

HUMAN TRAFFICKING: THE SOCIO-ECONOMIC PERSPECTIVE

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Abstract:

The Human Trafficking ring, like any other organization, responds to the forces of supply and demand. Labour Trafficking is a negative aspect of globalization that deserves more attention. The availability of cheap labour allows for the employers of these labourers to compete in the international market. The high level of demand allows for the traffickers to earn a considerable amount of profit, where the penalty for such crimes is too low to deter this trade. The recruitment, sale and transfer of vulnerable people – women, men and children – is a gross violation of Human Rights. Traders gain benefits that outweigh the costs that may be incurred by them if they are caught. The victims are trapped through various forms of coercion or deception and they are powerless to escape. With the development in information technology and the lack of legislation monitoring it, accessibility has become as convenient as purchasing stationary. With a mere click of a button, one can engage in trade of humans. Furthermore, the development of the Internet has led to parts of the web being untraceable to the authorities and the lack of research and ideology, in cyber jurisprudence has made it more feasible as compared to earlier times. Trafficking is mainly influenced by the worldviews of the victims along with the push of poverty or political or social instability. This ‘trade’ makes human life a commodity. This work seeks to analyze the economic and social forces that drive the traders and identify a policy that would ensure that the costs would outweigh the benefits accrued by the traders.

Key Words:

Human Trafficking, Trade, Human Life, Labour Trafficking, Trade via Internet, Organization.

Introduction:

Human trafficking is a form of modern-day slavery in which *traffickers* use force, fraud, or coercion to control victims for the purpose of engaging in commercial sex acts or labour services against his/her will.¹ Human trafficking is “trade in people”, and does not necessarily involve the movement of the person from one country to another. It primarily takes into account the commercial exploitation of the victims.²

While human trafficking spreads over all demographics, trafficked individuals most often come from positions of vulnerability. Prior to their trafficking, individuals might have:

- Come from a underprivileged socio-economic background;
- Been homeless or have run away from home;
- Been an immigrant seeking a better life or opportunity;
- A history of sexual abuse, rape, or domestic violence;
- Been in foster care;
- Been subject to natural disasters, armed conflict, or political turmoil;
- Been involved in the sex industry.³

Human Trafficking occurs mainly in two forms: Commercial Sexual Exploitation and Forced Labour. Forced labour can occur within any form of labour or service, and is the subjugation of individuals to involuntary servitude, peonage, debt bondage, or slavery. In all instances of forced labour, the individual works against his or her will, for little or no pay, under the threat of some sort of punishment⁴. *Human trafficking* is believed to be the second-largest criminal activity in the world, second only to drug trading⁵. According to the International Labour Organization, Human Trafficking generates \$150 billion in illegal profits each year⁶.

¹ An Introduction to Human Trafficking: Vulnerability, Impact and Action, United Nations Office On Drugs And Crime, Vienna, UN.GIFT http://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf

² Rhcael Salazar Parrenas, MariaCecillia Hwang, Heather Ruth Lee, What is Human Trafficking? A review Essay, 2012, The University of Chicago Press Journals, Volume 37, Issue 4, Pg 1015

³ Human Trafficking Search Global Database, <http://www.humantraffickingsearch.net/about-hts/>

⁴ Iveta Cherneva, Human Trafficking for Begging, 17 Buff. Hum. Rts. L. Rev. 25 2011

⁵ *Supra* Note 2

⁶ GMPA Global Migration Policy Associates OSCE Alliance against Trafficking in Persons Conference: “*People at Risk: Combatting Human Trafficking along Migration Routes* ” 6-7 Migration, Trafficking and Globalization: What Are States to Do? (2015).

Research Findings

According to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, the definition of the phrase “trafficking in persons” (as per Article 3(a)⁷) means “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of 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 labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” The protocol does not take into consideration the consent of the individual and this individual is considered to be a victim of trafficking irrespective of their involvement in illegal activities.

