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“HUMAN TRAFFICKING: TYPES, CAUSES AND MEASURES TO CONTAIN”

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“I begged him to let me work down in the restaurant. I begged him to be good to me, like I was good to him. He promised, but on one condition—that I don’t try to escape or to tell anybody. He warned me that it would be useless, because the police are with him. He said that all would be bad for me, because I couldn’t prove anything.” **Trafficking victim in South-Eastern Europe**

Abstract

Despite the continuous efforts of national and international agencies, the problem of human trafficking persists, and hundreds of thousands of men, women, and children of all ages suffer terribly at the hands of human trafficking organisations. Human trafficking is happening between countries and within countries themselves. The methods of trafficking may be coercive or deceptive. To identify victims and their needs, we must understand the root causes of the problem. This paper tries to explain the various types of illegal practices and the efforts to combat the core issue.

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“It is a matter of bitter shame and sorrow and deep humiliation that several women have to sell their chastity for men’s lust. Man, the lawgiver, will have to pay a dreadful penalty for the degradation he has imposed upon the so-called weaker sex. When woman, freed from man’s snares, rises to the full height and rebels against man’s legislation and institutions designed by him, her rebellion, no doubt, non-violent, will be nevertheless effective”
- Mahatma Gandhi

[1] INTRODUCTION

Human trafficking, as it is defined by international law, subsumes all forms of nonconsensual exploitation. That is, whenever people are forced or lured into exploitation – no matter if the movement of victims is involved – it is considered human trafficking. Both types of exploitation adversely affect equity and efficiency, thereby hindering development. Both forms of human trafficking persist in several forms and affect millions of men, women and children of all ages and sexes. Continuous efforts have been made to combat this problem; for example, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Since the 1940s, various governments have enacted several laws to combat trafficking, but all have gone in vain. In India, a major problem persists: the daily number of children missing from cities. All missing children are working in miserable conditions.

[2] DEFINITION OF HUMAN TRAFFICKING

In its dictionary sense, trafficking denotes the trade in something that should not be traded. Thus, we have terms like drug trafficking, arms trafficking and human trafficking. The concept of trafficking in people refers to the criminal practice of exploitation of human beings where they are treated as commodities for profit and, after being trafficked, are subjected to long-term exploitation.

According to U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, (The Palermo Protocol) an agency of the United Nations, defines human trafficking as 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 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.” This definition is widely accepted by many governments, international organisations, and civil society organisations; however, human trafficking is still associated with the transportation of people across intra-national and international borders, and confusion about the meaning of the term persists.

[3] TYPES OF HUMAN TRAFFICKING

In 2013, Hyderabad Police raided a bangle-making unit with the help of an NGO; more than 400 boys were rescued from the unit. All of them were from poor districts of Bihar. It is one example of human trafficking. There are many different types of forced servitude which occur across the globe. Some victims are lured or deceived into their own slavery due to being misled by their traffickers. At the same time, others are captured through kidnapping or by being sold as a commodity and are forced to work as enslaved people without ever clearly knowing what is happening. The paper will discuss the most common forms of human trafficking or exploitation, which are prostitution, domestic servitude, forced labour, debt bondage, and child soldiers.

(A) Forced Labour: In most labour trafficking cases, the employer employs a person in an **unscrupulous manner** by taking advantage of the weak links in the law. Due to unemployment, poverty, discrimination, corruption, political conflict, the caste system, illiteracy and other causes, forced labour exists. Forced labour is a form of human trafficking that can be harder to identify because of the consent. As I said, the police raided a bangle-making unit; they found that more than 400 boys were working and were paid a meagre salary.

(B) Bonded Labour: - One form of force or coercion is the use of a bond, or debt, to keep a person under subjugation. This is referred to in law and policy as “bonded labour” or “debt bondage.” A man keeping another man in bondage for his selfish and personal designs is a kind of man’s cruelty to man that is not confined to a particular country or region but has been a global phenomenon for thousands of years, from the Biblical days to the present time. The method changed from period to period and place to place: enslaved person, serf, and bonded labour. The Government of India abolished bonded labour by the Bonded Labour Abolition Act, 1976. Still, the problem persists throughout India.

(C) Involuntary Servitude or Slavery: - A person labouring against that person's will to benefit another, under some form of coercion other than the worker's financial needs. While labouring to benefit another also occurs in the condition of slavery, involuntary servitude does not necessarily connote the complete lack of freedom experienced in chattel slavery; involuntary servitude may also refer to other forms of non-free labour. Involuntary servitude is not dependent upon compensation or its amount. People become trapped in involuntary servitude when they believe an attempted escape from their situation would result in serious physical harm to them or others, or when they are kept in a condition of servitude through the abuse or threatened abuse of the legal processes. Victims are often economic migrants and low-skilled labourers who are trafficked from less developed communities to more prosperous and developed places. Many victims are physically and verbally abused, experience breach of an employment contract, and/or are held captive (or perceive themselves as held captive).

(D) Involuntary Domestic Servitude: Domestic workers may be trapped in servitude through the use of force or coercion, such as physical (including sexual) or emotional abuse. Children are particularly vulnerable. Domestic servitude is particularly difficult to detect because it occurs in private homes, which are often unregulated by public authorities. For example, there is strong demand in some wealthier countries in Asia and the Middle East for domestic servants, who sometimes fall victim to conditions of involuntary servitude.

