <https://doi.org/10.1371/journal.pone.0141328>.

95 Leon Neyfakh, “Serving Time in Overcrowded Prisons Makes Ex-Cons More Likely to re-offend,” *Slate*, November 12, 2015, <https://slate.com/news-and-politics/2015/11/overcrowded-prisons-may-increase-recidivism-rates.html>.

96 Neyfakh, “Serving Time in Overcrowded Prisons Makes Ex-Cons More Likely to re-offend.”

97 Neyfakh, “Serving Time in Overcrowded Prisons Makes Ex-Cons More Likely to re-offend.”

98 Ruderman, Wilson, and Reid, “Does Prison Crowding Predict Higher Rates of Substance Use Related Parole Violations? A Recurrent Events Multi-Level Survival Analysis.”



Inmates' cell inside of a jail  
Credit: Andrew Ratto

re-offends were particularly strong for drug abuse charges.<sup>99</sup> It's important to note that this study only proves an actual association between overcrowding and probation violation, not just a causal link.<sup>100</sup> The study also shows that prisons, where resources are limited, do a worse job of delivering services to inmates suffering from mental health and drug problems and that inmates who suffer from those conditions would be more likely to end up re-offending once they're free.<sup>101</sup>

Since it has been noted, prison overcrowding has been an issue for years. It has had such a noticeable impact that the UNODC, hand in hand with the International Committee of the Red Cross (ICRC), developed the Handbook on strategies to reduce overcrowding in prisons.<sup>102</sup> The Handbook was designed to be accessible to everyone, from policymakers to practitioners. The intention is to promote a common understanding of the different interests, concerns, and perspectives about overcrowding.<sup>103</sup> The Handbook includes

99 Ruderman, Wilson, and Reid, "Does Prison Crowding Predict Higher Rates of Substance Use Related Parole Violations? A Recurrent Events Multi-Level Survival Analysis."

100 Neyfakh, "Serving Time in Overcrowded Prisons Makes Ex-Cons More Likely to re-offend."

101 Neyfakh, "Serving Time in Overcrowded Prisons Makes Ex-Cons More Likely to re-offend."

102 "Handbook on Strategies to Reduce Overcrowding in Prisons," United Nations Office on Drugs and Crime, accessed July 19, 2024, [https://www.unodc.org/e4j/data/\\_university\\_uni\\_/handbook\\_on\\_strategies\\_to\\_reduce\\_overcrowding\\_in\\_prisons.html?lng=en](https://www.unodc.org/e4j/data/_university_uni_/handbook_on_strategies_to_reduce_overcrowding_in_prisons.html?lng=en).

103 United Nations Office on Drugs and Crime. "Handbook on Strategies to Reduce Overcrowding in Prisons."

104 Tomris Atabay, Handbook on strategies to reduce overcrowding in prisons, (New York: United Nations Office on Drugs and Crime, 2013), [https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding\\_in\\_prisons\\_Ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf).

105 "Five Things About Reentry | National Institute of Justice," National Institute of Justice, n.d., <https://nij.ojp.gov/topics/articles/five-things-about-reentry>.

106 Atabay, Handbook on strategies to reduce overcrowding in prisons.

107 Atabay, Handbook on strategies to reduce overcrowding in prisons.

108 Atabay, Handbook on strategies to reduce overcrowding in prisons.

information ranging from an overview of prison overcrowding worldwide and its impact to a series of suggestions on how to improve the efficiency of the criminal justice system.<sup>104</sup>

To prepare for release and reentry into society, inmates must participate in meaningful activities, such as education, work, and other rehabilitation programs. These kinds of programs help in creating a positive prison environment, channeling prisoners' energy into constructive occupations.<sup>105</sup> These activities are equally important from the security perspective since prisoners who are engaged and entertained in diverse activities are less likely to create disturbances than those who are bored and frustrated.<sup>106</sup>

Within the Handbook, the UNODC also talks about how prisoner rehabilitation becomes more complicated thanks to prison overcrowding.<sup>107</sup> The Handbook states that when prisoner numbers increase, there are two case scenarios.<sup>108</sup>

The first is that all needed resources to ensure all prisoners are involved in activities outside their accommodation are often limited and only made available for some.<sup>109</sup> The second case that can happen due to overcrowding is that prisoners are being held in their cells for long periods thanks to the difficulty that staff faces when supervising the movements of large groups.<sup>110</sup> Such circumstances reduce or eliminate the prospects of assisting prisoners with their rehabilitation.<sup>111</sup>

There is no quick and easy solution to fix the increasing prison population. The main reason why prisons have become more and more overcrowded in recent years is thanks to the long or indeterminate sentences that inmates need to serve.<sup>112</sup> Overall, reducing, if even a little, the length of the sentences would have major positive impacts on the prison population.<sup>113</sup> The overuse of long sentences was also recognized by the Workshop on Strategies to Reduce Overcrowding in Correctional Facilities at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice held in Salvador, Brazil, in April 2010.<sup>114</sup> Analyzing the different causes of overcrowding in any context and addressing the follow-up causes of crime and imprisonment is fundamental to the long-term success of strategies that aim to reduce overcrowding and imprisonment rates.

## Social Reintegration and Discrimination

A successful rehabilitation in prison usually results in an easy and smooth social reintegration for individuals. Social reintegration can be defined as the support that is given to offenders during their reintegration into society after imprisonment.<sup>115</sup> This reintegration encompasses the whole process inmates go through. It starts with the arrest and the

efforts to drift them away from the criminal justice system and direct them to alternative measures, such as a restorative justice process or a suitable treatment.<sup>116</sup>

The restorative justice alternative works by looking into the harmful impact of a crime and then determining what can be done to undo or diminish the harm while holding the offender responsible for their actions.<sup>117</sup> Social reintegration's primary focus is imposing alternatives to imprisonment, facilitating offenders' re-entry to society. The measures imposed for these offenders can include undergoing treatment for an addiction or a referral to an educational or personal development center.<sup>118</sup> These measures are theoretically preferred rather than subjecting individuals to the isolating and harmful effects of prison unnecessarily.

While the alternative measurements to prison might seem like an easy solution overall when it comes to facilitating social reintegration, there is still an alarming amount of people incarcerated. For those who are sentenced to prison, the social rehabilitation for successful reentry to society should start on the first day of the sentence and continue into the post-release period.<sup>119</sup> There are set rules in international instruments that talk about the importance of rehabilitation to ensure a successful social reintegration.<sup>120</sup> These instruments include the International Covenant on Civil and Political Rights (ICCPR), which, in article 10.3, states that prison systems need to focus on the treatment of prisoners, bearing in mind reformation as the primary goal.<sup>121</sup> The UN Standard Minimum Rules for the Treatment of Prisoners (SMR) also has made it clear that the primary goal of a sentence of imprisonment is to protect society against crime. The SMR also emphasizes that this can

109 Atabay, Handbook on strategies to reduce overcrowding in prisons.

110 Atabay, Handbook on strategies to reduce overcrowding in prisons.

111 Atabay, Handbook on strategies to reduce overcrowding in prisons.

112 Helyar-Cardwell, Crowded Out? The impact of prison overcrowding on rehabilitation.

113 Helyar-Cardwell, Crowded Out? The impact of prison overcrowding on rehabilitation.

114 Atabay, Handbook on strategies to reduce overcrowding in prisons.

115 United Nations Office on Drugs and Crime, Custodial And Non-Custodial Measures: Social Reintegration, (New York: United Nations, 2006), [https://www.unodc.org/documents/justice-and-prison-reform/cjat\\_eng/4\\_Social\\_Reintegration.pdf](https://www.unodc.org/documents/justice-and-prison-reform/cjat_eng/4_Social_Reintegration.pdf).

116 United Nations Office on Drugs and Crime, Custodial And Non-Custodial Measures: Social Reintegration.

117 "About Restorative Justice," Law School University of Wisconsin-Madison, accessed July 20, 2024, <https://law.wisc.edu/fjr/rjp/justice.html>

118 United Nations Office on Drugs and Crime, Custodial And Non-Custodial Measures: Social Reintegration.

119 United Nations Office on Drugs and Crime, Custodial And Non-Custodial Measures: Social Reintegration.

120 United Nations Office on Drugs and Crime, Custodial And Non-Custodial Measures: Social Reintegration.

121 General Assembly resolution 2200A (XXI), "International Covenant on Civil and Political Rights," United Nations, entry into force: March 23, 1976, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

only be achieved if the period of incarceration is used to ensure the offender's safe and triumphant return to society.<sup>122</sup>

One of the most common challenges that offenders face when they are released from prison and try to reintegrate into society is discrimination against formerly incarcerated people. The stigma that comes from having an incarceration sentence follows the offenders for many years after their time was served.<sup>123</sup> In the US, around 19.8 million people, the equivalent of 8.6 percent of the adult population of the country, face difficulties and harsh discrimination while they try to recover and rebuild their lives outside the criminal justice system and find a job.<sup>124</sup>

One key factor in determining re-offending rates is the development of the offender's ability to find employment after their release. Statistics show that if a former inmate is unsuccessful in finding a job during the first eight months following their release, there is a 33 percent chance that they will relapse into criminal behavior and end up back in prison.<sup>125</sup> This percentage increases to an alarming 50 percent after one year of not being able to find employment and then 70 percent after three years.<sup>126</sup> It's become clear that finding a job is a crucial step for former inmates to avoid recidivism.

Indirectly, companies can be responsible for this discrimination. Only 12 percent of companies in the US openly hire people with a past criminal record.<sup>127</sup> These companies include Microsoft, Coca-Cola, Amazon, Walmart, and American Airlines.<sup>128</sup>

Employment discrimination is a challenge for the social reintegration of prisoners that needs to be addressed. In some cases, good rehabilitation during incarceration can help in a

successful, smooth, and easy reintegration. Such is the case in Rwanda with the convicted individuals who have completed their genocide sentences.

In the year 1994, the historical mass murder in Rwanda occurred, best known as the Rwandan Genocide. This tragic event started with a territorial fight between the two most popular ethnic groups in Rwanda: Hutu and Tutsi. Hutu are the Bantu-speaking people of Rwanda and Burundi, numbered about 9,500,000 in the late 20th century.<sup>129</sup> The Tutsi are an ethnic group of probable Nilotic origin whose members live within Rwanda and constitute about 14 percent of the population.<sup>130</sup> This massacre was conceived by extremist elements of Rwanda's majority Hutu population who, in simple terms, planned to eliminate the minority Tutsi population and anyone who opposed those genocidal intentions.<sup>131</sup> The tragic event resulted in the loss of around 800,000 civilians, mainly Tutsi. Approximately 200,000 Hutu participated in the genocide.<sup>132</sup>

In Rwanda, the implementation of stable and reliable rehabilitation programs is critical since, years after the genocide, a significant proportion of the genocide-convicted individuals have completed their sentences and returned to their communities. Since 2022, the prisoner rehabilitation implemented in Rwanda has considered prisoners' social and emotional well-being. This rehabilitation has a particular focus on those convicted for crimes related to the genocide and ensures they can acquire hands-on skills that will contribute to their effective reintegration and reduce recidivism.<sup>133</sup>

The Rwanda Correctional Service (RCS) and Interpeace developed a Technical and Vocational Education and

122 United Nations Office on Drugs and Crime, *The United Nations Standard Minimum Rules for the Treatment of Prisoners*, (Vienna: United Nations, 2015), [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf)

123 "Discrimination Against Formerly Incarcerated People," San Francisco Living Wage: Jobs for All, November 11, 2021, <https://www.livingwage-sf.org/mass-incarceration/discrimination-against-formerly-incarcerated-people/>.

124 San Francisco Living Wage: Jobs for All, "Discrimination Against Formerly Incarcerated People."

125 San Francisco Living Wage: Jobs for All, "Discrimination Against Formerly Incarcerated People."

126 San Francisco Living Wage: Jobs for All, "Discrimination Against Formerly Incarcerated People."

127 San Francisco Living Wage: Jobs for All, "Discrimination Against Formerly Incarcerated People."

128 Siôn Phillpott, "25 Companies that Hire Felons (+ Job Search Tips)," Career Addict, September 19, 2023, <https://www.careeraddict.com/companies-hire-felons>.

129 "Hutu," Britannica, Editors of Encyclopaedia, Encyclopedia Britannica, July 11, 202, <https://www.britannica.com/topic/Hutu>.

130 "Tutsi," Britannica, Editors of Encyclopaedia, Encyclopedia Britannica, July 5, 2024, <https://www.britannica.com/topic/Tutsi>.

131 "Rwanda genocide of 1994," Britannica, Editors of Encyclopaedia, Encyclopedia Britannica, May 27, 2024, <https://www.britannica.com/event/Rwanda-genocide-of-1994>.

132 Britannica, Editors of Encyclopaedia, "Rwanda genocide of 1994."

133 "Empowering prisoners with hands-on skills for rehabilitation and social reintegration," Interpeace, December 16, 2022, <https://www.interpeace.org/2022/12/empowering-prisoners-with-hands-on-skills-for-rehabilitation-and-social-reintegration/>.

Training (TVET). This training facility was created in the Bugesera Prison, located in Eastern Rwanda.<sup>134</sup> The TVET was implemented to support the prisoner rehabilitation and reintegration programs already in place in Rwanda. Alongside the TVET, the Centerpiece and Prison Fellowship Rwanda co-implemented a pilot program called “Reinforcing Community Capacities for Social Cohesion and Reconciliation through Societal Trauma Healing in Bugesera District.”<sup>135</sup>

The TVET training program supports prisoners by helping them develop and learn different technical and practical skills. With the acquisition of these skills, such as welding and tailoring, offenders are encouraged to earn a living after release and successfully reintegrate into their families and communities. In addition, this training facility allows inmates to develop their curriculum, which can only be issued by the Ministry of Education through the Rwanda TVET Board. This curriculum works as a certification for the former prisoners who completed the TVET training, which will enable them to integrate into the job market after release easily.<sup>136</sup>

## Challenges in Rehabilitation

The criminal justice system’s most important aspect is the rehabilitation and social reintegration of offenders. The deprivation of freedom these people endure is one of the most severe forms of punishment and the most expensive for the state. Each government oversees providing the inmates with all the necessary services, such as food, medical services, and clothing, which represents a big expense.<sup>137</sup>

Besides the considerable cost of having successful and organized rehabilitation programs that reduce re-offending, the penitentiary system faces various challenges, including,

but not limited to, the infrastructure of prisons, the lack of staff and their qualification, and the lack of services. However, one of the main challenges in various countries when it comes to this process is the criminal subculture inside the prison. Criminal subculture occurs when people are limited in opportunities for different reasons, such as having a criminal record, low income, and being unemployed. According to the UNODC, the criminal subculture develops when people, especially young, associate themselves with and become accepted as adult criminals by organized crime groups. These people are usually drawn to this so they can achieve goals like getting a good job, obtaining advanced education, or generally attaining economic success, which can be tricky post-release.<sup>138</sup>

A perfect example of how criminal subculture can hurt the purpose of prison, affect prisoners’ rehabilitation, and enhance re-offending is Topo Chico Prison. The Topo Chico Preventive and Social Reintegration Center used to be a prison in the northern area of Mexico in Monterrey, Nuevo León. This prison opened its doors in 1943 and was shut down in 2019. This prison reflects a history of self-government where inmates controlled everything and everyone.<sup>139</sup> Topo Chico was notorious for alarming events of violence, which included riots, kidnappings, confrontations, fights, and what is considered the largest massacre in a Mexican prison.<sup>140</sup> In 2016, Topo Chico witnessed a conflict between the leaders of rival gangs that controlled the prison, leaving 49 inmates dead and 12 others injured. The problem arose because a newer group of inmates from another gang attacked the group that had been controlling the prison for a long time.<sup>141</sup> Before the riot, Topo Chico prison already had many challenges to overcome since it was overcrowded with around 3,800 inmates in total.<sup>142</sup> It also lacked humane living conditions for the inmates.<sup>143</sup>

134 Interpeace, “Empowering prisoners with hands-on skills for rehabilitation and social reintegration.”

135 Interpeace, “Empowering prisoners with hands-on skills for rehabilitation and social reintegration.”

136 Interpeace, “Empowering prisoners with hands-on skills for rehabilitation and social reintegration.”

137 “‘Imprisonment Is Expensive’ - Breaking Down the Costs and Impacts Globally - Penal Reform International,” Penal Reform International, August 5, 2020, <https://www.penalreform.org/blog/imprisonment-is-expensive-breaking-down-the-costs-and/>.