According to estimates taken in 2004, around 600,000 to 800,000 people are trafficked every year⁸. Of these trafficked individuals, around 80% are women and girls, and around 50% are minors. Although a significant percentage of these individuals are trafficked for the purpose of sexual exploitation, a large part is also exploited for the purposes of labour. Activists often argue that, especially in cases of trafficking for prostitution, the individuals would have to have been coerced or duped in some way because “prostitution cannot be regarded as a rational choice”⁹. Further, they argue, women may agree to be trafficked into the commercial sex industry due to certain extenuating factors, but the trafficking of children should definitely be regarded as a gross violation of human rights.

Trafficked persons may be forced or coerced to work in a variety of settings, both hidden and in plain sight. Some examples include factories, fields, brothels, massage parlors, online escort services, on street corners, as child soldiers, or in private homes¹⁰. The most common industries

⁷ Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing The United Nations Convention Against Transnational Organized Crime United Nations 2000 (2000), Article 3(A).

⁸ *Trafficking in Persons’ Report*, U.S. STATE DEPARTMENT (Jun. 3, 2005), <http://www.state.gov/j/tip/rls/tiprpt/2005/46606.htm>.

⁹ Loring Jones et al., *Globaization and Human Trafficking*, 34 JOURNAL OF SOCIOLOGY AND SOCIAL WELFARE (Sandiego State University, School of Social Work Jun. 2007).

¹⁰ Norma Ramos, *Addressing Domestic Human Trafficking*, 6 U. St. Thomas L.J. 21 2008-2009

associated with the trafficking in persons include: agriculture, construction, garment and textile manufacturing, catering and restaurants, domestic work, entertainment, etc.

Trafficking is an activity that began during the time of the earliest human civilizations. Trafficking and its related activities have not only continued but, increased to such a degree that it has become a global crisis. Trafficking in women and children has become a lucrative industry for transnational crime syndicates, especially in South Asian and South-East Asian countries¹¹. Bangladesh is considered to be one of the major trafficking prone zones because 4798 kilometers of land shares border with India and Myanmar where government control is minimal. Twenty-eight districts of Bangladesh share its borders with India and two districts share borders with Myanmar. Uneducated and vulnerable women and children, deprived of financial, social and legal support and opportunities, easily become victims of internal and cross border trafficking. The organized groups of traffickers target the most underprivileged and disadvantaged children and women and traffic them from Bangladesh to India, Pakistan and the Middle Eastern countries.

The Constitution of Bangladesh mandates the establishment of a society based on the rule of law, justice, and of respect for human dignity and worth of all persons. The Constitution bans forced and bonded labour (article 34) and imposes a duty on the state to prevent and suppress prostitution of human beings, and guarantees of fundamental human rights¹². The Constitution provides for an obligation for the state to prevent violation of human rights in any form, including human trafficking.

Bangladesh is a source as well as a transit country for men, women, and children who are subjected to trafficking in persons, specifically forced labour and commercial prostitution. Significant shares of Bangladesh's trafficking victims are men recruited for work overseas with fraudulent employment offers who are subsequently exploited under conditions of forced labour or debt bondage¹³.

¹¹Kelsey McGregor Perry and Lindsay McEwing, How do social determinants affect human trafficking in Southeast Asia, and what can we do about it? A systematic review, Health and Human Rights, 2013
<https://www.hhrjournal.org/2013/12/how-do-social-determinants-affect-human-trafficking-in-southeast-asia-and-what-can-we-do-about-it-a-systematic-review/>

¹² Mohammed Alrifat, Impact of Human Trafficking on Society,
http://www.academia.edu/12185570/Impact_of_Human_trafficking_on_society

¹³ *Ibid* 13

Bangladesh and Nepal, the poorest countries in the region, are the main source countries. India and Pakistan are the key destination countries. More than 15,000 women and children are believed to have been trafficked out of Bangladesh every year. Over 4,000 women and children from Bangladesh are trafficked to Pakistan each year. In total, more than 200,000 women are believed to have been trafficked to Pakistan.

