



# Anti-Human Trafficking

Guide



**Human Trafficking is the third largest criminal enterprise in the world after arms trafficking and drugs, which generates billions of dollars in profits .**

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## **The International and Arab Framework on Anti-Human Trafficking.**



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The protocol to prevent, suppress and punish trafficking in persons, especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol) is a protocol to the United Nations Convention against Transnational Organized Crime, and it's adopted by the United Nations General Assembly in 2000 and entered into force on December 25, 2003. And ratified by 178 parties in February.

In Article 3 of the protocol to prevent, suppress and punish trafficking in persons, especially Women and Children, supplementing the United Nations convention against transnational organized crime, human trafficking is defined as:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) "Child" shall mean any person under 18 years of age



## International Conventions and Instruments in the Framework on Preventing Human Trafficking

- 1** The United Nations Convention against Transnational Organized Crime for the year 2000 AD, to which the Kingdom acceded by virtue of Royal Decree No. (M/20) dated 3/24/1425 AH, corresponding to 13/5/2004 AD.
- 2** The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime 2000 AD, to which the Kingdom acceded by virtue of Royal Decree No. (M/56) dated 06/11/1428 AH corresponding to 8/21/2007 AD, which aims to prevent and combat trafficking in persons, with special attention to women and children.
- 3** The United Nations Global Action Plan to Combat Trafficking in Persons 2010, approved by General Assembly Resolution No. (64/293) dated 30/6/2010, which is based on the four main axes: prevention, protection, prosecution and partnership.
- 4** Declaration by the International Labor Organization of fundamental rights at work, the conventions of the International Labor Organization, and other relevant organizations, in accordance with what the Kingdom has committed to.
- 5** The 2014 protocol supplementing Convention No. 29 of 1930 relating to forced labor to which the Kingdom joined by virtue of Royal Decree No. (M/73) dated 08/26/1442 AH.



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# Anti-Human Trafficking



in the Arab Human Rights Charter

1

No one may be subjected to medical or scientific experimentation or treatment without his or her free consent and full understanding of the associated complications, taking into account the ethical and professional rules in implementing the medical procedures that ensure his or her personal safety, following each party's country's legislation. Human organ trafficking is always illegal.

2

Slavery and human trafficking is prohibited in all of its forms and punishable by law.

3

Forced labor and human trafficking for the purposes of prostitution, sexual exploitation of any form or using children in armed conflicts is prohibited.



## Human Trafficking Crime Shall be Deemed (Transnational) in the following cases:

- If committed in one country, yet, a significant part of preparation, planning direction or supervision thereof is carried out in another country.
- If committed in more than one country.
- If committed in one country with the participation of an organized crime group performing crime activities in more than one country.
- If committed in one country but has grave effects in another country.



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## Prevention of Human Trafficking in the Kingdom of Saudi Arabia



# The Kingdom is Paying Close Attention in Preventing Human Trafficking Crimes

Through an integrated system

Joining conventions and protocols dealing with such crimes.

Issuing an anti-human trafficking system.

Forming an anti-human trafficking committee.

Launching an anti-human trafficking strategy.

on 13/7/2009 the Cabinet Issued Decree No. 244 of Establishing a National Committee to  
Combat Human Trafficking



## Representatives of the Anti-Human Trafficking Committee





# The Legal Framework for combating human trafficking in Saudi Arabia

## International References

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- The United Nations Convention against Transnational Organized Crime 2000.
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime 2000
- The UN Global Plan of Action to Combat Trafficking in Persons 2010
- The International Labor Organization Declaration on Fundamental Principles and Rights at Work, as well as the conventions adopted by the ILO and other relevant organizations, as per the obligations of the Kingdom.
- The Kingdom became a party of the 2014th Protocol supplementing the 1930th convention related to forced labor by the Royal Decree No.M/73 dated 26/8/1442H.

## National References:

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- The Principles of Sharia.
- The Kingdom's Basic Law of Governance.
- The Anti-Trafficking in Persons Law.
- The Regulation for the Human Rights.

## Regional References:

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- The Arab Charter on Human Rights.
- The Arab Convention against Transnational Organized Crime 2010.
- The Comprehensive Arab Strategy for Combating Trafficking in Human Beings.
- The Arab Model Law for Combating the Crime of Human Trafficking.
- The Abu Dhabi Convention on Unified Laws for Combating Human Trafficking.
- The GCC Human Rights Declaration.