138 “Positivism: environmental influences,” United Nations Office on Drugs and Crime, accessed July 21, 2024, <https://www.unodc.org/e4j/en/organized-crime/module-6/key-issues/positivism-environmental-influences.html>.

139 EFE, “La prisión mexicana de Topo Chico pone fin a su tenebrosa historia,” Los Angeles Times, September 4, 2019, <https://www.latimes.com/espanol/mexico/articulo/2019-09-04/efe-4056833-15739016-20190904>.

140 Uriel Blanco, “Penal de Topo Chico: motines, riñas, masacre y una historia de 76 años,” El Financiero, September 30, 2019, <https://www.elfinanciero.com.mx/nacional/penal-de-topo-chico-motines-rinas-masacre-y-una-historia-de-76-anos/>.

141 Mariano Castillo and Catherine E. Shoichet, “49 dead in riot at Mexico’s Topo Chico prison,” CNN World, February 11, 2016, <https://edition.cnn.com/2016/02/11/americas/mexico-monterrey-topo-chico-prison-riot/index.html>.

142 Blanco, “Penal de Topo Chico: motines, riñas, masacre y una historia de 76 años”.

143 EFE, “La prisión mexicana de Topo Chico pone fin a su tenebrosa historia.”



Topo Chico Prison  
Credit: Coronel del Norte

Topo Chico is a clear example of a failed attempt at creating an environment free of criminal subculture and the state losing management of the prison. The idea of implementing any kind of rehabilitation to reintegrate offenders into society further was discarded. Even if Monterrey’s government tried to rehabilitate prisoners in Topo Chico, they would likely not have been engaged with the program, resulting in a failed rehabilitation.<sup>144</sup>

In Lithuanian prisons, criminal subculture also appears to exist and affect the government and their jails. Lithuanian prisons are losing prison management, especially in large establishments, due to criminal subculture.<sup>145</sup> Just like in Topo Chico, prisoners manage the prison, creating a cycle that the state could not yet manage to break. On the contrary to Mexico, however, the Lithuanian government acknowledged that it is hardly possible to eliminate criminal subculture without modernization and full conversion of prison infrastructure, which is why they implemented measures

to help reduce this in their prisons.<sup>146</sup> Before even thinking about measures to reduce criminal subculture, the Lithuanian government researched prisons in Vilnius and Pravieniškės to determine the actual levels of the subculture they were dealing with. This research was part of another study, titled Quality of Life in Prison Measurement (MQPL), that started in 2022.<sup>147</sup> The results of this research showed that prison subculture was widespread among not only prisoners but also the staff. The Lithuanian government found that in some cases, prison staff indicated that, for them, the criminal subculture has positive aspects because prisoners with high power ensure order inside prisons, and they have less to do.<sup>148</sup>

After releasing these results, all prison governors in Lithuania were obliged to prepare and implement a plan of measures for the gradual elimination of the criminal subculture. Among the measures taken, they targeted the way prisons are managed. Specific tasks for the prison governors were formulated so they could demonstrate with their actions that the criminal

<sup>144</sup> Kelbakiani, “Criminal Subculture – Barrier to Prisoner Rehabilitation.”

<sup>145</sup> Rūta Vaičiūnienė and Artūras Tereškinas, “Transformations in Prison Subculture and Adjustment to Imprisonment in Post-Soviet Lithuanian Penitentiary Institutions,” *East European Politics and Societies*, 31 no. 3, (2017): 659-679. <https://doi.org/10.1177/0888325417711221>.

<sup>146</sup> Lithuania, Response of the Lithuanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Lithuania from 10 to 20 December 2021, (Stasbourg: European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), 2023), <https://rm.coe.int/0900001680ab0c88>.

<sup>147</sup> Lithuania, Response of the Lithuanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Lithuania from 10 to 20 December 2021.

<sup>148</sup> Lithuania, Response of the Lithuanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Lithuania from 10 to 20 December 2021.

subculture is not tolerated between prisoners and, much less between staffers.<sup>149</sup> Another measure implemented by Lithuania includes amendments to the Code of Enforcement of Sentences, adopted in December 2022. These amendments have empowered the Lithuanian Prison Service to use additional preventive measures against leaders of the prison hierarchy. These measures include a temporary ban on communication with other inmates and assignment of tasks to prison staff. This new regulation helped with identifying and effectively isolating prisoners who are prompt to have a negative influence on other prisoners.<sup>150</sup>

## Current Status

### Case Study: Norway's Prison System

In many countries, such as the United States, the most common punitive measures come from the belief that harsh sentences deter crime. However, Norway has decided to take a different approach to this. The country began focusing its prison systems on a rehabilitation-oriented system that offers a compelling alternative. This rehabilitative approach has proven to lead to lower incarceration rates, recidivism rates, and costs.<sup>151</sup>

The main idea around the Norwegian jail system is that separating offenders from society to protect them is enough to maintain public safety. This contrasts with the systems in different other countries. What makes Norway's system different and more effective is the approach that they give to incarceration.<sup>152</sup> They see jail's purpose as solely to safeguard the public from those who can represent any kind of risk rather

than as a tool for punishment. Norway's approach aligns with the understanding of justice with a focus on rehabilitation and the future reintegration of offenders again into society.<sup>153</sup>

Overall, the main goal of the Norwegian Correctional Service is to ensure that there is an effective execution of prison sentences, taking into consideration the security of all citizens having a special focus on preventing recidivism, and helping offenders change their criminal behavior by the usage of rehabilitation.<sup>154</sup> All activities within the Norwegian Correctional Service need to happen according to their values: safety, transparency, and innovation.<sup>155</sup>

In the 1990s, Norway reinvented its criminal justice system by implementing a system of small, community-based correctional facilities.<sup>156</sup> All over Norway, there are around 57 prisons, representing 3,600 cells, out of which 70 percent are high-security cells. On average, each Norwegian prison has 70 cells; the largest has 400, and the smallest has only 15 cells.<sup>157</sup> The reason why a relatively small country has so many jails is due to a rehabilitative measurement. The Norwegian government believes that incarcerated individuals need to be geographically close to their homes so that way they can stay close to their friends and family, allowing them to maintain their social relationships.<sup>158</sup>

The Norwegian prison system's measures to ensure the rehabilitation of prisoners are based on five pillars: humanistic perception of human rights, legal certainty, and equal treatment, released prisoners have made up for their crime, normality, and the prevention of new criminal acts.<sup>159</sup>

One of Norway's most strict and humane principles is the

149 Lithuania, Response of the Lithuanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Lithuania from 10 to 20 December 2021.

150 Lithuania, Response of the Lithuanian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Lithuania from 10 to 20 December 2021.

151 Leland R. Beaumont, "A case for Norway's Rehabilitation Oriented Prison System," *The Fulcrum*, November 14, 2023, <https://thefulcrum.us/a-case-for-norways-rehabilitation-oriented-prison-system>.

152 Beaumont, "A case for Norway's Rehabilitation Oriented Prison System."

153 Beaumont, "A case for Norway's Rehabilitation Oriented Prison System."

154 "About the Norwegian Correctional Service," *Kriminalomsorgen*, accessed August 3, 2024, <https://www.kriminalomsorgen.no/informasjon-paa-engelsk.536003.no.html>.

155 *Kriminalomsorgen*, "About the Norwegian Correctional Service."

156 Emma Horgan, "Prisons and their Alternatives," *MULS*, accessed August 3, 2024. <https://www.muls.org/the-brief-online/norway-australia-prisons>.

157 "What We Can Learn From Norway's Prison System: Rehabilitation & Recidivism," *First Step Alliance*, January 3, 2022, <https://www.firststepalliance.org/post/norway-prison-system-lessons>.

158 *First Step Alliance*, "What We Can Learn From Norway's Prison System: Rehabilitation & Recidivism."

159 Christin Tønseth, "Prison Education in Norway – The Importance for Work and Life after Release," *Cogent Education* 6 (1), (2019), doi:10.1080/2331186X.2019.1628408.

normality principle in the Correctional Service. What this principle states is that incarceration is a punishment that only restricts liberty—there are no other rights removed by a court.<sup>160</sup> Therefore, in the Norwegian eyes, offenders have all the same rights as any citizen in Norway. To them, “no one shall serve their sentence under stricter circumstances than necessary for the security in the community.”<sup>161</sup> Thus, prisoners in Norway serve their sentence inside prisons that try to resemble life outside as much as possible. Of course, implementing this principle can be complicated due to security reasons, differences in prison staff, and infrastructural and financial resources. Nonetheless, the principle of normality is enforced and can only be avoided through argumentation. Governments can present the reasons to argue why they are not acting under this principle.<sup>162</sup>

The normality principle ensures that all prisoners are entitled to participate in education; that’s why, in the Norwegian system, incarcerated individuals have access to gyms, education, employment, and mental health facilities in the case of good behavior and utilization of rehabilitation treatments.<sup>163</sup>

Norway’s successful rehabilitation system within prisons happened thanks to the focus they have not only on the prisoners but also on their prison staff. Norwegian correctional officers undergo long training to create strong personal relationships with offenders. Within this training, officers dine with offenders and often allow them to be unaccompanied by guards but still watched by surveillance.<sup>164</sup> This occurs to fulfill the normality principle, but if any altercation happens, officers will opt for mediation. If that doesn’t end the problem, the punishment will still be cell incarceration and loss of privileges.<sup>165</sup>

With this same idea, all prison staff must undergo a three-year

program at the University College of Norwegian Correctional Service (KRUS). During this program, officers learn how to control and deal with a violent person. The program focuses on dynamic security and the ability to socially connect with inmates to create a community based on respect inside prisons.<sup>166</sup> According to the UNODC, inmates are less likely to hurt or attack someone who treats them well and respects them.<sup>167</sup>

Norway’s radical change and particular focus on rehabilitation systems, without a doubt, has positively impacted the country’s criminal rates and economy. The most significant benefit that Norway has experienced is that it now boasts the lowest recidivism rates in the world. Only 20 percent of the former inmates in Norway reoffend within the next two years post-release.<sup>168</sup> In 2023, there was an estimated prison population of 3,068 in Norway’s prisons, along with a re-offending rate of 25 percent after five years.<sup>169</sup>

Low re-offending rates are not the only benefit that Norway has experienced. The rehabilitative approach that they now have also had an impact on the Norwegian economy. By rehabilitating offenders, fewer people are in prison, and more capable adults are available for employment. Norway’s prison system not only focuses on education and emotional rehabilitation but also provides inmates with job skills, which is why prisoners who were unemployed before prison see a 40 percent increase in employment rates after prison.<sup>170</sup>

## Digital Rehabilitation in Prisons

Alongside important United Nations rules, such as the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the UN Rules for the Treatment of Women Prisoners, and Non-custodial Measures for Women Offenders

<sup>160</sup> Kriminalomsorgen, “About the Norwegian Correctional Service.”

<sup>161</sup> Kriminalomsorgen, “About the Norwegian Correctional Service.”

<sup>162</sup> Kriminalomsorgen, “About the Norwegian Correctional Service.”

<sup>163</sup> Horgan, “Prisons and their Alternatives.”

<sup>164</sup> Horgan, “Prisons and their Alternatives.”

<sup>165</sup> Horgan, “Prisons and their Alternatives.”

<sup>166</sup> Davi Málaga, “Are Norwegian prisons perfect?,” Centre on Law and Social Transformation, 2024, <https://www.lawtransform.no/publication/are-norwegian-prisons-perfect/>.

<sup>167</sup> Shane Bryans, Wayne Bastin, and John Wilcox, Handbook on Dynamic Security and Prison Intelligence, (New York: United Nations, 2015), [https://www.unodc.org/documents/justice-and-prison-reform/UNODC\\_Handbook\\_on\\_Dynamic\\_Security\\_and\\_Prison\\_Intelligence.pdf](https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Handbook_on_Dynamic_Security_and_Prison_Intelligence.pdf).

<sup>168</sup> First Step Alliance, “What We Can Learn From Norway’s Prison System: Rehabilitation & Recidivism.”

<sup>169</sup> Horgan, “Prisons and their Alternatives.”

<sup>170</sup> First Step Alliance, “What We Can Learn From Norway’s Prison System: Rehabilitation & Recidivism.”



(the Bangkok Rules), many countries have been exploring different ways to successfully approach the rehabilitation, education and job skills training for prisoners.<sup>171</sup> Within these efforts, they have encountered several challenges regarding implementing rehabilitation. These include limited resources, harsh prison environments, and the difficulty of simulating real-life situations.<sup>172</sup>

It is no secret that technology has taken over the world in almost every aspect. Prisons and prisoners' rehabilitation is no exception. The digital transformation that we've been facing in recent years has led to a new reality for prison rehabilitation, helping overcome the challenges that come with it.<sup>173</sup> Prison life and rehabilitation should resemble as much as possible life outside jail, as stated in the principle of normality. Considering the obvious and exponential usage of digital technologies for everyday tasks, the digital exclusion of offenders while they serve their sentence can be seen as an obstacle to successful social reintegration.<sup>174</sup> Given the importance of technology in the outside world, there is a need for prison staffers to adapt rehabilitation programs that prepare offenders for re-entry into a technology-dependent world.<sup>175</sup>

Since the beginning of 2023, the United Nations Interregional Crime and Justice Research Institute (UNICRI), alongside the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) and the Government of Japan, have been researching to investigate the benefits of digital technologies for prisoner rehabilitation.<sup>176</sup> In March 2024, *Digital Rehabilitation in Prisons*, the report by UNICRI, was published. According to this report, digital rehabilitation refers to the usage of digital technologies to

provide incarcerated individuals with rehabilitative services or to help people engage with current rehabilitation programs.<sup>177</sup> Digital rehabilitation should provide prisoners education on how to successfully develop job and life skills, as well as vocational training, and address specific causes of an offense, such as alcohol and drug abuse, through specific and personal rehabilitation programs.<sup>178</sup>

There are four main forms of digital rehabilitation that any country can use based on their needs and available resources: computer-based learning and vocational training, computer-based treatment and behavior change interventions, digital reintegration, and digital communication channels.<sup>179</sup>

The computer-based learning and vocational training include all the forms of education given to prisoners. It covers everything from literature and math to higher and more specialized degree programs. Computer-based learning and vocational training also include specific training designed to help prisoners develop job skills. Computer-based treatment and behavior change interventions cover all the interventions made to provide any therapy or support for mental health problems, alcohol, or drug abuse, and sexual or violent offending. These interventions can be either individual or group based.<sup>180</sup>

Digital reintegration involves any digital application to support and help former incarcerated individuals when they re-enter the community after completing their sentence. These digital applications vary between monitoring and surveillance, the spread of informational resources, and the implementation of tools to facilitate access to services in the community. Digital applications to support prisoners when they re-enter

171 Mana Yamamoto, Matthew Burnett Stuart and Alice Roberti, "Leveraging technology for prisoners' rehabilitation: UNICRI's report on 'Digital Rehabilitation in Prisons'," *Justice Trends*, June 28, 2024, <https://justice-trends.press/leveraging-technology-for-prisoners-rehabilitation-unicri-report-on-digital-rehabilitation-in-prisons/>.

172 Yamamoto, Stuart and Roberti, "Leveraging technology for prisoners' rehabilitation: UNICRI's report on 'Digital Rehabilitation in Prisons'."

173 Eugenia Zivanai and Gilbert Mahlang, "Digital Prison Rehabilitation and Successful Re-Entry into a Digital Society: A Systematic Literature Review on the New Reality on Prison Rehabilitation." *Cogent Social Sciences* 8 (1), (September 2022), . doi:10.1080/23311886.2022.2116809.

174 Yamamoto, Stuart and Roberti, "Leveraging technology for prisoners' rehabilitation: UNICRI's report on 'Digital Rehabilitation in Prisons'."

175 Yamamoto, Stuart and Roberti, "Leveraging technology for prisoners' rehabilitation: UNICRI's report on 'Digital Rehabilitation in Prisons'."