Human trafficking has been recognized as one of the major evils that have plagued the 21st century, where the activities undertaken, largely resemble an organized crime syndicate as opposed to being a mere criminal activity, the difference between the two being that organized crimes are undertaken by a stable organization which is most often also involved in several other criminal activities¹⁴. These organizations continue to exist and function even if it changes its type of crime. The human trafficking ring consists not only of an organization but also includes corrupt government officials and other persons in authority¹⁵. The existence of corruption, especially, allows for the easy passage of the trafficked individuals through international borders. These organizations are said to collect billions of dollars in revenue, direct and indirect¹⁶. The illegal immigrant status of the trafficked individual also provides a pressure point for the traffickers to control their victims.

Trafficking occurs in all parts of the world and is largely driven by poverty¹⁷. If the prevalent destination and origin countries are analyzed under the criterion of wealth, it is seen that the countries that are prevalently “origin countries” are far poorer than the countries that act as “destination countries”. For example, some of the prevalent origin countries are China, Lithuania, Nigeria, Bangladesh, Ukraine, etc. All these countries are ones with large populations and are subject to conditions of extreme poverty. Many underprivileged people migrate from their country of origin to earn money and send a certain amount back to support their families. Even though the migrants may “receive higher wages than they would in their home countries, they are paid far less than the prevailing rates in their destination countries”¹⁸.

¹⁴ *Supra* Note 10

¹⁵ *Ibid* 12

¹⁶ Ralf Emmers et al., Institutional Arrangements to Counter Human Trafficking in the Asia Pacific, 28 *Contemporary South Asia* (Dec. 2006).

¹⁷ *S*ibidharth Kara, Human Trafficking in the Global Economy, 33 *Harvard International Review* (2011).

¹⁸ *Supra* Note 10

Poverty is one of the many factors that make individuals vulnerable to trafficking, especially in cases of labour trafficking. When the victims are subject to abject poverty and extremely poor living conditions, they choose to move to areas where the poverty is less, in hopes of escaping its ill effects. In several cases, this poverty acts as the position of vulnerability that traffickers use to manipulate, by issuing false promises of education, employment and better living conditions¹⁹. Traffickers expressly target people suffering from poverty, as poverty and the individual (or familial) desire to end the poverty act as a catalyst, making them more vulnerable to manipulation and coercion. Sometimes parents may even feel forced to sell one child so that they may have enough money to feed the other children.

The institution of slavery is believed to be non-existent, but with the rise of human trafficking, slavery is thriving. Although slave owners can no longer “own” another individual due to the worldwide abolition of slavery, they maintain control over the slaves through the use of the “benefits” of ownership without being legally responsible for them. For example, in several countries, the trafficker takes away the passport and the money of the trafficked individual to ensure that they are unable to get away. Human trafficking is often coupled with violence, coercion, deception and other forms of physical and psychological abuse. Human trafficking, as compared to smuggling, is an exploitative relationship and continues long after the initial transportation phase and has become more prevalent due to globalization.

Globalization is the “development of an increasingly integrated global economy”²⁰ with the essential characteristics of free trade, flow of capital, and the availability of cheap foreign labour. As globalization disseminates product and technology through the globe, it also disperses various economic activities globally²¹. The worldwide demographic increase, the worldwide demand for labour and skills as well as the absence of decent work with adequate pay drive the displacement of persons from economically backward to developed or better developed countries.

Human capital is a vital ingredient for advancement and as we analyze fruitful instances of improvement putting resources into human capital (i.e. wellbeing, training and so forth.) it has

¹⁹ *GMPA Global Migration Policy Associates OSCE Alliance against Trafficking in Persons Conference: “ People at Risk: Combatting Human Trafficking along Migration Routes ” 6-7 Migration, Trafficking and Globalization: What Are States to Do? (2015).*

²⁰ Globalization

²¹ *Ibid*

turned into a primary part of effective advancement arrangements. The negative effect of human trafficking goes past the individual level and produces its negative impact in general society. Trafficking is either an activity that happens in one nation or in more than in one nation but, it has its impact on every piece of that nation. Its negative effect influences the benefactor nation or group (places where the victims are enlisted), travel nations, or groups places where casualties are transported towards the last goal lastly it influences the goal nation (where the victims arrive and are abused)²².