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## **The Anti-Human Trafficking System in the Kingdom of Saudi Arabia**



## The Saudi Organization defines Human Trafficking as

Transferring

Recruiting

Using

Receiving

Harboring

Of a person for the purpose of exploitation.

**\*Article 1 of the anti-human trafficking system.**



## Human Trafficking Penalties

Anyone who commits the crime of human trafficking faces:

1

15 years in prison.

3

Or both.

2

1 million Riyals fine.

\*Article3 of the human trafficking system.

## Heavier Penalties Implied if :



- 1 The victim is seriously injured or has permanent disabilities.
- 2 The perpetrator is the spouse, ascendant, descendant or guardian of, or has authority over the victim.
- 3 The crime is committed against a child, even if the perpetrator is not aware of the fact that the victim is a child.
- 4 The perpetrator is a law enforcement officer.
- 5 The crime is committed by an organized crime group.
- 6 The perpetrator uses or threatens to use a weapon.
- 7 The crime is committed by more than one person.
- 8 The crime is committed against women or people with special needs.
- 9 The crime is transnational.

\*Article 4 of the anti-human trafficking system.





## The Human Rights of Trafficked Persons:

**1** Admit the victim to a specialized center if he needs shelter.

**4** Inform the victim of his legal rights using a language he understands.

**6** Refer the victim to a specialist physician if he appears to be in need for medical or psychological care or if he requests such care.

**2** Admit the victim to a medical, psychological or social rehabilitation center if so necessitated by his medical or psychological condition or age.

**5** Avail the victim of the opportunity to set forth his status as a victim of trafficking.

**7** Provide police protection for the victim if necessary.

**3** If the victim is a non-Saudi and there is a need for him to stay or work in the kingdom during investigation or prosecution, the Public Prosecution or competent court shall have the discretion to decide upon such matter.

\*Article 15 of the anti human trafficking system.

# Human Trafficking Elements:



## The Act:

Which is the recruitment, transport, transfer, harboring or receipt of persons.

## The Purpose:

Is the reason of the act, which is always exploitation of the victim, like sexual exploitation, forced labor, removal of the organs...etc.

## The Mean:

The methods of the act which can be threatening, deceiving, misusing the authority or exchanging funds or benefits to convince the one who controls someone else.

\*All three elements must be present to constitute "Human Trafficking".

# Examples on the Human Trafficking Elements:



## Purposes

- Sexual exploitation.
- Forced labor.
- Slavery.
- Conducting medical experiments.
- Begging.
- Removal of organs.

## Means

- Forcing
- Threatening
- Deception
- Kidnapping
- Misusing of power or authority.
- Exploiting weaknesses.
- Giving funds or benefits

## Acts

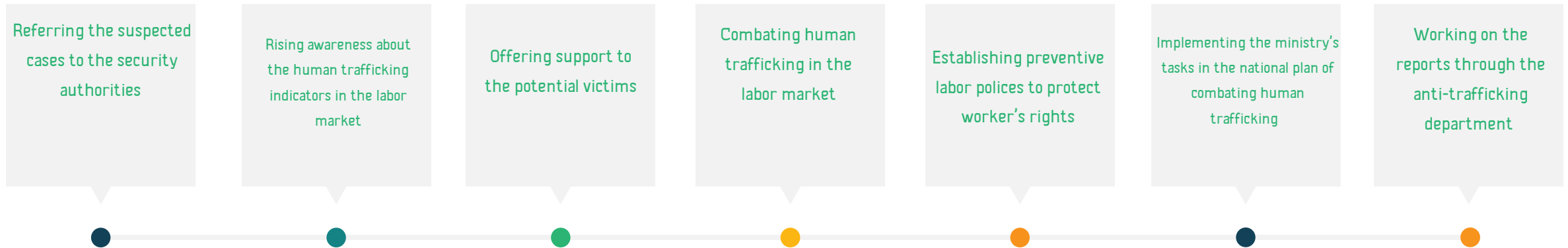
- Reception
- Harboring
- Using
- Recruiting
- Transferring

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## **The Ministry of Human Resources and Social Development Role in Preventing Human Trafficking**



**The Ministry of Human Resources and Social Development is a member of the National Committee to Combat Human Trafficking, which was established by Cabinet Decree N.244 dated 13/7/2009, and the anti-trafficking tasks entrusted to the Ministry are:**