176 Victoria Knight and Stuart Ross, *Digital Rehabilitation in Prisons* (New York: United Nations Interregional Crime and Justice Research Institute (UNICRI), 2024), [https://unicri.it/sites/default/files/2024-03/Digital%20Rehabilitation%20in%20Prisons\\_1.pdf](https://unicri.it/sites/default/files/2024-03/Digital%20Rehabilitation%20in%20Prisons_1.pdf).

177 Knight and Ross, *Digital Rehabilitation in Prisons*

178 Knight and Ross, *Digital Rehabilitation in Prisons*

179 Knight and Ross, *Digital Rehabilitation in Prisons*

180 Knight and Ross, *Digital Rehabilitation in Prisons*

the community after completing their time in custody. These applications include monitoring and surveillance, informational resources, tools to assist in accessing services in the community, and applications that provide people with ongoing recovery support.<sup>181</sup>

Finally, digital communication channels. This form of digital rehabilitation covers every communication with technologies to encourage written and verbal interactions among prisoners and their families and friends. These communication channels include emails, text messages, phone calls, and video conferencing platforms.<sup>182</sup>

During April 2023 in the event titled “Enhancing Rehabilitation Outcomes for Prisoners through Adoption of Innovative Technologies,” organized by the UNICRI in collaboration with the Government of Japan, Penal Reform International (PRI), Ms. Pia Puolakka, from the Finnish Criminal Sanctions Agency, expressed the importance of Virtual Reality (VR). She stated that it is an essential tool

when creating immersive environments with an impactful learning experience for prisoners in rehabilitation.<sup>183</sup> Alongside Puolakka, Mr. Loh Eng Hao of the Singapore Prison Service from the Singapore Prison Service emphasized the importance of understanding the practical applications of VR in an actual incarcerated rehabilitation environment.<sup>184</sup>

Thanks to the fast involvement of technology in this age, it is essential for society’s benefit to prepare prisoners as much as possible for the demands of the everyday tasks that involve technology in our current digital world.<sup>185</sup>

### Sustainable Development Goals

In 2015, all the United Nations Member States adopted the 2030 Agenda for Sustainable Development. This agenda provides a blueprint for peace and well-being for the people and planet Earth.<sup>186</sup> There are specific targets within this agenda, called the 17 Sustainable Development Goals (SDGs); they work as an urgent call for action for all countries. The SDGs

181 Knight and Ross, Digital Rehabilitation in Prisons

182 Knight and Ross, Digital Rehabilitation in Prisons

183 “Advancing Prisoner Rehabilitation through Innovative Technologies: Highlights from the UNICRI Side Event at the 32nd CCPCJ Session,” United Nations Interregional Crime and Justice Research Institute (UNICRI), May 24, 2023, <https://unicri.it/News/Advancing-Prisoner-Rehabilitation-through-Innovative-Technologies-CCPCJ2023>.

184 United Nations Interregional Crime and Justice Research Institute (UNICRI), “Advancing Prisoner Rehabilitation through Innovative Technologies: Highlights from the UNICRI Side Event at the 32nd CCPCJ Session.”

185 Zivanai and Mahlang, “Digital Prison Rehabilitation and Successful Re-Entry into a Digital Society: A Systematic Literature Review on the New Reality on Prison Rehabilitation.”

186 “The 17 Goals,” United Nations Department of Economic and Social Affairs Sustainable Development, accessed August 4, 2023, <https://sdgs.un.org/goals>.



A man recording a video for prisoner rehabilitation

Credit: David Adam Kess

encompass goals such as ending poverty, improving health and education, and reducing inequality, among others.<sup>187</sup>

The SDG 16: “Peace, Justice, and Strong Institutions” is focused on promoting peaceful societies that can provide justice to everyone with effective and inclusive institutions.<sup>188</sup>

This SDG is particularly relevant within the Commission on Crime Prevention and Criminal Justice’s (CCPCJ) work.<sup>189</sup> CCPCJ mainly supports the objectives of the 16th SDG by promoting the acting in a broad range of areas. Such as reducing violence, addressing illicit financial flows, and preventing corruption.<sup>190</sup>

The topic of Reducing re-offending through Rehabilitation falls directly under the 16th sustainable development goal. Since prison is an essential part of the criminal justice system worldwide, applying human right based treatments for prisoners and providing them with rehabilitation opportunities, can contribute to creating a peaceful society, just as the goal states.<sup>191</sup>

However, several other SDGs relate to this topic. When digging into rehabilitation in prisons and everything that it involves, other key elements that need to be considered, such as the need to provide primary healthcare. This relates to the SGD3-Good Health and Well-Being and SDG6-Clean Water and Sanitation.<sup>192</sup> Inside prisons, there is also a need to satisfy the needs of specific groups such as women and girls; this would relate to SDG5-Gender Equality.

More specifically talking about rehabilitation for prisoners,

because of a successful rehabilitation program, prisoners will find themselves with an easier social reintegration and with better chances of finding a decent job to contribute to society and reduce the chances of re-offending after their time incarcerated being served. All of this contributes to the SGD10- Reduce Inequalities.<sup>193</sup>

At the 32nd regular session, the Commission on Crime Prevention and Criminal Justice (CCPCJ) adopted the resolution E/RES/2023/25 titled “Enhancing the contributions of the CCPCJ to the accelerated implementation of the 2030 Agenda for Sustainable Development”.<sup>194</sup> This resolution invites CCPCJ to keep developing policies and raising awareness on the benefits of accelerating the implementation of the Sustainable Development Goals (SDGs).<sup>195</sup> At the same time, it encourages state members to help provide different ideas on how the Commission can contribute to the accelerated implementation of the 2030 Agenda.<sup>196</sup>

## Bloc Analysis

### Points of Division

Often, re-offending or recidivism works as an indicator to determine the effectiveness of criminal justice systems. They are also used to decide what rehabilitation methods should be implemented. Recidivism rates are usually used to evaluate the effectiveness of each country’s rehabilitation programs over time.<sup>197</sup> Based on data that has been reported across different governmental agencies, re-offending rates are high across most

187 United Nations Department of Economic and Social Affairs Sustainable Development, “The 17 Goals.”

188 “Goal 16: Promote just, peaceful and inclusive societies,” United Nations Sustainable Development Goals, accessed August 4, 2024, <https://www.un.org/sustainabledevelopment/peace-justice/>.

189 “Commission on Crime Prevention and Criminal Justice (CCPCJ),” Sustainable Development Goals Knowledge Platform, accessed August 11, 2024, <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=1917&menu=3170>.

190 “Justice for all: the 32nd Crime Commission’s contribution in advancing SDG 16,” United Nations Office on Drugs and Crime, accessed August 11, 2024, [https://www.unodc.org/unodc/en/frontpage/2023/May/justice-for-all\\_the-32nd-crime-commissions-contribution-in-advancing-sdg-16.html](https://www.unodc.org/unodc/en/frontpage/2023/May/justice-for-all_the-32nd-crime-commissions-contribution-in-advancing-sdg-16.html).

191 “Doha Declaration Global Programme and the Sustainable Development Goals,” United Nations Office on Drugs and Crime, accessed August 4, 2024, <https://www.unodc.org/dohadeclaration/en/topics/sustainable-development-goals.html>.

192 United Nations Office on Drugs and Crime, “Doha Declaration Global Programme and the Sustainable Development Goals.”

193 United Nations Office on Drugs and Crime, “Doha Declaration Global Programme and the Sustainable Development Goals.”

194 “United Nations Office on Drugs and Crime (UNODC),” United Nations Department of Economic and Social Affairs Sustainable Development, accessed August 4, 2024, <https://sdgs.un.org/un-system-sdg-implementation/united-nations-office-drugs-and-crime-unodc-54127>.

195 United Nations Department of Economic and Social Affairs Sustainable Development, “United Nations Office on Drugs and Crime (UNODC).”

196 Economic and Social Council, 2023/24. Reducing re-offending through rehabilitation and reintegration, E/RES/2023/24, (Aug. 3, 2023), <https://documents.un.org/doc/undoc/gen/n23/227/00/pdf/n2322700.pdf?token=fvupDompnn5llTGtAc&fe=true>.

197 Denis Yuhnenko, Leen Farouki, and Seena Fazel, “Criminal recidivism rates globally: A 6-year systematic review update,” *Journal of criminal justice*, 88, (September 2023): 102115, <https://doi.org/10.1016/j.jcrimjus.2023.102115>.

countries. Among most countries in the world, at least one in five former prisoners reoffend within the first two years post-release.<sup>198</sup> The general trend amongst countries that have higher re-offending rates is that they tend to have much more punitive measures when compared to countries with lower recidivism rates. However, this general trend is not the rule. Countries like Japan tend to have harsher legal systems compared to other developed countries that have lower recidivism rates. However, re-offending rates are not the only main dividing point between blocs. Countries within each bloc have varying degrees of legal systems ranging from common law to Islamic law. Delegates would need to reconcile cultural differences as they have an impact on the likelihood of rehabilitation efforts within each country.

“Criminal recidivism rates globally: A six-year systematic review update,” a study by the Department of Psychiatry of the University of Oxford, reviews recidivism rates in individuals released from prison. The researchers compared reports from various countries and designed a table that shows the reconviction rate in individuals released from prison, which points to the re-offending rates across countries after the first years of release.<sup>199</sup>

For purposes of this background guide, blocs are divided as countries with re-offending rates between 100 percent and 67 percent, 66 percent and 34 percent, 33 percent and zero percent after the first five years. Countries may be classified as having high re-offending rates, medium-high re-offending rates, and low re-offending rates, respectively.

### **Countries with High Re-Offending Rates (100 percent to 66 percent Re-Offending Rate)**

Countries that have outstandingly high re-offending rates often share several factors. Among these factors are former inmates’ lack of education, housing, and employment opportunities,

paired with possible substance abuse and mental health issues.<sup>200</sup> However, the most important common factor is prison overcrowding.

Countries that may fall under the category of high re-offending rates bloc include the United States of America, Mexico, Haiti, Guatemala, Bolivia, Peru, Ecuador, Nicaragua, and Honduras. All these countries face alarming amounts of overcrowding inside their prisons while lacking strong rehabilitation systems to implement and follow. For example, the US has a re-offending rate of 70.8 percent after the first five years of release.<sup>201</sup> According to the Bureau of Justice Statistics, the US spends USD 81 billion a year only on mass incarceration.<sup>202</sup> Yet, when the time comes for prisoners to be released and reintegrate into society, they receive minimal government support in comparison to the amount spent to incarcerate them.<sup>203</sup> Reentry organizations—most of which are non-profit organizations—struggle to provide substantial support with their limited funding.<sup>204</sup>

However, it is important to note that not all countries within this bloc have high re-offending rates due to overcrowding and a lack of outside opportunities. Organized crime continues to be a major factor impacting Latin American countries. Socio-economic factors also contribute to re-offending rates which shows how crime is not a simple issue to resolve. Delegates within this bloc would likely be advocating for ways to decrease crime first and combating organized crime before starting rehabilitation programs.

### **Countries with Medium-High Re-Offending Rates (65 percent to 34 percent Re-Offending Rate)**

Countries that land at medium-high re-offending rates also face several challenges. These countries focus on rehabilitation and are trying to implement it, though they have not been fully effective. The obstacles vary from country to country, but

198 Yukhnenko, Farouki, and Fazel, “Criminal recidivism rates globally: A 6-year systematic review update.”

199 Yukhnenko, Farouki, and Fazel, “Criminal recidivism rates globally: A 6-year systematic review update.”

200 Ashley M. Biggers, “The US Has the Highest Recidivism Rates In the World—Here’s Why,” SUCCESS, last updated May 15, 2024, <https://www.success.com/recidivism-rates/>.

201 Yuhnenko, Farouki, and Fazel, “Criminal recidivism rates globally: A 6-year systematic review update.”

202 Casey Kuhn, “The U.S. spends billions to lock people up, but very little to help them once they’re released,” PBS News, April 7, 2021, <https://www.pbs.org/newshour/economy/the-u-s-spends-billions-to-lock-people-up-but-very-little-to-help-them-once-theyre-released>.

203 Kuhn, “The U.S. spends billions to lock people up, but very little to help them once they’re released.”

204 Kuhn, “The U.S. spends billions to lock people up, but very little to help them once they’re released.”

most states still struggle to overcome their old systems, which focus primarily on punishment instead of rehabilitation.<sup>205</sup> These countries often cannot provide incarcerated individuals with rehabilitation programs suitable for their needs. Prison overpopulation poses an added challenge to the shift into a more inclusive system. For instance, in the United Kingdom, prisons have received reports of understaffing and overcrowded facilities that consequently lead to inadequate services.<sup>206</sup> The lack of sufficient staff leads countries to very limited success in this field. This lack of personnel makes it difficult for them to even provide offenders with rehabilitation.<sup>207</sup> Based on similar reports worldwide, most of the countries fall under the medium-high re-offending rates bloc. Such countries include England, Germany, Australia, the Czech Republic, Ireland, and New Zealand.<sup>208</sup>

Countries within this bloc would likely focus on looking for solutions to improve their rehabilitation systems through increased funding for social workers. This also includes increased investments into providing more opportunities for criminals outside of incarceration. Delegates in this bloc should investigate solutions that not only increases the number of social workers in rehabilitation, but also increases incentives for people to work in this field. Delegates should also investigate encouraging companies to be more willing to hire former criminals to decrease the strain on rehabilitation programs.

### **Countries with Low Re-Offending Rates (33 percent to 0 percent Re-Offending Rate)**

Finally, the low re-offending rate bloc mostly encompasses low-populated countries that have focused on improving the way they provide rehabilitation and their criminal justice systems in general. These countries are often taken as an exemplary model of what a successful and useful rehabilitation

and reintegration system should look like.

Countries in this bloc share the same way of reorganizing their criminal justice system. Such countries have implemented the concept of centralized jails. This means that they have decided to implement more jails within the country's territory to provide inmates with prisons close to their community. With this, they enhance the prisoners' sentimental relationships, as they are closer to home.<sup>209</sup> Additionally, having jails with a small number of prisoners facilities that focus on rehabilitation, since offenders can receive personalized treatments depending on their needs. This then leads to successful rehabilitation, easy social reintegration, and lower chances of recidivism.<sup>210</sup> Most Nordic countries, such as Denmark, Finland, Iceland, and Norway, can be found within this bloc. Countries such as Austria, Netherlands, and Singapore also fall under this category.<sup>211</sup>

However, countries in this bloc also need to be mindful of external factors that allow for such low re-offending rates. Whether it is easily accessible job opportunities post-incarceration or lower crime rates overall, many outside factors contribute to this success. Delegates in this bloc should look to promote strategies that have worked for them and help design frameworks towards transitioning incarceration to a more rehabilitative focus.

## **Committee Mission**

The Commission on Crime Prevention and Criminal Justice (CCPCJ) was created by the Economic and Social Council's (ECOSOC) resolution 1992/1.<sup>212</sup> The CCPCJ's role is to guide the United Nations' criminal justice activities. Also, the CCPCJ must review the UN standards and norms in this field and the way Member States use and apply them. The Commission's main course of action is limited to resolutions

205 "German prisons better and cheaper," John Howard, March 6, 2020, <https://johnhoward.ca/blog/german-prisons-better-and-cheaper/>.

206 Jake Shepherd and Niamh O Regan, "Roads to recovery: Exploring UK prison rehabilitation and its alternatives," Social Market Foundation, November 30, 2023, <https://www.smf.co.uk/publications/prison-rehabilitation-alternatives/>.

207 Shannon Heffernan And Weihua Li, "New Data Shows How Dire the Prison Staffing Shortage Really Is," The Marshall Project, January 10, 2024, <https://www.themarshallproject.org/2024/01/10/prison-correctional-officer-shortage-overtime-data>.

