



United Nations Human Rights Council

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Welcome Letter

Dear Delegates,

Welcome to the 15th annual MIT Model United Nations Conference. It is our pleasure to meet you at MITMUNC IV in the UNHRC committee. We are very excited to meet all of you and host this conference in person after a year of virtual committees. We look forward to effective diplomacy and productive discussion.

I'm Srinidhi, a freshman majoring in Electrical Engineering and Computer Science. I am from New Jersey and have previously been Secretariat for and chaired at EHSMUN. I've been a delegate at various Model UN conferences from freshman through senior year of high school. I'm also the current Assistant Director General of MITMUNC.

Hello, my name is Price, and I'm a freshman majoring in Mechanical Engineering. I am from North Carolina, where I competed in Public Forum debate for three years. I also have ample experience judging debate, although this will be my first time chairing Model UN. I am the Assistant Director of Operations and the Assistant Director of Communications for MITMUNC.

We are excited for all of you to propose and discuss all of your well thought out solutions throughout the committee session. We hope that the background guide provides a fundamental understanding of the topics we will be discussing and serves as a foundation for your research. This weekend the topics you will debate are Prevention of Inhumane Treatment or Mistreatment of Prisoners and Uncompensated Labor in Developed and Developing Countries.

We hope you will have a great experience during MITMUNC XV. You should submit your position papers five days prior to the beginning of the conference to the chairs at the following email: unhrc-mitmunc-2023@mit.edu.

We are very excited to meet you and listen to the resolutions you come to over the course of the conference.

Sincerely,

Srinidhi Venkatesh and Price Taylor

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Introduction to Committee

The United Nations Human Rights Council was first founded in 2006, to address the standards for human rights and discuss their protection. The HRC falls under the Office of the High Commissioner of Refugees (OHCHR). The HRC has grown overall to represent and discuss the protection and continuance of various human rights as well as deteriorations of human rights in specific regions.

The 47 member states of the HRC are generally elected by the General Assembly. Led by elected President Federico Villegas, the HRC meets at the UN in Geneva in order to discuss any and all issues relevant to the continuation of human rights around the globe.¹¹ The UNHRC was established in place of the Commission on Human Rights, which was criticized for its inefficiency.

In recent years, the HRC has become known for its involvement in the human rights situations of various countries including Israel, Myanmar, and Syria. Recent meetings have also focused on the violation of women's rights in Iran as well as growing concerns over increasing limitations of rights in the region.

¹ <https://www.ohchr.org/en/hr-bodies/hrc/about-council>

Topic I: Prevention of Inhumane Treatment or Mistreatment of Prisoners

Introduction

Almost 11.5 million people around the globe are currently incarcerated, almost a third of whom are still awaiting trial.² Despite this climbing number of incarcerated, prisoner circumstances and treatment have remained relatively stagnant, without any significant improvements. A finite amount of resources for prison systems coupled with increasing incarcerations has led to poorer quality of living for prisoners. Moreover, this lack of resources allows for mistreatment of prisoners through both inadvertent and advertent actions. Both a lack of ability to provide the materials needed for a proper standard of living and lack of standardized oversight of such circumstances lead to mistreatment of prisoners.

Additionally, such high incarceration rates permit for inhumane treatment of prisoners depending on the circumstances of incarceration. Detention of excessive prisoners, many of whom have not yet been convicted for any crime, often leads to overcrowding, degrading treatment, and broken infrastructure of the prison system. There is an immense lack of standardization across prison systems both domestically and internationally. Such lack of standardization even allows for individual prison systems to potentially strip the incarcerated of their basic human rights. According to the Basic Principles for the Treatment of Prisoners which was passed by the United Nations General Assembly in 1990, prisoners are to retain all of their basic human rights apart from those inherently impossible due to incarceration; however, the reality of many prison systems make such a basic principle impossible

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<https://www.prisonstudies.org/#:~:text=See%20the%20International%20Prison%20Publications,of%2011.5%20million%20prisoners%20worldwide.>