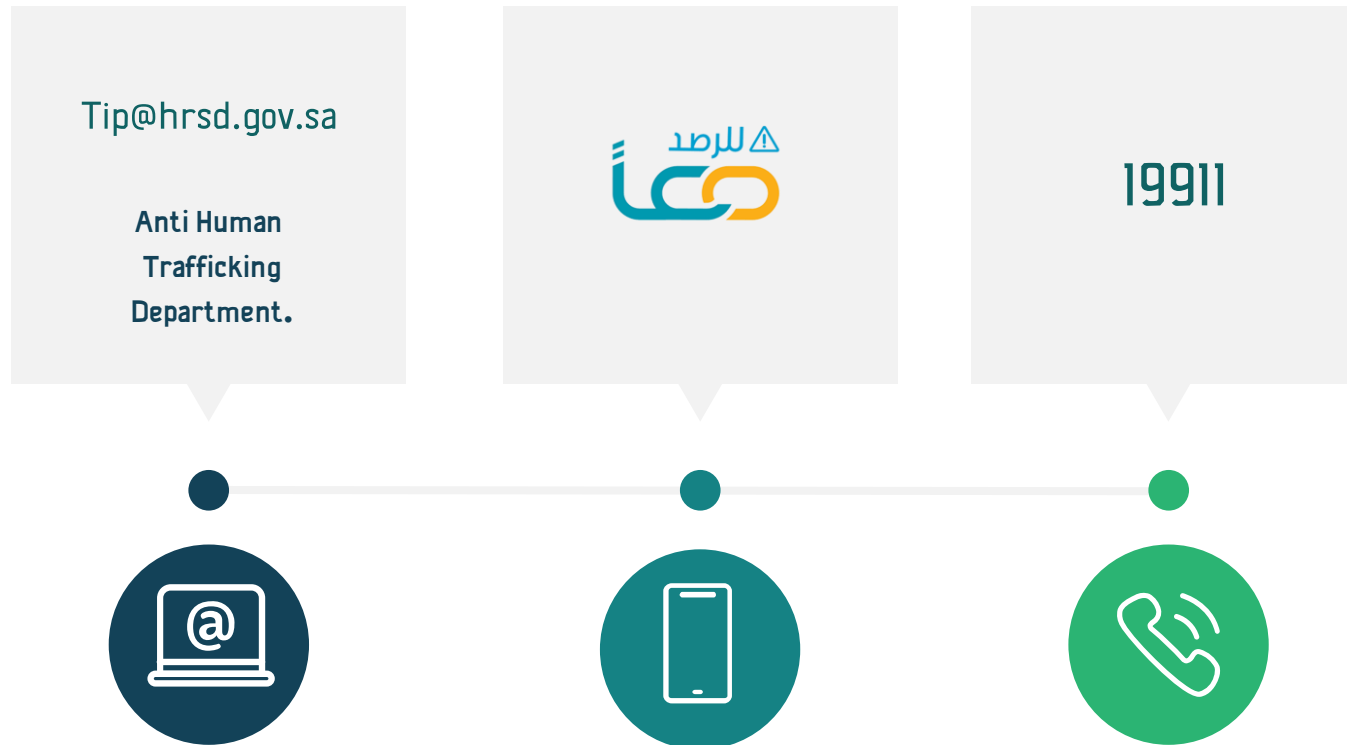
## The Anti-Human Trafficking Department in The Ministry of Human Resources and Social Development

- Preventing Human Trafficking includes the ministry's work domain by fixing the workers' situations of mistreatment, exploitation, rights violation, etc. In collaboration with the internal and external relevant parties including (Ministry of Interior, Public Prosecution, Ministry of Justice, Ministry of Culture, Ministry of Media, Human Rights Commission, Ministry of Health, Saudi BAR Association).
- Launching multi-language awareness campaigns to counsel and inform the victims about their rights which the system guarantees to fix their situation with related parties.
- Assessing incoming reports and tracking the whole procedure until closing by coordinating with competent authorities inside the ministry.
- Refer the suspected human trafficking cases to the security authorities.
- Provide prevention and support to the potential victims.
- Coordinating with "The National Committee to Combat Human Trafficking" to deal with such cases.

The Work Domain



The Work Phases





**Thank You**

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