208 Shannon Heffernan And Weihua Li, "New Data Shows How Dire the Prison Staffing Shortage Really Is,"

209 First Step Alliance, "What We Can Learn From Norway's Prison System: Rehabilitation & Recidivism."

210 First Step Alliance, "What We Can Learn From Norway's Prison System: Rehabilitation & Recidivism."

211 Yukhnenko, Farouki, and Fazel, "Criminal recidivism rates globally: A 6-year systematic review update."

212 "The Commission on Crime Prevention and Criminal Justice," United Nations Office on Drugs and Crime, accessed August 11, 2024, <https://www.unodc.org/unodc/commissions/CCPCJ/>.

and decisions.<sup>213</sup>

The topic of reducing re-offending with the implementation of rehabilitation has been on CCPCJ's radar for quite some time now as it is one of the main goals of criminal justice interventions.<sup>214</sup> In 2022, the commission's Member States adopted the General Assembly resolution "Reducing re-offending through rehabilitation and reintegration;" within this resolution, the commission called upon a meeting where intergovernmental experts gathered and aimed to develop strategies to reduce re-offending, taking into account the UN standards and norms. Throughout this same resolution, CCPCJ encouraged Member States to "develop comprehensive strategies or action plans to reduce re-offending through effective interventions for the rehabilitation and reintegration of offenders."<sup>215</sup>

Delegates in the Commission on Crime Prevention and Criminal Justice should look for ways to promote, improve, and further apply strategies to reduce re-offending through rehabilitation and social reintegration. These strategies should be aligned with the principles stated in the "United Nations Standard Minimum Rules for the Treatment of Prisoners" worldwide to achieve quality rehabilitation that contributes to minimizing re-offending.

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213 "Mandate and Functions," United Nations Office on Drugs and Crime, accessed August 7, 2024, <https://www.unodc.org/unodc/en/commissions/CCPCJ/mandate.html>.

214 "Model Strategies on Reducing re-offending," United Nations Office on Drugs and Crime, accessed July 10, 2024, <https://www.unodc.org/unodc/justice-and-prison-reform/cpcj-model-strategies-on-reducing-re-offending.html>.

215 United Nations General Assembly, Resolution 76/182, Reducing re-offending through rehabilitation and reintegration, A/RES/76/182, 1 (Jan 11, 2022), <https://documents.un.org/doc/undoc/gen/n21/405/11/pdf/n2140511.pdf?token=o1yNyhDvqTMtDxC7yq&fe=true>



CCPCJ

NHSMUN 2025



**TOPIC B:**

# **ADDRESSING HUMAN TRAFFICKING IN BUSINESS OPERATIONS**

Photo Credit: Maria Serbakova

## Introduction

The United Nations defines human trafficking as the recruitment and transfer of people through force, fraud, or deception with the purpose of exploiting them for profit.<sup>1</sup> Evidence has shown that people from all demographic backgrounds can be trafficked. However, minority groups and those who often face discrimination are the most vulnerable.<sup>2</sup> There are two commonly known types of human trafficking: sex trafficking and forced labor.

On every given day, there are approximately 25 million victims of forced labor and 50 million victims of human trafficking.<sup>3</sup> Human trafficking victims are used in every business sector. Traffickers use private business sectors, such as banks, to launder their money and protect their profits.<sup>4</sup> Estimates show that nearly 150 million dollars are in the human trafficking business, especially for forced labor, since traffickers can use their victims to make legitimate products that are sold on global markets.<sup>5</sup> This suggests that products civilians use daily could be manufactured by a victim of forced labor.

Forced labor is defined by the International Labor Organization as “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.”<sup>6</sup> People who become victims of forced labor are either trafficking victims or are tricked into working in horrible conditions for no pay. In most cases, forced labor victims have their families, or their lives threatened, which makes them believe they have no option but to work.

Forced labor can occur in every industry. The most common are domestic work (such as hospitality), agriculture, traveling sales, restaurants and food services, health and beauty services, and factories.<sup>7</sup> Supply chains specifically see a lot of forced labor due to low monitoring and poor working conditions.

Many people must work in these conditions due to economic constraints.

Forced labor also comes around with the use of labor brokers. Labor brokers, or Temporary Employment Services, are people or companies that provide temporary laborers to client companies temporarily. The workers will work for the client but will be the labor broker’s employees. This can lead to forced labor and human trafficking because labor brokers can manipulate contracts or threaten their employees to work under horrible conditions. It is essential that major companies that hire temporary workers are aware of who they are hiring from and that workers are treated fairly and paid adequately.

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is ultimately responsible for the policymaking to prevent all forms of human trafficking. Human trafficking remains a rampant issue throughout the world, and everyone is affected. Products that people use in everyday life and services everyone enjoys are tainted by victims of human trafficking. This issue is extremely complex and must be understood on multiple avenues before it can be tackled. It is therefore crucial for delegates to understand the details of human trafficking in business operations before adopting an agreement of actions and upholding the principles of criminal justice.<sup>8</sup>

1 “Human Trafficking,” United Nations Office on Drugs and Crime, accessed September 16, 2024, <https://www.unodc.org/unodc/en/human-Trafficking/Human-Trafficking.html>.

2 “Recognizing the Signs,” National Human Trafficking Hotline, accessed September 16, 2024, <https://humantraffickinghotline.org/en/human-trafficking/recognizing-signs>.

3 Carmen Niethammer, “Cracking the \$150 Billion Business of Human Trafficking,” *Forbes*, February 2, 2020, <https://www.forbes.com/sites/carmenniethammer/2020/02/02/cracking-the-150-billion-business-of-human-trafficking/>.

4 Niethammer, “Cracking the \$150 Billion Business of Human Trafficking.”

5 EasyLlama, “How Does Human Trafficking Affect the Economy? | EasyLlama,” [www.easylama.com](http://www.easylama.com), accessed September 16, 2024, <https://www.easylama.com/blog/how-does-human-trafficking-affect-the-economy>.

6 “What Is Forced Labour?,” International Labor Organization, accessed September 16, 2024, <https://www.ilo.org/topics/forced-labour-modern-slavery-and-trafficking-persons/what-forced-labour>.

7 EasyLlama, “How Does Human Trafficking Affect the Economy?”

8 “United Nations Commission on Crime Prevention and Criminal Justice,” United Nations Office on Drugs and Crime, accessed September 16, 2024, [https://www.unodc.org/documents/commissions/CCPCJ/19-10645\\_CCPCJ.pdf](https://www.unodc.org/documents/commissions/CCPCJ/19-10645_CCPCJ.pdf).



## History and Description of the Issue

### The Lure of Human Trafficking

Human trafficking remains one of the most disruptive issues in global politics. It is estimated that over 49.6 million people are victims of trafficking world-wide with over 27 million people trafficked as forced laborers.<sup>9</sup> Victims of forced labor are coerced into working against their free will.<sup>10</sup> Forced labor is unfortunately found in almost every economic sector with domestic work, agriculture, manufacturing, and construction have the highest numbers of forced workers.<sup>11</sup>

Unfortunately, perpetrators use human trafficking because it is often profitable. Traffickers can exploit their victims to work for no or little money.<sup>12</sup> The International Labor Organization (ILO) found that human traffickers earn USD 150 billion every year.<sup>13</sup> With businesses always evolving and trying to maximize profits, a lot of people are put at risk.<sup>14</sup> For example, Chevron faced a multi-million dollar lawsuit by 15 Burmese villagers in December 2004 due to numerous forced labor complaints. The victims accused the company of rape, torture, and other human rights allegations.<sup>15</sup>

The economic sectors most vulnerable to human trafficking are those where the product must go through many avenues of processing before it is ready to go to consumers. This includes manufacturing and agriculture. This is because businesses have

less control and information about the places the product goes through.<sup>16</sup> Traffickers can operate because their work is not heavily regulated and there is not much monitoring. It is therefore important to push for transparency, collaboration, and growth from all levels of supply chains to stop human trafficking.

There are many reasons why some people are more vulnerable to trafficking than others. Typically, reasons include poverty, unstable housing situations, and having a history of trauma or addiction.<sup>17</sup> The U.S. Immigration and Customs Enforcement found that a common theme for victims interviewed was that they were “going through a rough patch in their lives.”<sup>18</sup> Traffickers specifically go after people who show signs of vulnerability and target them. In the US, the demographics that are most at risk for being trafficked into forced labor are migrant workers, undocumented people, people with limited English proficiency, and individuals seeking asylum.<sup>19</sup> Other common risk factors include mental health concerns, substance use, and runaway or homeless youth.<sup>20</sup> The UNODC found that poverty is the primary risk factor for over half of people who are trafficked.<sup>21</sup> Research has shown that lonely people are more likely to trust and be influenced by strangers. For that reason, traffickers target lonely people and individuals rather than groups.<sup>22</sup>

In Bangladesh, the critical risk factors that impact the

9 “How Big of a Problem Is Human Trafficking?” OUR Rescue, June 21, 2023, <https://ourrescue.org/education/prevention-awareness/how-big-of-a-problem-is-human-trafficking>.

10 Blue Campaign, “What Is Forced Labor?”

11 Emma Pitzel, “What Industries Are at Risk for Forced Labor?” Dressemer, December 19, 2019, <https://www.dressemer.org/blog/dressemerreading19>.

12 Elizabeth M. Wheaton, Edward J. Schauer, and Thomas V. Galli, “Economics of Human Trafficking,” *International Migration* 48, no. 4 (July 19, 2010): 114–141, <https://doi.org/10.1111/j.1468-2435.2009.00592.x>.

13 Hannah Gould, “What Fuels Human Trafficking?” UNICEF USA, January 13, 2017, <https://www.unicefusa.org/stories/what-fuels-human-trafficking>.

14 Mohammadreza Akbari, *The Road to Outsourcing 4.0* (Singapore: Palgrave Macmillan, 2024), 1-20, [https://link.springer.com/chapter/10.1007/978-981-97-2708-7\\_1](https://link.springer.com/chapter/10.1007/978-981-97-2708-7_1).

15 “2005 List: The 14 Worst Corporate Evildoers,” *International Labor Rights Forum*, December 12, 2005, <https://laborrights.org/in-the-news/2005-list-14-worst-corporate-evildoers>.

16 “Employee Outsourcing Hides Slaves in the Workforce, Shows Research,” *University of Bath*, June 19, 2019, <https://www.bath.ac.uk/announcements/employee-outsourcing-hides-slaves-in-the-workforce-shows-research/>.

17 “How Human Trafficking Happens” *Polaris*, October 16, 2019, <https://polarisproject.org/understanding-human-trafficking/>.

18 “Human Trafficking Victim Shares Story,” U.S. Immigration and Customs Enforcement, last modified May 10, 2021, <https://www.ice.gov/features/human-trafficking-victim-shares-story>.

19 “About Human Trafficking,” United States Department of State, accessed September 16, 2024, <https://www.state.gov/humantrafficking-about-human-trafficking/>.

20 “Human Trafficking,” National Human Trafficking Hotline, accessed September 16, 2024, <https://humantraffickinghotline.org/en/type-trafficking/human-trafficking>.

21 Gillian Piña, “How Do Traffickers Lure Their Victims?” *The Exodus Road*, January 10, 2024, <https://theexodusroad.com/how-do-traffickers-lure-their-victims/>.

22 United Nations Office On Drugs and Crime, *An Introduction to Human Trafficking: Vulnerability, Impact and Action* (Vienna: United Nations Office on Drugs and Crime: 2008), [https://www.unodc.org/documents/human-trafficking/An\\_Introduction\\_to\\_Human\\_Trafficking\\_-\\_Background\\_Paper.pdf](https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf).

most vulnerable population include unequal economic opportunities, marginalization, immigration status, and limited knowledge of foreign language.<sup>23</sup> The risk factors of human trafficking offer an additional layer of context to understand the Rohingya refugee crisis. The Rohingya people enjoy limited individual rights and freedoms in Myanmar. This led the Rohingya population to find refuge in Bangladesh, where they remain effectively stateless and have limited access to fundamental human rights and protection, including access to basic services and legal work documentation. This situation generates more vulnerability to the Rohingya people who do not have enough social protection compared to the majority population of Bangladesh.<sup>24</sup>

One main way people are trafficked is through the internet and social media.<sup>25</sup> Traffickers can go online and promise people from all over the world a better life or a job.<sup>26</sup> People who are seeking a better life and better financial situation are most likely to fall for these schemes. Additionally, the high volume of content and people on social media allows traffickers to more easily target specific people while remaining anonymous. Traffickers can pretend to be recruiting or modeling scouts

23 United Nations Office On Drugs and Crime, First National Study on Trafficking in Persons in Bangladesh (Vienna: United Nations Office on Drugs and Crime: 2022), <https://respect.international/wp-content/uploads/2022/11/First-National-Study-on-Trafficking-in-Persons-in-Bangladesh.pdf>.

24 United Nations Office On Drugs and Crime, First National Study on Trafficking in Persons in Bangladesh.

25 Deliverfund, "How Do Human Traffickers Choose Their Victims?."

26 Piña, "How Do Traffickers Lure Their Victims?"

27 Piña, "How Do Traffickers Lure Their Victims?"

or even fake dating profiles. The Exodus Road, a nonprofit focused on finding trafficking victims over a quarter of their cases started through online connections.<sup>27</sup>

In summary, human trafficking is an elusive business that is impacting the lives of millions of people all around the world. It is extremely difficult to stop traffickers as their work is elusive and there are very few reports for authorities to use. Forced labor is a prominent issue that is found in numerous sectors and affects everyone. Vulnerable demographics such as those in unstable financial, living, and social situations are more likely to be victims of human trafficking as opposed to those who are not facing the same issues. Traffickers use numerous tactics of manipulation to keep their victims not only in check but to also ensure that the victims do not retaliate. Because the issue is so complex, finding effective solutions is difficult but necessary.

## Children in Forced Labor

While anyone of any age is susceptible to forced labor and human trafficking, there are many children who are targeted.

People that are most vulnerable to trafficking are migrant workers and people in poverty

Credit: Mostafa Meraji



For every 1000 children in the world, 4.4 are victims of child human trafficking.<sup>28</sup> The ILO estimates that out of the 27 million people who are trafficked into forced labor, three million are children.<sup>29</sup> This number is separate from the 160 million children who suffer in child labor, meaning that over 163 million people worldwide under the age of 18 are forced to work in hazardous conditions.<sup>30</sup> These young kids are unable to live a normal life. They are also more likely to suffer injuries and fall ill due to their age and level of development.<sup>31</sup>

Traffickers actively target children for a multitude of factors. As previously stated, traffickers look for people who will not be looked for or those that are easy to manipulate. Traffickers choose children that are physically weaker than themselves and those already living in poor conditions.<sup>32</sup> Areas with lower development tend to have the most amount of child laborers. Africa has the largest number of child laborers, with nearly 20 percent of the world's total in the continent.<sup>33</sup>

As with other forms of human trafficking, poverty heavily influences who gets trafficked and how victims are controlled. Poverty is the main reason why a child might end up trafficked into forced labor. This continues the cycle of poverty, as the children do not receive a proper education.<sup>34</sup> This further explains why some families are stuck in generational poverty. Children need to get an education and have a chance at creating a better future. When they are trafficked into forced labor, they barely get paid, if at all, and cannot get the education they need.

In some cases, families facing extreme poverty will sell their

children to make extra money. In many cases, the children they sell will believe that they are just on a trip away from their parents and that they can go back at any time.<sup>35</sup> In these extreme situations, the parents do not believe that they have any other option. Therefore, traffickers can purchase them for very little. In severe instances, they pay under USD 100. Unfortunately, these children are either forced to either live in extreme poverty or worked to death by traffickers.

Children usually work in the agriculture, industrial, or service sectors, although they can be trafficked to work anywhere.<sup>36</sup> Due to their limited strength, most kids are not engaging in physically strenuous activity. However, they are given multiple tasks that require them to move a lot. Additionally, they are held under horrible conditions, sometimes without food or water.<sup>37</sup>

The Bureau of International Labor Affairs compiled a list of all goods that involve child labor, forced labor, or both, with products from almost every industry.<sup>38</sup> The statistics are staggering, with products ranging from agriculture to furniture and entertainment making the list. This demonstrates the importance of consumer and business awareness surrounding production. Trafficked children are subject to many horrors, and goods utilized every day are produced through these struggles. Data comparing the number of children who are forced into child labor from 2016 up to recently shows that more children are trafficked into labor, especially in developing countries.<sup>39</sup> This suggests that plans already in place are not enough to save these children.

28 International Labour Organization, *Global Estimates of Modern Slavery Forced Labor and Forced Marriage* (Geneva: International Labour Organization, 2022), [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf).

29 Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor," U.S. Department of Labor, September 28, 2022, <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods-print>.