Chronology

The concept of treatment of prisoners was explored early on in the first meetings of the United Nations. Founded in 1945, the United Nations was a response to the horrifying aftermath of World War II and the need for global stability. In specific, these meetings discussed the treatment of the millions of incarcerated throughout the Holocaust. This was one of the first significant discussions about the treatment of prisoners. This focus on humane treatment of all individuals led to the publishing of the Universal Declaration of Human Rights in 1948.³ Stating the inherent rights of all humans, this document set the standards of humane treatment of individuals which include “the prohibition of torture, the right to a fair trial and the presumption of innocence.”⁴

The consequences for many of the actions perpetrated throughout World War II, including inhumane imprisonment, were detailed in the Nuremberg trials, in which Nazi leaders were prosecuted and sentenced for their crimes against humanity “on political, racial, or religious grounds.”⁵

In the 1950s, the first resolution to address the treatment of prisoners was officially passed, entitled the Standard Minimum Rules for the Treatment of Prisoners.⁶ Passed by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, this document details a global consensus on the components necessary to maintain a penal system that protects the rights of its prisoners while providing fair and just convictions.

³ <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁴ <https://www.un.org/en/un-chronicle/nelson-mandela-rules-protecting-rights-persons-deprived-liberty>

⁵ <https://www.nationalww2museum.org/war/topics/nuremberg-trials>

⁶

https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf

Beyond this initial move to protect human rights, international prison reform was widely undiscussed until the late 1960s. The International Covenant on Civil and Political Rights, published in 1966, detailed political rights, a major cause of incarceration and mistreatment of prisoners.⁷ This charter essentially states political and social freedoms as components of maintaining a life of freedom and human rights.

Explicit mentions of prison conditions and inmate treatment came forth in the 1990 General Assembly resolution, Basic Principles for the Treatment of Prisoners.⁸ This charter emphasizes the specific rights that prisoners should retain despite their incarceration. This includes the right to religious practices, lack of discrimination, and the opportunity to maintain social and cultural practices.

The Nelson Mandela Rules are one of the most recent additions to the United Nations' guidelines on treatment of prisoners.⁹ An expansion on the Standard Minimum Rules for the Treatment of Prisoners, this 2005 addition is inspired by the decades long civil and political prisoner, Nelson Mandela. These revisions updated the expectations for prisoner treatment to match the human rights that have been defined since the 1950s.

Actors & Interests

- Office of the United Nations High Commissioner on Human Rights
 - The OHCHR was founded in 1993, in order to address and oversee human rights.

The HRC is a council under the OHCHR, designated to carry out a specific

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<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁸ <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-treatment-prisoners>

⁹ <https://www.un.org/en/un-chronicle/nelson-mandela-rules-protecting-rights-persons-deprived-liberty>

sub-branch of the OHCHR's mission. The treatment of prisoners greatly depends on human rights and thus, OHCHR has a vested interest in improving prison conditions.

- United States

- As the nation with the highest incarceration rate, the United States has a vested interest in improving its prison system.¹⁰ With more than 2 million incarcerated and an overcrowded prison system, the United States needs improved prison infrastructure to improve quality of life inside prisons.

- Norway

- Norway is noted as the nation with the most efficient prison system.¹¹ In an attempt to balance the economic benefits of a reformed prison system with the actual need for incarceration, Norway's prison system has low numbers of prisoners and high reform rates internally. Strong infrastructure and training promote fair treatment of prisoners.

- Russian Federation

- The Russian Federation has long been the subject of concerns over unfair legal proceedings and inhumane imprisonment. This system especially has had issues regarding social and political imprisonments and inhumane treatment of these prisoners through labor camp style prison systems. This issue has come to the forefront of global news in the past few years due to the sentencing of political opposition leader Navalny and athlete Brittney Griner.

¹⁰

[https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country#:~:text=The%20United%20States%20leads%20the,2021%20by%20World%20Prison%20Brief\).](https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country#:~:text=The%20United%20States%20leads%20the,2021%20by%20World%20Prison%20Brief).)