Individuals who are tricked into trafficking could be the conceivable fate of the nation. Their work, learning, and experience could have been a commitment to a typical decent. Rather, in the wake of being trafficked, they live in a circumstance of abuse improving traffickers and different exploiters. A large portion of them after the arrival to the place of inception get to be disappointed as they attempt to represent the time and capital lost. It is likewise exceptionally conceivable that due to the physical and mental harm said above, they are probably going to depend on the social help. It may be difficult to say yet regularly they may rely on upon their families accordingly being a weight to the family, companions and neighborhood group.

Constant nervousness, instability, fear and physical torment and damage will affect the emotional well-being and prosperity of trafficked victims. Indications of mental injury reported by trafficked people incorporate post-traumatic stretch issue, nervousness, sorrow, estrangement and confusion. These people report sentiments of extraordinary trouble and misery about what's to come. They might be self-destructive, have intellectual hindrance and memory misfortune, and might be pulled back. They may likewise experience issues thinking and show animosity and outrage. Examines demonstrate that injury exacerbates all through the length of the trafficking procedure. Starting injury ordinarily experienced either before they were trafficked or when they initially found that they were trafficked will be persistently expanded by the procedure of the trafficking. The more extended casualties stay under the control of their traffickers, the more extreme and dependable are the impacts of their injury. The manifestations may persevere for quite a while after the trafficking knowledge unless support and suitable counseling is given.²³

²² *Supra* Note 7

²³ *Supra* Note 8

Prolonged physical and mental abuse influences victims' conduct in negative ways, affecting both physical and emotional reactions. Since trafficked people regularly encounter extraordinary types of injury over long periods of time, their abilities, both to comprehend what has happened to them and to depict their encounters are straightforwardly disabled as a consequence of such an abuse. Victims can find that it is hard to comprehend the abuse they have encountered, much less attempt to disclose it to the powers. They are even less ready to distinguish what help they may require as a consequence of the abuse. This lack of clarity may have negative outcomes when a victim is being met by significant powers. Trafficked people are possibly uncertain of how they should answer questions. They might be hesitant to reveal data, or may give false data, be bad tempered or antagonistic and forceful towards others, even ungrateful²⁴. They may appear to be griping, uncooperative or selfish. Accordingly, they may not be recognized as victims of crime, further compounding the bad form they have experienced. In numerous cases, inability to recognize a person as a trafficking victim usually brings about expulsion from the nation of travel or destination without access to legal, medical and social services.

The reaction of the relatives and the community will have an effect upon the recovery procedure of trafficked people. Although more is thought about the disgrace confronting victims of trafficking for sexual abuse, all trafficked people may confront social dissatisfaction in the event that they return without promised riches, paying little heed to the harm they endured. In many nations, the effect of the trauma is influenced significantly by how victims imagine their way of life will see their encounters. In a few societies the whole family could be excluded as a consequence of the victim's past.²⁵

Conclusion

Human trafficking is a gross violation of human rights and leads to the mistreatment of individuals. It involves the misuse of a position of power and the advantage that is existent with the traffickers to exploit the victims for their own benefit. Labour trafficking is often referred to as modern day slavery and violates the integrity of each and every one of its victims. Victims

²⁴ *Ibid* 11

²⁵ *Supra* Note 4

of Labour Trafficking, forced to work in construction, farms, domestic labour, etc. work in exploitative working conditions and at a far less wage than any other individual in the same position. The globalization of the economy and the mobility that is awarded to the people as a result has led to the availability of cheap labour, allowing for the owners of the establishments to make a profit due to the discounted wages. This leads to an increased demand for the trafficked individuals, which, in turn, leads to furthering of the crime.

Human trafficking is a highly under-reported crime due to the fact that the victims are extremely difficult to identify. The victims are often suspicious of law enforcement and are reluctant to ask for any form of help due to the coercion of their traffickers and the possibility of retaliation from the traffickers. The status of an illegal immigrant that is given to the victim also makes him apprehensive to approach the appropriate authority.

Thus, in conclusion, human trafficking is a crime, which has to be dealt with using an all-inclusive policy. Regulating any one aspect of the trade will not do much to deter its course. One needs to address these issues on a global scale to make sure that the individual's human rights are not violated.