30 Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor."

31 European Commission, "Child Labour Has a Profound Impact on the Health and Wellbeing of Children," European Commission, last modified April 2021, [https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children\\_en](https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children_en).

32 Office on Trafficking In Persons, "FACT SHEET: LABOR TRAFFICKING (English)," United State Department of Health and Human Services, accessed July 13, 2024, <https://www.acf.hhs.gov/archive/otip/fact-sheet/fact-sheet-labor-trafficking-english>.

33 Internal Labor Office, *Global Estimates of Child Labour: Results and Trends, 2012-2016 Executive Summary*.

34 Reid, "Child Labor: Facts, FAQs, and How to Help End It."

35 "Why Would a Mother Sell Her Children?," Zakat Foundation of America, accessed July 13, 2024, <https://www.zakat.org/why-would-a-mother-sell-her-children>.

36 Internal Labor Office, *Global Estimates of Child Labour: Results and Trends, 2012-2016 Executive Summary* (Geneva: International Labour Organization, 2017), <https://www.ilo.org/media/421641/download>.

37 "Love and Trafficking - How Traffickers Groom & Control Their Victims," Polaris, February 11, 2021, <https://polarisproject.org/blog/2021/02/love-and-trafficking-how-traffickers-groom-control-their-victims/>.

38 Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor."

39 "Child Labour," United Nations Children's Fund, June 2023, <https://data.unicef.org/topic/child-protection/child-labour/>.

There are multiple cases where children have been found in forced labor and human trafficking rings. An important example occurred in 2022 when eight children from Mali filed a lawsuit against Nestle, Hershey, and other companies for enslavement and work without pay in cocoa plantations across the Ivory Coast.<sup>40</sup> Although the case was dismissed, it brought significant attention to the large use of child labor in different parts of the world and forced the companies to be more aware of their operations.<sup>41</sup> In fact, the chocolate business has seen some of the worst cases of child labor, with multiple cocoa farms being found to employ children and force them to work in harsh conditions.<sup>42</sup>

In addition to this case, in the last year, several big tech companies such as Apple, Microsoft, Tesla, and more, knowingly benefitted from child labor in cobalt mines and supported the cruel use of young children in the Democratic Republic of Congo (DRC).<sup>43</sup> This was a major case of child labor that was brought to the attention of the world and revealed how thousands were forced to work in mines under brutal conditions.

Forced child labor cases are not only seen in developing countries. In 2022, there were several reported cases of US sanitation companies employing children who later suffered severe chemical burns and were falling behind in class.<sup>44</sup> This goes to show that this is an international problem. It is crucial that human trafficking is stopped, and all ages are protected. Solutions on the matter must be all encompassing and should account for all the facets of becoming vulnerable to trafficking.

## Human Trafficking in Supply Chains

While trafficking occurs in every industry, there are certain industries that are more likely to be involved. The ILO estimates that human traffickers make over USD 15 billion every year from victims who serve as forced laborers for industrialized countries.<sup>45</sup> The total profits from forced laborers exploited by private enterprises is approximately USD 44.3 billion per year.<sup>46</sup> The trafficking business affects industries all over the world, and has millions of victims from all backgrounds. Supply chains make it easier for human trafficking to occur undetected. The multiple parts of a product's cycle and the different places a product goes through before it is ready to sell give traffickers the cover, they need to force their victims to work.

Since many products are sourced in one country, assembled in another, then sold somewhere else, it is hard for businesses to keep track of all the workers and places their products have interacted with. For example, trafficked forced laborers of all ages and genders in the Democratic Republic of the Congo are forced to mine a mineral called coltan, which is then used to build cell phones, DVD players, and video games in China, sometimes through forced labor.<sup>47</sup> Those DVDs are then sold all over the world, with consumers not knowing how they were made.

In 2015 Costco received a lawsuit regarding the forced labor in their seafood supply chain.<sup>48</sup> Another famous case was in 2016 when Nike was accused of forced labor in their supply chains but then refused to put their supply chains through audits; which sparked a lot of controversy and calls for cut-off

40 Oliver Balch, "Mars, Nestlé and Hershey to Face Child Slavery Lawsuit in US," *The Guardian*, February 12, 2021, <https://www.theguardian.com/global-development/2021/feb/12/mars-nestle-and-hershey-to-face-landmark-child-slavery-lawsuit-in-us>.

41 Oliver Balch, "Mars, Nestlé and Hershey to Face Child Slavery Lawsuit in US."

42 "Child Labor and Slavery in the Chocolate Industry," *Food Empowerment Project*, January 2022, <https://foodispower.org/human-labor-slavery/slavery-chocolate/>.

43 Emma Ogao, "US Court Absolves Top Tech Companies in Congo's Child Labor Case," *ABC News*, March 6, 2024, <https://abcnews.go.com/International/us-court-absolves-top-tech-companies-congos-child/story?id=107839639>.

44 Nicole Goodkind, "Illegal Child Labor Is on the Rise in a Tight Job Market," *CNN Business*, July 30, 2023, <https://www.cnn.com/2023/07/30/economy/child-labor-louisiana-texas/index.html>.

45 International Labor Organization, *Forced Labour and Human Trafficking: Estimating the Profits* (Geneva: International Labour Organization, 2005), <https://www.ilo.org/publications/forced-labour-and-human-trafficking-estimating-profits>.

46 International Labor Organization, *Forced Labour and Human Trafficking: Estimating the Profits*.

47 Global Freedom Center, "Labor Trafficking in Supply Chains," accessed June 30, 2024, <https://humantraffickinghotline.org/sites/default/files/Labor%20Trafficking%20in%20Supply%20Chains%20-%20GFC.pdf>.

48 Kezban Yagci Sokat, "Addressing Forced Labor in Supply Chains in California," *Transportation Research Interdisciplinary Perspectives* 16 (December 2022): 1-14, <https://doi.org/10.1016/j.trip.2022.100735>.

of Nike’s products from multiple places such as Georgetown University.<sup>49</sup> These are just a few examples of forced labor and there are multiple instances of forced labor cases that have been found out but also so many forced labor victims that are still working in the dark. As this is an on-going issue, more and more cases such as these will continue to come to attention and call for awareness.

In 2006, hundreds of companies signed the Athens Ethical Principles treaty, which lays out seven core principles for business to help stop human trafficking and forced labor.<sup>50</sup> The treaty brought a lot of attention to the impact business practices can make and the ways businesses should be operating to ensure that they are not involved in trafficking. In 2010, the Luxor Implementation Guidelines expanded on the Athens Principles and offered an outline for companies to use when doing business to stop trafficking.<sup>51</sup> While both of these were extremely important and brought attention to the different campaigns that were aiming to end human trafficking, there were still negatives.

The main component of the Principles and the Guidelines

relies on companies to do the work themselves. Companies must independently conduct research to find out if their products were made by forced laborers. Then, they would then have to figure out the consequences and how to change the location of their manufacturing all by themselves. All the work that these two legislative pieces offered would have to be adopted by companies purely on a volunteer basis. Many companies may not want to participate because products made through forced labor tend to be cheaper. While a plethora of companies have accepted the Athens Principles and the Luxor Guidelines, many others have not. Trafficking cannot be truly eliminated until all companies can agree to ensure that they are not entangled with forced laborers.

Recently, there has been a growing number of governments taking a part in stopping forced labor in supply chains. A notable example is the State of California, United States, which passed a law in 2012 requiring retail sellers and manufacturers that do business in California with annual worldwide gross receipts of over USD 100 to explicitly post a disclosure of their efforts to combat human trafficking in their

<sup>49</sup> Edwin Lopez, “Students Demand Georgetown University Cut Nike Contract amid Reports of Supply Chain Abuses,” Supply Chain Dive, December 9, 2016, <https://www.supplychaindive.com/news/Nike-Georgetown-supply-chain-abuse-contract-student-protest/432071/>.  
<sup>50</sup> “Athens Ethical Principles,” United Nations Global Compact, January 1, 2006, <https://unglobalcompact.org/library/70>.  
<sup>51</sup> United Nations Global Compact, Luxor Implementation Guidelines to the Athens Ethical Principles: Comprehensive Compliance Programme for Businesses (Geneva: United Nations Global Compact, 2010), <https://respect.international/luxor-implementation-guidelines-to-the-athens-ethical-principles-comprehensive-compliance-programme-for-businesses/>.

Business leaders at a meeting  
 Credit: Foreign and Commonwealth Office



supply chains on their websites.<sup>52</sup> The disclosure is expected to contain whether and to what extent supplier certifications, verification of supply keychains, audits for complaints, and training for management and personnel is carried out.<sup>53</sup> Over 300 companies are affected by this law, including some of the top multinational corporations operating worldwide.<sup>54</sup> The law also resulted in more consumer information, human trafficking awareness among corporations, incentive for corporate action, and overall more action stopping human trafficking and forced labor in supply chains.<sup>55</sup>

For many years now, the United Nations and various non-governmental organizations (NGOs) have made considerable efforts to raise awareness on forced labor in supply chains by releasing reports, data, and guidelines. During the 74th session of the United Nations General Assembly in 2019, the Special Rapporteur dove into the issue of forced laborers who are victims of trafficking and severe exploitation in businesses' operations and supply chains, while also highlighting good business practices and recommending long-term viable responses and guidelines for businesses to stop trafficking in their supply chains.<sup>56</sup> While this resolution is relatively new, it has brought attention to the cause and has spurred businesses to take action and call out other businesses that have not implemented better regulations. Multiple studies have pointed to supply chains as the number one way forced labor is able to continue. Without being able to pinpoint the origin of every single employee and monitor who interacts with the business, human trafficking into forced labor within these supply chains will never cease.<sup>57</sup>

Many supply chains rely upon unskilled and low-skilled labor,

with people working in difficult conditions and holding positions that are undervalued in society.<sup>58</sup> Marginalized groups and vulnerable people are most likely to take these jobs, which make them susceptible to forced labor and trafficking.<sup>59</sup> Due to the fact that most people in society look down at these jobs, the workers are less likely to ask for help when they are being exploited; and even if they do ask for help, their pleas might not be taken seriously. Migrant groups are highly susceptible to such tragedies since they are hard to trace. When businesses find themselves needing some extra help for a short period of time, they generally look to migrant workers, as the business knows they do not have to pay them reasonable salaries, in comparison to non-migrant workers.<sup>60</sup> Additionally, they are targeted because they often do not raise any alarms if they go missing, since they may not have permanent housing.<sup>61</sup> This is usually seen in the extraction of raw materials such as metals, minerals, and produce.<sup>62</sup>

It is necessary to know where products come from because many workers are being exploited every day in these supply chains, and without proper solutions, this issue will continue to harm many people. It is imperative for consumers and business owners to keep track of who is involved in their products and ensure that these supply chains are meeting the proper standards for employees to safely work.

## COVID-19's Effect on Human Trafficking

COVID-19 had a large effect on human trafficking for a multitude of reasons. To begin, the pandemic increased vulnerabilities in already susceptible communities.<sup>63</sup> Susceptible communities involve those who are in poverty,

<sup>52</sup> Global Freedom Center, "Labor Trafficking in Supply Chains."

<sup>53</sup> Global Freedom Center, "Labor Trafficking in Supply Chains."

<sup>54</sup> Global Freedom Center, "Labor Trafficking in Supply Chains."

<sup>55</sup> Global Freedom Center, "Labor Trafficking in Supply Chains."

<sup>56</sup> United Nations General Assembly, Report of the Special Rapporteur on trafficking in persons, especially women and children (New York: United Nations, 2019), A/74/189, <https://documents.un.org/doc/undoc/gen/n19/222/68/pdf/n1922268.pdf?token=4rpBTxlyZWSstxxY03E&fe=true>

<sup>57</sup> "Employee Outsourcing Hides Slaves in the Workforce, Shows Research," University of Bath, June 19, 2019, <https://www.bath.ac.uk/announcements/employee-outsourcing-hides-slaves-in-the-workforce-shows-research/>.

<sup>58</sup> "Preventing Human Trafficking in Global Supply Chains," U.S. Department of State, July 2015, <https://2009-2017.state.gov/j/tip/rls/tiprpt/2015/243360.htm>.

<sup>59</sup> U.S. Department of State, "Preventing Human Trafficking in Global Supply Chains."

<sup>60</sup> "Human Trafficking in the Supply Chain: What Can Your Business Do?," Zurich, January 11, 2024, <https://www.zurichna.com/knowledge/articles/2024/01/human-trafficking-in-the-supply-chain>.

<sup>61</sup> Zurich, "Human Trafficking in the Supply Chain: What Can Your Business Do?."

<sup>62</sup> Zurich, "Human Trafficking in the Supply Chain: What Can Your Business Do?."

<sup>63</sup> "COVID-19 Impact on Trafficking in Persons," The International Federation of Red Cross and Red Crescent Societies, November 6, 2022, <https://trafficking-response.org/wp-content/uploads/2020/06/Covid-19-TiP-PGI-Factsheet.pdf>.

with disabilities, from marginalized groups such as Indigenous populations and LGBTIQ+, undocumented immigrants, lonely youth, and migrants.<sup>64</sup>

The pandemic forced people to quarantine in their homes and decrease in-person interactions as much as possible. For many, this meant the loss of employment, income, or other means of livelihood. There was a loss of social and societal support as schools, jobs, and other services and networks were closed or moved online.<sup>65</sup> The transition to make everything online made many feel isolated and alone. This feeling of seclusion makes people more likely to be trafficked.

Furthermore, the economy suffered multiple hits due to the closure of so many businesses and the rise in the prices of necessities both during and after the pandemic.<sup>66</sup> Traffickers took advantage of this economic downturn by offering false jobs and forcing them to work in unacceptable conditions for almost no pay. Due to the increased prices of products and housing, many felt that they could not refuse these jobs out of

fear that they would end up having no income at all.<sup>67</sup> The fear of not being able to support their families and the isolation from the lack of support caused human trafficking to increase during the COVID-19 pandemic and caused victims of forced labor to increase as well.<sup>68</sup>

Alongside the issue of money and isolation, there was also the fact that access to services and resources such as healthcare, welfare and social protection had greatly diminished, causing at-risk communities to become more vulnerable than ever before.<sup>69</sup> Healthcare and other government funded programs are necessary for some people and with the pandemic, many were impacted in unprecedented ways. The sudden shut-down of access to these services put a lot of people at risk for traffickers to take advantage of them. Those with health issues or those who have family with health issues now faced a reality where getting access to treatments was incredibly difficult and pricey. Not to mention, a lot of hospitals were flooded with COVID-19 patients, making those with other

<sup>64</sup> “Who Is the Most Vulnerable to Human Trafficking?” Community Oriented Policing Services Dispatch Office, April 2024, [https://cops.usdoj.gov/html/dispatch/04-2024/human\\_trafficking.html](https://cops.usdoj.gov/html/dispatch/04-2024/human_trafficking.html).

<sup>65</sup> The International Federation of Red Cross and Red Crescent Societies, “COVID-19 Impact on Trafficking in Persons.”

<sup>66</sup> Dominic Dionson, “Why Are Groceries so Expensive? A Look at Post-Pandemic Food Price Inflation,” *TheStreet*, May 12, 2024, <https://www.thestreet.com/economy/why-are-groceries-so-expensive>.

<sup>67</sup> “COVID-19 Impact on Human Trafficking: Overview of Racial Disparities and Social Media Use,” Lehigh University, accessed July 22, 2024, [https://global.lehigh.edu/sites/global.lehigh.edu/files/8\\_Final%20Paper%20Team%208.pdf](https://global.lehigh.edu/sites/global.lehigh.edu/files/8_Final%20Paper%20Team%208.pdf).

<sup>68</sup> “Human Trafficking during the COVID and Post-COVID Era,” *Polaris*, 2023, <https://polarisproject.org/wp-content/uploads/2020/07/Hotline-Trends-Report-2023.pdf>.

<sup>69</sup> The International Federation of Red Cross and Red Crescent Societies, “COVID-19 Impact on Trafficking in Persons.”

COVID-19 Vaccine Registration camp

Credit: Asm Dip



types of illness unable to access the care they needed.<sup>70</sup> This allowed traffickers to offer false promises and offer work that they convinced would allow the victims to get access to the services they needed. During such times, many people turned to the traffickers because they genuinely believed that was their only option. Even after being forced into labor or worse, these people did not leave because they did not believe there was any other way to save their family.