¹¹ <https://borgenproject.org/norways-prison-system/>

- Iran
 - Iran has come to the forefront of global news through the recent imprisonment and abuse of protestors. Thousands of prisoners have entered the system and have exited with signs of torture and abuse. Both the reasons for imprisonment and the conditions of imprisonment are at the forefront of global human rights concerns.
- Myanmar
 - Years of religious, social, and political unrest in Myanmar have been marked by the imprisonment of political and social prisoners in a brutal prison system. Run and used by the military government, Insein prison is known for its harsh treatment of prisoners, involving torture.¹²

Possible Causes

A primary cause of inhumane treatment of the incarcerated stems from a lack of resources to maintain facility and standard of living. Many of the violated human rights for prisoners directly pertain to basic living conditions. Maintaining decent living conditions in penal institutions is often impossible due to low amounts of funding and the increasing rate of incarceration worldwide. Additional prisoners without additional resources leads to overcrowding and crumbling prison infrastructure.¹³

Moreover, a majority of these prisoners do not have a fair right to legal proceedings and representation. Almost 30% of all detainees are pre-trial, meaning they have yet to receive a conviction and instead are awaiting legal proceedings.¹⁴ This high amount of detainees pre-trial

¹² <https://www.nytimes.com/2021/05/29/world/asia/myanmar-prison-coup.html>

¹³

https://www.unodc.org/res/justice-and-prison-reform/nelsonmandelarules-GoF/UN_System_Common_Position_on_Incarceration.pdf

¹⁴ <https://www.penalreform.org/issues/pre-trial-justice/issue/>

as well as the lack of a standardized procedure worldwide for due process results in unfair incarceration. These detainees often wait long periods of time in jails despite a lack of wrongdoing on their parts. Moreover, many of these detainees are unable to receive the representation and due process they need in order to be freed from their conviction; thus, they end up unfairly incarcerated.

One of the most common causes of mistreatment and inhumane treatment in jails stems from various biases. Racially motivated mistreatment is a common theme across jails and penal institutions worldwide. The Basic Principles for the Treatment of Prisoners states that there “shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”¹⁵ However, a 2018 report to the UN on the United States’ prison system, the largest in the world, the racial composition of the incarcerated is greatly asymmetrical.¹⁶ Additionally, sexual orientation, religion, and ethnicity are further causes of mistreatment within prison systems. Religion, ethnicity, sexual orientation, and political/social opinions are some of the highest causes of inhumane treatment of prisoners. Ranging from political prisoners to domestic prisoners, inhumane prison treatment generally affects prisoners of any of these specific categories.

Projections and Implications

The role of the Human Rights Council in the issue of prison reform and treatment of inmates focuses on the maintenance of human rights and the prevention of mistreatment. Thus, further progress in standardizing the prison system to preserve such rights allows for the

¹⁵ <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-treatment-prisoners>

¹⁶

<https://www.sentencingproject.org/reports/report-to-the-united-nations-on-racial-disparities-in-the-u-s-criminal-justice-system/>

elimination of inhumane treatment in specific prison systems. Worldwide, inhumane prison treatment is kept silent and continued behind closed doors. The prevention of inhumane treatment in prisons also has potential to reduce or eliminate wrongful incarceration and protect the rights of individuals whether they are incarcerated or not.

The guarantee of fundamental human rights even in a prison setting is key to the protection of human rights in regular society, as prison cannot be used as an excuse to strip individuals of rights such as self-expression and autonomy.¹⁷

The continuation of mistreatment of prisoners also condones human rights violations across the world, particularly in countries with social and political unrest. In a vicious cycle, situations of social and political unrest are handled through systematic stripping of human rights within prison systems. Thus, prison systems become institutions of human rights violations and wrongful imprisonment rather than systems of punishment for crimes committed and locations for behavioral correction.¹⁸

Discussion Questions

1. What are some of the challenges in standardizing worldwide prison systems?
2. How can resource allocation for prison systems be prioritized?
3. How can we combat the worldwide trend of increased incarceration?
4. How do religious, sexual, ethnic, racial, political, and social discrimination play a role in the mistreatment of prisoners and how can such biases be eliminated from the prison system?
5. What are some worldwide situations related to or leading to mistreatment and inhumane treatment of inmates?