COVID-19 also made matters worse for those already trafficked. Due to the closure of so many things, there were less people who were able to focus on saving those who were trafficked.<sup>71</sup> Humanitarian efforts had to take a pause as people didn't have the time, money, or resources to actively look for victims; additionally, the World Health Organization called for people to reduce travel and keep COVID-19 contained.<sup>72</sup> This meant that in-person action to rescue human trafficking victims were also put to a halt. The pandemic also meant that the intensity of exploitation that victims faced increased as they were forced to be confined in environments with their traffickers for long periods of time without avail.<sup>73</sup> This had detrimental effects for those who were already trafficked, but it also meant that traffickers became even more knowledgeable on how to target and keep their victims under control.

The United Nations Office on Drugs and Crime (UNODC) released a report in 2021 detailing all the effects of COVID-19 on human trafficking. The study brought awareness to the impact of COVID on human trafficking as many did not believe that the two could be related. However, one of the most important things that the study found was the staggering increase in the number of children being targeted and exploited into trafficking after the pandemic. The UNODC's study showed how the pandemic increased the usage of traffickers' recruitment through social media and the increase in demand for child exploited materials. Children are being trafficked and used for everything and experts are raising a major concern for

the level to which children are being targeted.<sup>74</sup>

Another major concern that the study focused on was how trafficking operations have become harder to detect because of the pandemic. Traffickers have become better at keeping their work under wraps and COVID-19 have kept their victims on a tighter control so that there is less chance for the victims to escape. Not to mention, many law enforcement divisions that specialize in catching traffickers and these operations were forced to move to simpler tasks because of the pandemic so that the virus and civilians stayed safe.<sup>75</sup> This meant that traffickers could operate more freely without the fear of getting caught.

Another important thing that occurred during the pandemic was the abandonment of some victims by their traffickers. While this was good as they were no longer at the hands of their traffickers, for many of these people, it almost meant they had no means of money, shelter, or food. Many were not even in the same country as where they were abducted anymore. Not to mention, because they had no access to any resource and the pandemic made it hard for them to find the proper services, these people found themselves at risk for extreme poverty, illness, discrimination, and starvation.<sup>76</sup> This meant that, while they were free from their traffickers, they were still susceptible to be trafficked again and were not completely free from that life.

The world's attention moved away from topics such as human trafficking and forced labor and was completely focused on COVID. While this was necessary at the time, human trafficking victims were abandoned and had to fend for themselves. While the pandemic itself is over, many victims have still not been recovered from these operations, while many others continue to suffer the effects of a lack of stable income.

<sup>70</sup> Saleema A. Karim et al., "Assessing the Impact of COVID-19 on Rural Hospitals," American Hospital Association, May 23, 2024, <https://www.aha.org/guidesreports/2024-04-04-assessing-impact-covid-19-rural-hospitals>.

<sup>71</sup> Paul Dennis, "How Covid Has Hit Humanitarian Aid Programs," Power Technology, December 11, 2020, <https://www.power-technology.com/uncategorized/how-covid-has-hit-humanitarian-aid-programs/>.

<sup>72</sup> "Timeline: WHO's COVID-19 Response," World Health Organization, March 25, 2022, <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/interactive-timeline>.

<sup>73</sup> The International Federation of Red Cross and Red Crescent Societies, "COVID-19 Impact on Trafficking in Persons."

<sup>74</sup> United Nations Office on Drugs and Crime, "COVID-19 and Crime."

<sup>75</sup> United Nations Office on Drugs and Crime, "COVID-19 and Crime."

<sup>76</sup> United Nations Office on Drugs and Crime, "COVID-19 and Crime."



## Social Media and Trends Influence on Forced Labor

The internet has made human trafficking a much easier process. Several new studies indicate that over 55 percent of victims initially meet their trafficker online.<sup>77</sup> Most of the targeting and recruitment happens before the victim and trafficker even meet. Social media offers the privacy that traffickers need to talk, manipulate, and eventually capture their victims. The lack of regulations and legislation for social media, alongside the rapid rate of technological advancement, makes it hard for governments to keep track of what happens on the internet.<sup>78</sup> Due to this, traffickers can operate as they wish.

Multiple studies have been conducted to understand how traffickers are able to recruit their victims. When looking at forced labor, traffickers will upload new job positions on different sites and advertise them to anyone who has been actively looking for work or is willing to travel to new areas for a job.<sup>79</sup> Then, after people sign a contract accepting the new “position,” the traffickers will reveal that the contract wasn’t for a job and instead the traffickers have bought them.<sup>80</sup> Traffickers utilize legitimate business such as banking to get enough money to keep their business looking legitimate. They then use the money they earn from trafficking to maximize their profits. Social media allows traffickers to contact people from around the world, learn about different areas and business, and allows them to operate in any way this wish. This is why battling human trafficking has gotten much more complicated.

There has been some effort to stop online trafficking, however, most solutions passed come from individual governments. For example, in 2018, United States Congress passed legislation that allowed civil and criminal prosecution of online marketplaces that knowingly participate in trafficking, specifically sex trafficking; causing many websites to shut down.<sup>81</sup> In addition to the United States, the United Kingdom also released the Modern slavery act in 2015, which is credited as one of the biggest legislation concerning forced labor currently.<sup>82</sup> The UNODC and other NGOs have released multiple statements and tips for people to avoid being trafficked and protect themselves on the internet.<sup>83</sup> Not only is it important to protect one’s identity and personal details, but always being wary of the sites and ads that one sees on the internet is all important in order to not fall victim to trafficking.

Online trafficking has also increased the number of children that are being trafficked. New studies are showing that there has been a steady increase of child forced labor alongside the increase in traffickers using social media to target their victims.<sup>84</sup> Traffickers utilize the same games, social media apps, and websites that children are using and lure them to these operations.<sup>85</sup> Through manipulation, the traffickers are able to get the children to work for them and force them to do the traffickers bidding. When it comes to forced labor, most children who are trafficked do not know to read the contract that they sign or even know that what they are doing is dangerous. At the same time, the traffickers make sure that the children stay in the dark until it is too late.<sup>86</sup> Nowadays,

77 Matthew Bergman, “Social Media & Human Trafficking,” Social Media Victims Law Center, August 3, 2023, <https://socialmediavictims.org/sexual-violence/human-trafficking/>.

78 “Modern Slavery on Social Media,” Walk Free, accessed August 3, 2024, <https://www.walkfree.org/global-slavery-index/findings/spotlights/modern-slavery-on-social-media/>.

79 Brittany Anthony, “On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking SOCIAL MEDIA,” Polaris, July 2018, <https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking-Social-Media.pdf>.

80 Anthony, “On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking SOCIAL MEDIA.”

81 Anthony, “On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking SOCIAL MEDIA.”

82 “What Are Countries Doing to Stop Human Trafficking & Modern Slavery?,” VinciWorks Blog, June 20, 2022, <https://vinciworks.com/blog/what-countries-are-doing-to-stop-human-trafficking-modern-slavery-vinciworks/>.

83 United Nations Office on Drugs and Crime, “Technology and Human Trafficking: Avoid the Trap!,” accessed August 4, 2024, <https://www.unodc.org/unodc/en/endht/2022/internet-safety-tips.html>.

84 January Contreras, “Technology’s Complicated Relationship with Human Trafficking,” Administration for Children & Families, July 28, 2022, <https://www.acf.hhs.gov/blog/2022/07/technologys-complicated-relationship-human-trafficking>.

85 Michael Winn, “Human Trafficking and Social Media Safety for Kids,” Survive and Thrive, February 17, 2023, <https://surviveandthriveadvocacy.org/human-trafficking-and-social-media-safety-for-kids/>.

86 “How to Prevent Child Trafficking during the Pandemic: 5 Internet Safety Tips to Help Families Stay Safer,” International Organization for Migration, accessed August 5, 2024, <https://rosanjose.iom.int/en/blogs/how-prevent-child-trafficking-during-pandemic-5-internet-safety-tips-help-families-stay-safer>.

traffickers have many ways to target their victims, and social media has made it much easier for them to continue their operations.

Besides offering an easier way for traffickers to get access to their victims, social media has also indirectly made the lives of victims of forced labor much more difficult. Social media trends happen very fast and can impact business in both extremely positive and negative ways. Most businesses try to keep up with social media trends.<sup>87</sup> If a business can keep up with what is popular then, their customers will purchase their products, and they will be able to recruit even more customers and make more money. However, this means that businesses are always trying to produce as much as possible as fast as possible in order to keep up with supply and demand, while also staying relevant.<sup>88</sup> Now, there is evidence that most businesses either intentionally or unintentionally have their products come in contact with victims of forced labor and human trafficking.<sup>89</sup> When businesses are pushing their employees and third-party vendors to work faster but refuse to pay more is when forced labor starts to play a part. Traffickers know that they can make a lot of money if they are able to get the business of big companies and so, they work their victims even harder to keep up with big businesses' demands. Because of this, legitimate vendors run out of business because they cannot keep up with the traffickers in terms of resources and manpower. This allows traffickers to grow and expand their operations.

There have been many reports released on which products are being made through forced labor and a lot of them also follow alongside social media trends.<sup>90</sup> For example, Acai bowls gained popularity in the late 90s and really took off as an international trend in the 2000s after many celebrities started posting it on social media.<sup>91</sup> After a couple of years, multiple reports showed how there was an increase of forced labor in

the Acai business, specifically when it came to harvesting the acai berries in Brazil.<sup>92</sup> This pattern has been seen over and over again for multiple industries. Social media will throw something into the spotlight, and businesses will do everything they can to keep up with the trend. This allows traffickers to sweep through and become the hero for the business by providing fast products for a low price. However, what people fail to realize is that this fast and cheap work is coming from human trafficking victims forced to work in these conditions.

In 2000, the United Nations launched the Protocol to Prevent, Suppress and Punish Trafficking in Persons resolution which was signed by almost 200 countries.<sup>93</sup> This protocol was a major step during its time and offered some guidance for the world to stop human trafficking. Since then, multiple different agencies around the world, including both national governments and international bodies, have taken efforts to use the Protocol in stopping human trafficking and ensuring that the world is a safe place. However, it is necessary to update this plan to include the internet and social media as they have a huge impact on human trafficking. To truly stop forced labor and protect all people from trafficking, it is important to consider all aspects, now including online trafficking.

There are many things that go into human trafficking and its operation. Traffickers first need to find the right victim that they would be able to abduct without attracting too much attention. They then need to find the proper work for them to maintain the victim's belief that they have no other options. The traffickers need to keep their victims weaker than them. From there, traffickers need to find an audience for their victims so that they can continue to make money and recruit more people into their operation. The internet and social media have made all this easier, and, as it progresses, traffickers will continue to use the internet to target their victims. Modern

87 Aubree Smith, "The Impact of Social Media across Every Part of Your Business," Sprout Social, July 8, 2024, <https://sproutsocial.com/insights/impact-of-social-media-on-business/>.

88 Jerry Norton, "How Social Media Has Changed Business" The David Eccles School of Business, November 20, 2012, <https://eccles.utah.edu/news/how-social-media-has-changed-business/>.

89 "Slavery in Supply Chains" Anti-Slavery International, accessed August 5, 2024, <https://www.antislavery.org/slavery-today/slavery-in-global-supply-chains/>.

90 Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor."

91 "The Acai Trend Is Still Popular and the Craze Has Only Begun," Sobol, accessed August 5, 2024, <https://mysobol.com/the-acai-trend-is-still-popular-and-the-craze-has-only-begun/>.

92 Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor."

93 "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime," Office of the High Commissioner, November 15, 2000, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

problems do require modern solutions, and technology needs to be focused on to properly stop human trafficking.

## Effect of Trafficking on Global Economy

It is known that traffickers focus on maximizing their profits and legitimate business may unknowingly change the market so that traffickers are able to grow their operations. While this may not seem like a big deal to other businesses, human trafficking and forced labor influences the global economy. And this effect is impacting everyone, from business to the every-day consumer. It is estimated that the human trafficking industry produces about USD 150 million every year.<sup>94</sup> Traffickers include multiple types of business from both private and public sectors to keep their business going. Traffickers use banks to deposit and launder their earnings, then use planes, buses and taxi services to transport their victims.<sup>95</sup> Hotel rooms are integral for sex trafficking, and all traffickers are active users of social media to recruit and advertise their services.<sup>96</sup> All of this has a large impact on the global economy.

There are multiple ways that trafficking holds back the economy. To start, all money made by traffickers goes untaxed. Meaning that while communities are negatively impacted by trafficking, they see none of the money that trafficking generates and just must watch their communities suffer.<sup>97</sup> Not to mention, governments must spend millions of dollars addressing human trafficking, providing resources to stop human trafficking, and providing resources to help the victims. While this is all necessary seeing as human trafficking is an issue, imagine all that can be done if there was no trafficking at all. All that money can be spent on helping communities and increasing infrastructure in the nation. Not to mention, there are so many global agencies solely focused on human trafficking. If human trafficking wasn't prevalent, then these agencies could focus on other matters and with each step forward, that is a step closer

to a safer world. Besides offering moving towards a safe world, so many resources go towards stopping human trafficking and helping the victims that get out. If those resources could reach other places, then there would be fewer humanitarian crises in places of active conflict because those agencies and resources could focus on those people. Trafficking prevents society, both on an international and domestic level, from progressing.

It is also important to understand that there is relatively low risk for traffickers in comparison to the reward. Multiple studies have pointed out how traffickers are able to work with relatively no fear of being caught or being punished.<sup>98</sup> Despite all the awareness of human trafficking, there are many places in the world that do not know the signs of human trafficking or do not recognize when a trafficker is targeting them. The same people who do not recognize the signs of human trafficking are the ones who end up as victims.<sup>99</sup> There is also a major global call for illegal labor and prostitution, so traffickers are able to find consumers everywhere. Not to mention, capitalism and industrialization has made the global economy very focused on finding cheap and fast labor and this works out for the traffickers as they have exactly that. Because of the low risk of being caught, traffickers take away from legitimate business opportunities and prevent true vendors from flourishing. This also means that the trafficker's business continues to boom, which again is all untaxed money. So, big businesses will unintentionally invest in the traffickers' operations who promise them fast and cheap work, which these big businesses don't know are from forced labor. Then the traffickers will use that money to only grow their operations. Essentially, with every year that human trafficking stays alive, more money is leaving our governments and business and making life more expensive for the everyday civilian.<sup>100</sup> It is also taking away money from those who rely on government aid.

Another major impact of human trafficking on the global

94 Carmen Niethammer, "Cracking the \$150 Billion Business of Human Trafficking," *Forbes*, February 2, 2020, <https://www.forbes.com/sites/carmenniethammer/2020/02/02/cracking-the-150-billion-business-of-human-trafficking/>.

95 "On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking," *Polaris*, August 29, 2018, <https://polarisproject.org/resources/on-ramps-intersections-and-exit-routes-a-roadmap-for-systems-and-industries-to-prevent-and-disrupt-human-trafficking/>.

96 Niethammer, "Cracking the \$150 Billion Business of Human Trafficking."

97 "Does Human Trafficking Help the Economy?," *The Dunken Law Firm*, March 11, 2020, <https://www.thedunkenlawfirm.com/the-economic-impact-of-human-trafficking/>.

98 *The Dunken Law Firm*, "Does Human Trafficking Help the Economy?."

99 National Human Trafficking Hotline, "Human Trafficking."

100 Jamille Bigio and Haydn Welch, "As the Global Economy Melts Down, Human Trafficking Is Booming," *Foreign Policy*, August 10, 2020, <https://foreignpolicy.com/2020/08/10/as-the-global-economy-melts-down-human-trafficking-is-booming/>.

economy is the loss of productivity. People who are victims of forced labor are generally not paid and cannot participate generally in the economy.<sup>101</sup> Meaning that they can help keep the economy going which causes lulls in the global economy and creates steppingstones to recessions. In addition, The ILO estimates that at least USD 21 billion is lost annually in unpaid wages and illegal recruitment fees.<sup>102</sup> This money starts off legitimate and part of the global economy but then is put in the hands of traffickers and is taken away from the global economy.