¹⁷ <https://www.hrw.org/legacy/wr2k/issues-12.htm>

¹⁸ <https://www.hrw.org/legacy/wr2k/issues-12.htm>

Topic II: Uncompensated Labor in Developed and Developing Countries

Introduction

Labor is the foundation of the world economy, responsible for the production of all consumer products. Products may have extensive production processes that, unknown to consumers, involve the exploitation of labor on a massive scale. The International Labour Organization estimates that 28 million people are living in forced labor, which represents a marked increase from recent years. Women, children, and migrants are especially vulnerable, more likely to be trafficked and enslaved than other groups¹⁹. Modern slavery occurs in nearly every country and affects all identities, with more than half of forced labor taking place in upper middle and high income nations. Individuals can be in forced labor for years, subject to horrific conditions and at high risk of abuse and bodily harm. Moreover, most of those suffering under forced labor are the most vulnerable groups, either poor or marginalized. They often work in isolated areas and are controlled through fear and ignorance²⁰. Modern slavery is atrocious, yet it often does not reach the public eye. Therefore, it is crucial to expose forced labor and address it.

In 2007, the UNHRC created the mandate of the Special Rapporteur on contemporary forms of slavery, and it has extended the mandate every three years since. The Special Rapporteur is mandated to promote the application of international norms on slavery; exchange and act on information with recognized entities; recommend measures to eliminate slavery; and address contemporary forms of slavery not covered by existing UNHRC mandates. The Special Rapporteur has made numerous visits and return trips to various countries to investigate practices of forced labor, and the reports are available online²¹. The UNHRC also manages the United

¹⁹ <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

²⁰ https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_855019/lang--en/index.htm

²¹ <https://www.ohchr.org/en/special-procedures/sr-slavery>

Nations Voluntary Trust Fund on Contemporary Forms of Slavery, which provides grants to civil society organizations that then provide assistance to victims and survivors²².

Chronology

In 1926, the League of Nations adopted the Slavery Convention, outlawing slavery and the slave trade. Its goal was to have signatories work together to purge slavery wherever it was found, and to make the practice an undeniable and punishable crime. However, the Slavery Convention still allowed forced labor in the case of “public purposes”²³. Unfortunately, the League of Nations dissolved at the onset of the Second World War, which saw human rights abuses on a massive scale. Between 1933 and 1945, Nazi Germany pushed millions of people into forced labor throughout their occupied territories. Workers lived in appalling conditions, and many died from overwork, disease, starvation, or maltreatment. In response, after the war, the United Nations was formed and signed the Universal Declaration of Human Rights in 1948, one of its many tenets abolishing slavery²⁴.

However, neither treaty would dispell slavery, even from signatories. For instance, the United States still allows penal labor, a fact that was exploited heavily by both individuals and companies. Additionally, slavery was still practiced outside of the United Nations, especially by authoritarian dictatorships and nonstate actors. The Soviet Union would practice forced labor on a large scale up until Stalin’s death, though it would continue on a smaller scale. Pol Pot’s brutal dictatorial regime also included heavy usage of slavery²⁵. Moreover, while slavery would eventually fade from the official conduct of most democratic nations, human trafficking and forced labor was and is still perpetuated by criminal organizations and nonstate actors.