Human trafficking also inhibits countries from economic development. Currently, the faster a nation can industrialize means that more money that they can get from the global markets which helps them develop faster. However, although human trafficking is found in every nation in one way or another, there are certain countries that face human trafficking at a larger scale. Countries like the United States have released reports that detail these countries with higher rates of trafficking, and this makes it harder for these countries to have a role in the global market.<sup>103</sup> Most companies do not willingly want to work with traffickers, and so they might stray away from countries known to have forced labor in all their industries. Which means that these countries are not given a chance to participate in the global economy and this takes away from their ability to develop.

To minimize the impact of human trafficking on the global economy, businesses, both international and national, must do their part. First and foremost, they need to keep a track of who they are working with and where their product travels throughout the world. It is important to be vigilant of what third-party vendors they employ as this is where the traffickers like to remain. In addition, it is important to ensure that all employees who meet the businesses are there on their own

free will and are being paid adequately. In terms of the global economy, if businesses can work with developing countries and employ legitimate businesses. While this is mostly on the business side, as an international community, there needs to be support for the businesses to do what needs to be done. There needs to be legislation passed, proven frameworks established, and consumer accountability to help the business.

## Current Status

### Case Study: Patagonia

Patagonia Inc. is an American multinational company headquartered in Ventura, California that is famous for its long-lasting outdoor apparel for men, women, and children.<sup>104</sup> They design and manufacture clothing and gear for activities like climbing, surfing, skiing, snowboarding, fly fishing, and trail running.<sup>105</sup> They are very popular and are known for their durability and fashionable styles. The brand is also known for its efforts in being an environmentally sustainable company and a good place for their employees to work at.<sup>106</sup> The company has made it their mission to be a righteous company for both their workers and their consumers.

Patagonia has always been focused on ensuring that their company is not hurting the environment. Even in the beginning of the company, founder Yvon Chouinard made a risky choice as a young company owner by changing his climbing equipment from steel, which was damaging the rocks, to aluminum.<sup>107</sup> This has not been done by any other company at the time and aluminum was way more expensive than steel. However, to Chouinard, protecting the environment was way more important. This transition proved to be beneficial as the company did continue to flourish and 40 percent of companies transitioned from steel to aluminum.<sup>108</sup>

101 United Nations Office On Drugs and Crime, *An Introduction to Human Trafficking: Vulnerability, Impact and Action*.

102 International Labor Office, *Profits and Poverty: The Economics of Forced Labour* (Geneva: International Labour Office, 2014), [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_243391.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_243391.pdf).

103 United Nations Office On Drugs and Crime, *An Introduction to Human Trafficking: Vulnerability, Impact and Action*.

104 "Company History," Patagonia, 2024, <https://www.patagonia.com/company-history/>.

105 Patagonia, "Company History."

106 "The Brand Story: Patagonia," MarcomCentral, January 18, 2024, <https://marcom.com/yvon-chouinard-how-a-reluctant-businessman-built-the-patagonia-brand/>.

107 Yara Van Heugten, "Sustainable Clothing Brand Patagonia Manufactures in the Same Factories as Fast-Fashion; Textile Workers Are Being Exploited," Human Trafficking Search, 2023, <https://humantraffickingsearch.org/resource/sustainable-clothing-brand-patagonia-manufactures-in-the-same-factories-as-fast-fashion-textile-workers-are-being-exploited/>.

108 Heugten, "Sustainable Clothing Brand Patagonia Manufactures in the Same Factories as Fast-Fashion; Textile Workers Are Being

In 2022, the climber turned reluctant businessman Chouinard made the decision to transfer 98 percent of his company to a new non-governmental organization (NGO), Holdfast Collective, which had promised to protect nature and the environment.<sup>109</sup> Which means that the company's profits would no longer go to Chouinard or his children but rather the climate. This shows how the company's founder is really focused on ensuring that his company protects and helps the environment rather than hurt it.

Patagonia is known to have a lot of policies and internal departments focused on ensuring that the company is making no unnecessary harm and is a company that is good for the environment, employees, and consumers. Even Patagonia's website is designed in both an educational manner as well as their online store. On their website, they have published multiple blogs and policies about their company and their efforts to ensure that their company is sustainable. In one of their posts, they released a full statement on forced labor and the actions their company adheres to as well as their efforts to ensure their company will not have instances of their products being made through forced labor. They discuss the different laws they adhere to such as the California Senate Bill 657, United Kingdom's Modern Slavery Act 2015, and the Australian Modern Slavery Act 2018. They disclose all information that the acts require such as which vendors they work with, the factories their products are made in, and the work conditions that their employees face.<sup>110</sup> In addition to that, they run multiple audits throughout the year to ensure that their company is kept up to date on all the laws they abide by but also their own goals and mission as a company.<sup>111</sup> All information on their audits and their adherence to different

safety acts are all easily accessible on their website. They do this to ensure that everyone, both employees, consumers, and their business partners understand the values of the company and so that they do not condone any form of forced labor, human trafficking, or harm to the environment.

However, despite all these practices to prevent any interaction with human trafficking, there have been instances where the company was not able to stick to their goal. In 2011, internal audits were conducted in Patagonia factories that showed that some of their products were made through forced labor and one of the factories was a channel for human trafficking.<sup>112</sup> This factory based in Sri Lanka, called Regal Image, is known for harsh working conditions and under-payment of their staff.<sup>113</sup> Patagonia has released regulations that they require in order to employ a factory, such as 16-hour workdays and six-day work weeks are unacceptable.<sup>114</sup> They also require that any instances of child or forced labor and human trafficking be reported.<sup>115</sup> However, seven of the Patagonia factories were revealed to have varying degrees of violations to these regulations. There was a common theme for forced labor in these factories that showed that Patagonia didn't have a lot of say on the working conditions that the employees of their manufacturers faced.<sup>116</sup> Despite their efforts to ensure that their company remains sustainable, many of their products were made by the victims of human trafficking and forced labor. For other companies who partake in fast fashion, having their manufacturers involved in forced labor is not surprising. In fact, it is mostly common knowledge now with the spread of activism that social media has generated. However, the fact that Patagonia, a company that has dedicated itself to be sustainable both environmentally and socially, shows just

Exploited.”

<sup>109</sup> Rupert Neate, “Yvon Chouinard – the ‘Existential Dirtbag’ Who Founded and Gifted Patagonia,” *The Guardian*, September 15, 2022, <https://www.theguardian.com/global/2022/sep/15/yvon-chouinard-the-existential-dirtbag-who-founded-and-gifted-patagonia>.

<sup>110</sup> “Patagonia, Inc. Statement on Modern Slavery Including Child Labor, Forced Labor and Human Trafficking,” Patagonia, 2023, [https://www.patagonia.com/static/on/demandware.static/-/Library-Sites-PatagoniaShared/default/dwd52f9d06/PDF-US/PAT\\_2023\\_LegalDocuments-ModernSlaveryAct-012423.pdf](https://www.patagonia.com/static/on/demandware.static/-/Library-Sites-PatagoniaShared/default/dwd52f9d06/PDF-US/PAT_2023_LegalDocuments-ModernSlaveryAct-012423.pdf).

<sup>111</sup> Patagonia, “Patagonia, Inc. Statement on Modern Slavery Including Child Labor, Forced Labor and Human Trafficking.”

<sup>112</sup> Gillian B. White, “Patagonia’s Human Trafficking Problem,” *The Atlantic*, June 3, 2015, <https://www.theatlantic.com/business/archive/2015/06/patagonia-labor-clothing-factory-exploitation/394658/>.

<sup>113</sup> Van Heugten, “Sustainable Clothing Brand Patagonia Manufactures in the Same Factories as Fast-Fashion; Textile Workers Are Being Exploited.”

<sup>114</sup> Van Heugten, “Sustainable Clothing Brand Patagonia Manufactures in the Same Factories as Fast-Fashion; Textile Workers Are Being Exploited.”

<sup>115</sup> Van Heugten, “Sustainable Clothing Brand Patagonia Manufactures in the Same Factories as Fast-Fashion; Textile Workers Are Being Exploited.”

<sup>116</sup> The Footprint Chronicles, “Forced Labor & Human Trafficking: Patagonia’s Approach for Remediation,” Patagonia, 2012, [https://www.patagonia.com/static/on/demandware.static/-/Library-Sites-PatagoniaShared/default/dwb48d6b02/PDF-US/human\\_trafficking\\_child\\_labor.pdf](https://www.patagonia.com/static/on/demandware.static/-/Library-Sites-PatagoniaShared/default/dwb48d6b02/PDF-US/human_trafficking_child_labor.pdf).

how rampant the issue is. No matter what these companies proclaim, without proper surveillance and action to eradicate human trafficking, this problem will continue to happen and eventually will affect every single product that consumers are buying. While fast-fashion and other elements do have an influence on forced labor rates, the issue is still at large and has many smaller problems that make human trafficking such a difficult topic to solve.

Patagonia has made efforts to stop forced labor in their manufactures. They have multiple policies and protocols that they enact in the event that a forced or child labor or human trafficking complaint has been made.<sup>117</sup> They strictly adhere to their protocols of launching full investigations into the manufacture and the factory itself, then addressing individual problems.<sup>118</sup> In addition, after the 2011 social responsibility audits revealed forced labor, they have also actively sought to diminish the circumstances where this could happen. Patagonia noticed that the issue for them stemmed from labor brokers who have harsh contracts that force the people who sign them to work in horrible conditions and become victims of modern slavery.<sup>119</sup> Patagonia's efforts to stop this from happening eventually led to the implementation of a migrant worker standard that they created with the help of NGO, Verite.<sup>120</sup> They applied this standard to all their supply chains across the globe and made all of the information available publicly for anyone. Patagonia held themselves accountable and to a very high standard which makes their efforts fruitful.

While Patagonia is just one example of a company that was intertwined with forced labor, they are not the only ones. Studies have shown that almost any company that outsources their products to be manufactured in big factories are likely to be involved with forced labor or human trafficking.<sup>121</sup> This

is a known fact that isn't being properly addressed. While Patagonia made efforts to stop human trafficking with their products, this doesn't mean that other companies are doing the same. The truth is, there will always be some level of forced labor if human trafficking exists, and bad business practices happen. Patagonia was able to locate the issue and address it, but they did not solve the problem. It is necessary for every company all around the world to take the same approach and steps as Patagonia to ensure that their supply chains don't have forced labor either. Unfortunately, just about every product that consumers buy, especially the ones that are on trend, are affected by human trafficking. Without global accountability and active measures to stop the issue, this problem will continue to victimize millions of people per year. Not to mention, all the hard work that companies such as Patagonia have made will become moot.

Forced labor and human trafficking affects all, those who do nothing to address it, and even those who take every measure to prevent it. There is no one single perfect solution. It will take multiple different actions to fix the problem and help the millions of people around the world who are exploited every day.

## Uyghur Muslims in China

The Xinjiang region of northwest China is home to about 12 million Uyghur Muslims and produces about a fifth of the world's cotton.<sup>122</sup> The region is also rich in oil and natural gas, as well as an essential trade link between Central Asia and Europe.<sup>123</sup> The Uyghur population speak their own language, which is similar to Turkish, and view themselves as culturally and ethnically closer to Central Asian countries.<sup>124</sup> They make up less than half of the Xinjiang population and are a known minority group in the country and globally.<sup>125</sup> In the last

117 The Footprint Chronicles, "Forced Labor & Human Trafficking: Patagonia's Approach for Remediation."

118 The Footprint Chronicles, "Forced Labor & Human Trafficking: Patagonia's Approach for Remediation."

119 "How a Deeper Dive into Our Supply Chain Led to a New Migrant Worker Standard," Patagonia, June 3, 2015, <https://www.patagonia.com/stories/the-unacceptably-high-cost-of-labor-a-new-migrant-worker-standard-from-patagonia/story-17743.html>.

120 Corey Simpson, "Patagonia and Human Trafficking," Patagonia Works, June 3, 2015, <https://www.patagoniaworks.com/press/2015/6/3/patagonia-and-human-trafficking>.

121 Fair Labor Association, FORCED LABOR IN SUPPLY CHAINS: Addressing Risks and Safeguarding Workers' Freedoms (Washington, D.C.: Fair Labor Association, 2019), [https://www.fairlabor.org/wp-content/uploads/2022/03/forced\\_labor\\_guidance\\_update\\_july-2019.pdf](https://www.fairlabor.org/wp-content/uploads/2022/03/forced_labor_guidance_update_july-2019.pdf).

122 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?," BBC News, May 24, 2022, <https://www.bbc.com/news/world-asia-china-22278037>.

123 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

124 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

125 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

couple of decades, there has been mass migrations of China's ethnic majority, the Han Chinese, into Xinjiang.<sup>126</sup> Reports suggest that these migrations are due to the state trying to minimize the minority population there.<sup>127</sup> There have been multiple instances of the Chinese government targeting Muslim religious figures and practices, while also destroying sacred sites such as mosques and tombs.<sup>128</sup>

Recent studies have shown that about one million Muslims have been detained in re-education camps.<sup>129</sup> Leaked classified government documents detailing the lies that the government instructed Xinjiang officials to tell family members of the people that were detained. Chinese government officials have been labeling these detainment centers as training schools or re-education camps since 2016.<sup>130</sup> High level members of China's government have been recorded ordering extreme action against radical violence, including mass detentions; however there has been no record of this fanatical violence that they are so worried about.<sup>131</sup> These leaked documents detail the systematic abuse that is happening in China against the Uyghurs.<sup>132</sup>

The matter was first brought to attention when Patagonia Inc. received a call from a trusted auditor that their assessment of the cotton farms in Xinjiang wasn't going to happen. This was the summer of 2019, when the first red flags were being sent out about the matters that were happening in China. After Patagonia attempted to resolve the matter without avail, they broke their decades long agreement with China and quickly moved their business to other cotton farmers. The situation only escalated from there as Michelle Bachelet, the United Nations high commissioner for human rights was also unable to visit Xinjiang due to severe limitations. As it was during

2020, the Chinese government claimed it was because they were trying to contain the COVID-19 virus. Due to lack of assessment of repression, the Chinese government suggested that the world had made a mistake in saying that there were any issues in the country and told Bachelet that they didn't need any lectures on human rights as there was no human rights issue in the country.<sup>133</sup>

These re-education efforts in Xinjiang started in about 2014 but drastically expanded in 2017, where 39 camps almost tripled in size during April 2017.<sup>134</sup> This is when the efforts to contain the Uyghurs greatly expanded, and this is when families were split and transported to these camps. Recent reports are showing the increasing number of camps and the increasing number of people that are detained in these prisons. What started off as a couple detention camps have now surpassed 380 camps in China.<sup>135</sup> All of the information on the size and number of the camps have been mostly obtained with satellite images as the Chinese government is not allowing anyone to enter the region, not even the citizens of the region and children of families abducted. Some eye-witness accounts have been reported from the detainees that escaped, however, most of the eyewitness accounts come prior to 2020, which means that there is very little primary evidence on what is happening in the region currently.<sup>136</sup>

While the Chinese government is making claims that the camps are for re-education and vocational training, the evidence points in a completely different direction. The truth is that inside these detention camps, the Chinese Uyghur Muslims are in high-pressure indoctrination programs where they are forced to listen to lectures, sing hymns that praise the Chinese Communist Party and write "self-criticism" essays

126 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

127 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

128 BBC NEWS, "Who Are the Uyghurs and Why Is China Being Accused of Genocide?"

129 Bureau of International Labor Affairs, "Against Their Will: The Situation in Xinjiang." U.S. Department of Labor, 2021, <https://www.dol.gov/agencies/ilab/against-their-will-the-situation-in-xinjiang>.

130 Austin Ramzy and Chris Buckley, "Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims," *The New York Times*, November 16, 2019, <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>.

131 Ramzy and Buckley, "Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims."

132 Alexandra Stevenson and Sapna Maheshwari, "'Escalation of Secrecy': Global Brands Seek Clarity on Xinjiang," *The New York Times*, May 27, 2022, <https://www.nytimes.com/2022/05/27/business/cotton-xinjiang-forced-labor-retailers.html>.