²² <https://www.ohchr.org/en/about-us/funding-and-budget/trust-funds/united-nations-voluntary-trust-fund-contemporary-forms-slavery>

²³ <https://www.ohchr.org/en/instruments-mechanisms/instruments/slavery-convention>

²⁴ <https://www.ohchr.org/en/human-rights/universal-declaration/translations/english>

²⁵ <https://www.britannica.com/topic/forced-labour>

In 2000 the United Nations criminalized human trafficking through the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”²⁶. Sadly, human trafficking and modern slavery are rising. Gangs and cartels are increasing pursuit of human trafficking, such injustices still persist in nations like North Korea, and they are being increasingly utilized by terrorist organizations like ISIS^{27,28}. Most recently, Qatar gained national infamy for its use of forced labor to construct its stadium for the World Cup, with conditions so bad it has led to deaths²⁹. Furthermore, the Russian Federation still utilizes penal colonies and prison labor, and it has subjected captured Ukrainians to slavery as well³⁰. To combat the rise of modern slavery, it is vital to spread awareness, facilitate discussions, and take action.

Actors & Interests

The United Nations has outlawed slavery on an international scale and it is thus officially condemned by almost every country on Earth. However, nations and nonstate groups have varying applied practices with regards to uncompensated labor. A few actors are listed below:

- The United Kingdom: the UK has been at the forefront of modern antislavery legislation. In 2015, it passed the Modern Slavery Act, consolidating slavery and human trafficking offenses and introducing new preventative measures, support systems, and regulatory bodies. It also mandates reparations for victims of modern slavery. The Act also orders companies that make more than £36 million and do business in the UK to issue a report on the steps they are taking to eliminate slavery in supply chains³¹. In 2022, the UK

²⁶ <https://www.unodc.org/unodc/en/human-trafficking/protocol.html>

²⁷ <https://nationalgangcenter.ojp.gov/insights/47/gangs-and-human-trafficking>

²⁸ <https://giwps.georgetown.edu/resource/a-new-frontier/>

²⁹ <https://www.hrw.org/news/2022/11/30/qatar-world-cup-chief-publicly-admits-high-migrant-death-tolls>

³⁰ <https://www.wsj.com/articles/electric-shock-extortion-and-slave-labor-how-russia-ran-a-detention-camp-in-occupied-ukraine-11664444466>

³¹ <https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

announced a new Modern Slavery Bill designed to increase accountability of corporations who were making lackluster reports³². In fact, the 2019 Global Slavery Index places the UK as the country doing the most to prevent modern slavery³³. It, along with France, the Netherlands, and Australia, is one of a few nations to introduce antislavery legislation in the last decade³⁴.

- Costa Rica: Costa Rica has made lots of progress to address forced labor, but the UN believes more needs to be done, especially for marginalized groups. Migrant workers, individuals of indigenous or African descent, and LGBTQ+ members still face high risk of exploitation and forced labor. Particularly vile, Costa Rica has a large problem of sexual exploitation in the tourism industry, which sometimes affects children³⁵. Costa Rica has backed treaties and made moves, but more needs to be done to protect the entire population.
- Qatar: Qatar often utilizes migrant labor, which has many pitfalls leading to slavery. Though the country promised to reform the brutal “Kafala” system of migrant labor, little changes have been felt and abuse is still rampant. Qatar most recently has been heavily criticized for its treatment of workers during preparation of the 2022 Men’s World Cup, with laborers suffering under abysmal pay, poor living conditions, inability to escape, and threats of violence³⁶. Additionally, the Qatari government has been known to hide workers from international audiences, signaling the governmental knowledge of and complacency toward slave labor.

³² <https://www.wilmerhale.com/en/insights/blogs/wilmerhale-w-i-r-e-uk/20220610-new-anti-modern-slavery-bill-unlikely-to-accomplish-goals>

³³ <https://www.globallslaveryindex.org/2019/findings/executive-summary/>

³⁴ <https://time.com/5741714/end-modern-slavery-initiatives/>

³⁵ <https://www.ohchr.org/en/press-releases/2022/11/costa-rica-encouraged-progress-more-needs-be-done-prevent-exploitation>

³⁶ <https://www.antislavery.org/world-cup-2022-the-reality-for-migrant-workers-in-qatar/>

- Corporations: many companies source their products from supply chains involving modern slavery. Slavery persists in supply chains because corporations desire to pay as little as possible, which encourages cheap or forced labor. Nestle, Hershey, and Mars knowingly source much of their cocoa from farms using child labor and Nestle has previously admitted to using child labor in Thailand.
- Terrorists, gangs, and cartels: human trafficking and modern slavery are becoming increasingly prevalent in nonstate actors. Gangs and cartels turn large profits from human trafficking and sex-slavery, luring youths in with the internet³⁷. Terrorists use human trafficking and modern slavery to bolster their numbers, sow discord, and oppress. For instance, the Boko Haram terrorist group in Nigeria confines women and girls in “baby factories” and otherwise uses them as sex-slaves, economic-slaves, and suicide-mission-slaves³⁸. The use slavery by terrorists is particularly disturbing and must be eradicated.

Possible Causes

Modern slavery has many causes, with the roots varying based on the type of slavery. Chattel slavery is most often caused by war or intense discrimination and oppression, resulting in the dehumanization of the enslaved. This type of slavery often has racist, religious, misogynistic, or caste motivations. More common forms of slavery involve individuals willingly entering into relationships with their captors, only for their situation to quickly degrade. These circumstances are most often caused by poverty, vulnerability, and the lack of life choices. Victims will often be

³⁷ <https://nationalgangcenter.ojp.gov/insights/47/gangs-and-human-trafficking>

³⁸

https://www.researchgate.net/profile/Innocent-Nwosu-2/publication/348497775_Gender_and_modern-day_slavery_in_Nigeria_A_critical_analysis_of_baby_factory_and_terrorism/links/60843cda881fa114b4276026/Gender-and-modern-day-slavery-in-Nigeria-A-critical-analysis-of-baby-factory-and-terrorism.pdf

ensnared through psychological manipulation, coercion, or debt bondage. Migrant workers, women, and children are especially targeted³⁹.

From a larger perspective, corporations and consumerism also play a role in the perpetuation of modern forced labor. Supply chains are long and complex, allowing slavery to hide and fester within them. By prioritizing cheaply produced products, cheap labor is stressed, which opens the door for human exploiters to take advantage of the lack of oversight. Businesses can also make decisions that inadvertently lead to slavery, like making large orders due in a short time⁴⁰.

Projections and Implications

The number of individuals affected by modern slavery has risen significantly in the past five years, and it generates around \$150 billion annually⁴¹. Moreover, consumerism and business practices often unintentionally encourage slavery and that criminal organizations are increasingly trafficking humans. Especially with the covert nature of slavery and lack of oversight in many areas, it stands to reason that this practice will only grow if unaddressed.

Modern slavery is an atrocity with atrocious effects. Those suffering under forced labor often as a result suffer from other human rights abuses as well. Slavery physically, emotionally, and mentally harms its victims, while depriving them of the opportunities to gain skills and education. These effects have intergenerational impacts, lowering health and income, exacerbating violence and abuse, and increasing discrimination. Slavery results in generational poverty and is also responsible for the economic handicapping of entire nations. Slavery institutionalizes inequality and breeds corruption, making it even more difficult to be rid of⁴². It is also commonly utilized in

³⁹ <https://www.associationofmbas.com/addressing-the-root-causes-of-modern-slavery/>

⁴⁰ <https://www.reutersevents.com/sustainability/supply-chains/modern-slavery-and-role-business>

⁴¹ https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_855019/lang--en/index.htm

⁴² <https://www.developingfreedom.org/overview/slavery-development/>

illegal activities, further harming others and the environment. Modern slavery is a scourge that must be eliminated.

Discussion Questions

1. The United Kingdom's Modern Slavery Act has seen mixed results, with many companies either not providing reports or issuing poor ones. The US Supreme Court threw out a case against various companies accused of child labor. How can we increase the accountability of companies that have modern slavery in their supply chains?
2. Women, children, migrant workers, and marginalized groups are disproportionately targeted in systems of forced labor and sexual exploitation. How can we make sure future legislation protects them?
3. How can underground and covert slave rings be combatted?
4. What can be done to assist survivors after they escape slavery?
5. What are the best methods to ensure nations take consistent, effective action against slavery?