133 Stevenson and Maheshwari, "'Escalation of Secrecy': Global Brands Seek Clarity on Xinjiang."

134 Lindsay Maizland, "China's Repression of Uyghurs in Xinjiang," Council on Foreign Relations, September 22, 2022, <https://www.cfr.org/background/china-xinjiang-uyghurs-muslims-repression-genocide-human-rights>.

135 Nathan Ruser, *Documenting Xinjiang's Detention System* (Canberra: Australian Strategic Policy Institute, 2020), <https://cdn.xjdp.aspi.org.au/wp-content/uploads/2020/09/25125443/documenting-xinjiangs-detention-system.cleaned.pdf>.

136 Ruser, *Documenting Xinjiang's Detention System*.

detailing everything that is wrong with their Islamic beliefs.<sup>137</sup> These reports are the eye-witness accounts from detainees who have been released. The creation of these camps and the actions committed against the Uyghurs were all started by the Communist Party Chief Xi Jinping. It was through his pushing and his actions that led to the creation of the detention camps and the treatment of the Muslims of Xinjiang. Many of the inmates were abused and forced to sing and run while having no visitation with their families nor being told when they would be allowed to leave the camps.<sup>138</sup> However, recent reports allude to an even worse situation that has been recently brewing.

Due to the climate and the topography of Xinjiang, 22 percent of the world's cotton comes from this region, and they also produce 75 percent of Chinese cotton.<sup>139</sup> In addition to these cotton farms, many supply chains also exist in the area, creating the perfect environment for forced labor. In 2020, reports were released detailing products such as gloves, hair products, textiles, thread/yarn, tomato products, and polysilicon that were all produced by forced labor by the Muslim minorities in China, mostly through these camps.<sup>140</sup> In addition to these instances, new reports have found that the Uyghurs are being transported all over China into different supply chains where they are forced to work there as well.<sup>141</sup> In fact, the forced labor issue with the Uyghurs is so bad, the United States President Biden endorsed a law, the Uyghur Forced Labor Prevention Act, which banned products made with forced labor in the Xinjiang region of China and adjacent, saying that most goods that pass through those factors are tainted with slavery and coercion.<sup>142</sup> There is documentation by human rights groups, former detainees, participating companies, and even the Chinese government that show how the Uyghur Muslims

are forced into working in fields, factories, and mines in an effort to subdue the population and bring China economic stability.<sup>143</sup> The Chinese government is using Uyghur Muslims for work under horrible conditions under the guise of ensuring that there is no terrorism from the minority group.<sup>144</sup>

China has a long history of forced labor and human trafficking in their country. While everyone knows that there are multiple reports to be found of forced labor in the country, there isn't much concrete evidence due to the Chinese government's reluctance for proper audits to be conducted.<sup>145</sup> The Chinese civilians that are victims to forced labor have many of the qualities that put them at risk. Many of them are in desperate need of a job or are manipulated into staying at these jobs for little money in horrible conditions. However, the Uyghur Muslims are in a peculiar situation because not only do they have the usual risk factors for forced labor, but also, they are actively discriminated against by the entire nation. The Chinese government themselves are detaining these innocent people and forcing them to work for the government and threaten their families when they don't comply.<sup>146</sup> The Uyghur Muslims are targeted because of their religion and their ethnicity beside their socioeconomic factors, which means that they are more than likely to be victims of forced labor. Even if they are not in the camps themselves. Not to mention, the detainment centers are clear violations of human right laws set by the United Nations. The treatment of the Chinese government and people toward the Uyghur Muslims are in clear violation of several articles in the United Nations Declaration of Human Rights, such as Article 5 which says that no one shall be torture or cruel treatment or punishment.<sup>147</sup>

The Uyghur Muslims are being discriminated against by

137 Chris Buckley, "China Is Detaining Muslims in Vast Numbers. The Goal: 'Transformation,'" *The New York Times*, September 8, 2018, <https://www.nytimes.com/2018/09/08/world/asia/china-uyghur-muslim-detention-camp.html>.

138 Buckley, "China Is Detaining Muslims in Vast Numbers. The Goal: 'Transformation.'"

139 "Uyghur Forced Labor Database," *Jewish World Watch*, January 2023, <https://jww.org/site/uyghur-china-forced-labor-database/>.

140 Bureau of International Labor Affairs, "Against Their Will: The Situation in Xinjiang."

141 Bureau of International Labor Affairs, "Against Their Will: The Situation in Xinjiang."

142 Ana Swanson, "Supply Chains Widely Tainted by Forced Labor in China, Panel Is Told," *The New York Times*, April 8, 2022, <https://www.nytimes.com/2022/04/08/business/economy/china-forced-labor.html>.

143 Swanson, "Supply Chains Widely Tainted by Forced Labor in China, Panel Is Told."

144 Peter Bengtson, "China's Forced Labor Problem," *The Diplomat*, March 21, 2018, <https://thediplomat.com/2018/03/chinas-forced-labor-problem/>.

145 Bengtson, "China's Forced Labor Problem."

146 Human Rights Watch, "China: Carmakers Implicated in Uyghur Forced Labor," February 1, 2024, <https://www.hrw.org/news/2024/02/01/china-carmakers-implicated-uyghur-forced-labor>.

147 "Universal Declaration of Human Rights," United Nations, December 10, 1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.



their country and are not safe in their own home. They are being subjected to unfair and inhuman punishments for the sole reason of religion and ethnicity. Coupled with China's long lasting forced labor issue, the Uyghur Muslims are in an especially vulnerable position to be victims of severe forced labor that prevents them from living a free life. To stop forced labor, we must first help all the victims. The Uyghur Muslims do not deserve what they are going through, as do none of forced labor and human trafficking victims, which is why it is imperative that the issue is addressed as soon as possible.

### Sustainable Development Goals

In 2015, all United Nations member states adopted the 2030 Agenda for Sustainable Development that maps out 17 Sustainable Development Goals (SDG). These are urgent matters that need to be addressed by all countries to ensure peace and prosperity for all people and the planet.<sup>148</sup> The 17 goals cover many different urgent topics that affect every single country in the world and need to be urgently fixed.

The overall issue of human trafficking falls under multiple SDGs including Goal 5: Gender Equality and Goal 8: Decent Work and Economic Growth.<sup>149</sup> However, human trafficking and forced labor more accurately fall under SDG 16: Peace, Justice, and Strong Institutions. The 16th SDG promotes peaceful societies that are held accountable for providing inclusive institutions at all levels.<sup>150</sup> The issue with forced labor is that there is no justice for the victims. These people are forced to work with little to no pay in in-fair environments. The victims are targeted because of socioeconomic status, religion, gender, age, and vulnerabilities. The United Nations have decided that for the world to truly progress then it is imperative that these goals are met and that go only happen once forced labor is eradicated.

Several Efforts have been made to attain SDG 16, but they

are not enough. The United Nations International Children's Emergency Fund helped launch The Global Partnership to End Violence Against Children, which works on local and international levels to protect children from trafficking and ensure they grow up in safe environments.<sup>151</sup> In addition to them, the National Human Trafficking Resource Center in the United States launched the Global Hotline Network that makes resources more available to people so they can escape situations of trafficking and get the help they need.<sup>152</sup> Every year, more initiatives are released all in an attempt to end human trafficking and forced labor as well as meet these SDGs.

To reach Goal 16, there needs to be global collaboration and an agreement to stop trafficking at all means. By reaching Goal 16, corruption will be reduced, laws will be stronger, all institutions will be held accountable and will be inclusive, and so much more.<sup>153</sup> All of this benefits not only the current victims of forced labor but also every single person in the world. By completion of this SDG, we have guaranteed ourselves one step closer to a world that is fair, just, and safe for all. The eradication of forced labor will ensure that people are not only safe but also that the future planet is safe as well.

It is necessary that each individual state do their part both on a global level and a local level. Companies and countries both need to address what happens within their walls but also what happens outside of it. By first ensuring that each institution is clear of forced labor, then it is possible to slowly but surely prevent forced labor and human trafficking from happening anywhere in the world. The SDG provides a good map to ensure that the issue is being addressed on all levels and that the world is on the right track to eradicating modern slavery.

148 "The 17 Sustainable Development Goals," United Nations, accessed August 4, 2024, <https://sdgs.un.org/goals>.

149 "The Sustainable Development Goals That Aim to End Human Trafficking," UNICEF USA, January 29, 2016, <https://www.unicefusa.org/stories/sustainable-development-goals-aim-end-human-trafficking>.

150 United Nations, "The 17 Sustainable Development Goals."

151 "The Partnership Platform," United Nations, accessed August 4, 2024, <https://sdgs.un.org/partnerships>.

152 "Polaris Project Launches Global Human Trafficking Hotline Network" Polaris, April 9, 2013, <https://polarisproject.org/news/press-releases/polaris-project-launches-global-human-trafficking-hotline-network>.

153 The Inter-Agency Coordination Group against Trafficking in Persons, The Role of the Sustainable Development Goals (SDGs) in Combating Trafficking in Persons (New York: ICAT, 2018), [https://icat.un.org/sites/g/files/tmzbd1461/files/publications/icat\\_issue\\_brief\\_sdgs\\_2018.pdf](https://icat.un.org/sites/g/files/tmzbd1461/files/publications/icat_issue_brief_sdgs_2018.pdf).

## Bloc Analysis

### Points of Division

Different countries have varying stances on the issue of forced labor. However, every single country is affected by it and has their citizens victimized by forced labor. While there is no definitive factor that makes some countries more susceptible to forced labor, there are certain qualities and scores that make some countries more likely to have high rates of forced labor. As mentioned, labor brokers and human traffickers look for certain qualities when deciding who they are going to target for their victims. They specifically go after people who are desperate for work, easily manipulated, and have a very small circle. While this can be any person of any background, migrations and minority groups are more likely to be targeted because of their background.

The Labor Rights Index scores countries based on applicable labor laws.<sup>154</sup> The Index scores countries based on how decent it is to work in the country. While the Index does not measure working conditions and workplace compliance to these laws, it does give important insight on which countries would least likely see levels of forced labor. These labor laws are determined by each nation individually and their views on the law shape how well they can protect their citizens from forced labor.

### Countries Highly Rated to Have Decent Work

This bloc includes Brazil, the Russian Federation, Ukraine, most European countries except Belarus, Mongolia, Kazakhstan, Guinea, and more. This bloc is mostly made of developed countries in Europe and some in Asia. However, development is not the deciding factor for being in this bloc. Countries in this bloc have strong national legislation that cover topics such as fair wages, decent working hours, safety at work, child and forced labor, and more.<sup>155</sup> It is important to note that this group of countries have ensured that their legislation is actively minimizing chances of forced labor by creating detailed laws that address all important points. This

bloc is the forefront of what proper national legislation looks like that can actively protect their citizens.

Just because their legislation is strong does not mean that forced labor is still not an issue in the nation. Finland has some of the best legislation when it comes to labor with extensive measures taken to ensure fair pay, decent working hours, maternity leave, and other factors. Many European countries are on a similar level as Finland and have proper labor laws. Asian countries such as Russia and Mongolia have scored high on the index as well but are lacking in equal wages or fair treatment. Similar things apply to Brazil and Guinea. As mentioned, these countries do have proper legislation that protects their citizens, but it doesn't mean all their citizens are protected from forced labor. Which is why it is necessary for everyone to work together to ensure that this problem is stopped worldwide.

### Countries Moderately Rated to Have Decent Work

This bloc includes the United States, China, Canada, Mexico, Australia, Chile, Argentina, Peru, Egypt, Libya, Saudi Arabia, Jordan, India, Myanmar, Indonesia, and more.<sup>156</sup> Each of these countries are struggling to reach a higher score for different reasons. Again, the extent to which the country is developed has little influence on whether the nation has proper legislation. However, these countries do have a common trait which is they all have a heavy hand in manufacturing and supply chains. This makes it difficult for these countries to make their legislation better because then they would lose money from these sectors. This bloc's focus is ensuring that they are taking the necessary steps to combat forced labor within their borders. While it is important for these countries to collaborate on an international scale, they will be able to be of most help if they are able to address the issues they have within their own country first.

### Countries who Have Basic or No Access to Decent Work

This bloc consists of Guatemala, Mali, Ghana, Nigeria,

154 "Heatmap 2022," WageIndicator, accessed August 5, 2024, <https://labourrightsindex.org/heatmap-2022>.

155 "Heat Map 2020," WageIndicator, accessed August 5, 2024, <https://labourrightsindex.org/>.

156 WageIndicator, "Heatmap 2022."

Cameroon, Central African Republic, Sudan, Botswana, Lesotho, Yemen, Oman, Qatar, Sri Lanka, United Arab Emirates, Bangladesh, Malaysia, Afghanistan, Pakistan, Venezuela, and Papua New Guinea. These countries are rated very poorly on the index due to multiple factors. In many cases, women and families are not at all protected by law and are forced to face inequality and no job security. Not to mention, working hours are poorly regulated and only some of these have a minimum wage. While some of these countries do have proper legislation surrounding forced labor and child labor, such as Sudan, they do not have laws for other important factors that eventually led to forced labor.

These countries are very susceptible to human trafficking and forced labor since their government has very few laws that protects workers. These countries must focus on bettering their own legislation as well as global forced labor prevention. While ultimately a group effort, every country must take a global stance to eradicate human trafficking and forced labor.

## Committee Mission

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is most equipped to handle topics that are related to injustice and national or transnational crimes. CCPCJ was created as a policy making body that can assist any country or organization in addressing crime as well as support international efforts to ensure the efficacy of justice systems.<sup>157</sup> Human trafficking is a prominent topic in CCPCJ because there has been very little success in solving the issue. It is a crime that affects every part of the world from a local scale to a global one. Human trafficking must be approached from all aspects to truly stop it in its tracks. New legislation must be put in place that applies to all (countries, companies, and international organizations) without infringing on sovereignty. Without joint consensus, this problem will continue to cause issues and affect citizens' daily lives.

CCPCJ's main purpose is through policy making rather than field work. This means that their resolutions are focused on

introducing new legislation and guidelines that all member states can follow and implement into their own countries. This also means that CCPCJ does not have much of a budget to create or send task forces to places that are most afflicted with human trafficking. The most that CCPCJ can do is create a mutually inclusive policy that all countries can collaboratively adopt.

While there is a lot of surface level knowledge about human trafficking and its downsides, many people do not understand just how prevalent the issue is and how widespread.<sup>158</sup> More research must be conducted to create nuanced and comprehensive solutions. Without the proper effort, knowledge, and action human trafficking and forced labor will continue to plague all parts of the world and endanger everyone. Delegates must work together and approach the issue with care and research to properly create a solution that will keep everyone in the world safe and free.

<sup>157</sup> "The Commission on Crime Prevention and Criminal Justice," United Nations Office on Drugs and Crime, accessed August 9, 2024, <https://www.unodc.org/unodc/en/commissions/CCPCJ/index.html>.

<sup>158</sup> "Countries Least Vulnerable to Modern Slavery Worldwide 2021," Statista, May 2023, <https://www.statista.com/statistics/1387891/countries-least-vulnerable-modern-slavery-world/>.

## Research and Preparation Questions

Your dais has prepared the following research and preparation questions as a means of providing guidance for your research process. These questions should be carefully considered, as they embody some of the main critical thought and learning objectives surrounding your topic.

### Topic A

1. What is the reoffending rate in your country?
2. Are there any specific strategies for criminal rehabilitation currently being applied in your country? If so, what are the positive and negative impacts of these strategies?
3. What specific challenges does your country face within its criminal systems?
4. What rehabilitation programs can be implemented to meet the specific needs of your country?
5. How does your country promote cooperation between justice systems and local communities to support the reintegration of ex-offenders?
6. Has your country considered using digital tools to provide prisoners with the appropriate rehabilitation?
7. How can cognitive-behavioral therapy (CBT) help offenders change criminal behavior patterns?

### Topic B

1. What are your country's legal frameworks in relation to human trafficking?
2. What businesses in your country contribute to human trafficking through their supply chains?
3. What have businesses in your country done to identify and mitigate human trafficking and forced labor in their operations?
4. What roles do public-private partnerships in your country play in combating human trafficking?
5. How can businesses in your country be held accountable for human trafficking violations within their operations?
6. What is your country doing to prevent human trafficking in high-risk communities?
7. What legislation is in place in your country to prevent forced labor?

## Important Documents

### Topic A

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