(E) Forced Child Labour: Forced Child labour is any work or service performed against a person's will under the threat of punishment. Found increasingly in the private economy in labour-intensive and under-regulated sectors such as construction, agriculture, fisheries, domestic work, and mining, as well as in prostitution, more than 12.3 million people are in forced labour today, and almost all countries are affected. Child labour refers to work for children under the age of 18 that is mentally, physically, socially and/or morally dangerous or harmful and that interferes with their schooling. Forced labour and child labour are closely linked. They occur in the same geographical areas, the same industries and are mainly caused by poverty and discrimination, and up to half of all people in forced labour are children.



Afghan children tilt bricks up on their side after two days of drying in Pakistan.

(F) Child Soldiers: Child soldiering is a unique and severe manifestation of trafficking in persons that involves the unlawful recruitment of children through force, fraud, or coercion to be exploited for their labour or to be abused as sex slaves in conflict areas. Government forces, paramilitary organisations, and rebel groups may perpetrate such unlawful practices. UNICEF estimates that more than 300,000 children under 18 are currently being exploited in more than 30-armed conflicts worldwide. While the majority of child soldiers are between the ages of 15 and 18, some are as young as 7 or 8 years of age. Many children are abducted to be used as combatants. Others are made unlawfully to serve as porters, cooks, guards, servants, messengers, or spies. Many young girls are forced to marry or have sex with male combatants and are at high risk of pregnancy. Male and female child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases. Some children have been forced to commit atrocities against their families and communities. Child soldiers are often killed or wounded, with survivors often suffering multiple traumas and psychological scarring. Their personal development is often irreparably damaged. Returning child soldiers are often rejected by their home communities.

(G) Sex Trafficking and Prostitution: Sex trafficking is considered the largest specific subcategory of transnational modern-day slavery. Sex trafficking would not exist without the demand for commercial sex flourishing around the world. Most governments have adopted a strong position against prostitution, which states that prostitution is inherently harmful and dehumanising and fuels trafficking in persons. Prostitution and related activities—including pimping and patronising or maintaining brothels—encourage the growth of modern-day slavery by providing a façade behind which traffickers for sexual exploitation operate. Where prostitution is tolerated, there is a greater demand for human trafficking victims, and nearly always an increase in the number of women and children trafficked into commercial sex slavery. Few women seek out or choose to be in prostitution, and most are desperate to leave it. A 2003 scientific study in the *Journal of Trauma Practice* found that 89 percent of women in prostitution want to escape prostitution but had no other options for survival.

(H) Child Sex Tourism: - Child sex tourism involves people who travel from their own country to another and engage in commercial sex acts with children. Child sex tourism is a shameful assault on the dignity of children and a form of violent child abuse. The commercial sexual exploitation of children has devastating consequences for minors, which may include long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and possibly death. Tourists engaging in child sex tourism often travel to developing countries looking for anonymity and the availability of children in prostitution. Weak law enforcement, corruption, the Internet, ease of travel, and poverty typically fuel the crime. Sexual offenders come from all socioeconomic backgrounds and may hold positions of trust. Cases of child sex tourism involving all country citizens have

included a paediatrician, a retired Army sergeant, a dentist, and a university professor. Child pornography is frequently involved in these cases, and drugs may also be used to solicit or control the minors.

[4] CAUSES FOR HUMAN TRAFFICKING

Trafficking has become the most lucrative crime business after drugs, because the “merchandise” can be sold over and over again. What are the root causes of human trafficking? What does root cause mean? A root cause is the basis or reason that leads to an action or behaviour; it triggers it. In general, root causes of human trafficking worldwide include those which are economic, those that stem from social exclusion and gender discrimination and those which are political, legal or result from conflict.

A. Economic Causes

- 1) Extreme poverty is the root cause of human trafficking,
- 2) Economic inequality,
- 3) Land Reforms - Large-scale agriculture, mechanisation of agriculture, etc.,
- 4) Wage and labour repression - migration, unemployment, decent jobs or jobs without dignity, supply chain abuse, labour-binding agreements, child labour, etc.,
- 5) Climate change and environmental degradation - rising sea levels, drought, floods, deforestation, commercial overfishing, mining, commoditization of nature.

B. Social Exclusion and Gender Discrimination Causes

- 1) Gender inequality - feminisation of poverty, unpaid care work, gender-based wage gaps
- 2) Violence against women and girls - armed conflict, crisis and instability, natural disasters
- 3) Denial of women's rights to education, health, participation, credit, skills, land/property and productive assets.
- 4) Multiple forms of discrimination - in public, economic, political and private spheres, especially child marriage, caste systems, racism,
- 5) Weakness of social protection - passage and enforcement of protective legislation, meaningful punishment of perpetrators, education/information for awareness, willingness to report criminal action, training of law enforcement, forming partnerships/coalitions to address the problem.

C. Political, Legal and Conflict Causes

- 1) Corruption - organised crime, border controls,
- 2) Increased militarisation - armed conflict, civil war, resource curse in extractives, refugees,
- 3) Legal - access to justice, rule of law, statelessness.

D. Specific causes for sex trafficking

- 1) Vulnerabilities from adolescence such as peer pressure or poor self-image,
- 2) Violent behaviour in the home and on television,
- 3) Drug and alcohol addiction,
- 4) Being a runaway,
- 5) Disintegration of social protection networks,
- 6) A culture that accepts treating people, especially women and children, as objects,
- 7) Pornography, promoted and available globally.

In the above discussion, I have explained the major causes of human trafficking. In addition, there are many other causes that I have not covered.

[5] AGENCIES WORKING FOR CONTROL OF THE MENACE

Human trafficking undermines the safety and security of all nations it involves. Responding to human trafficking requires various stakeholders, which include national governments, national government agencies (e.g. law enforcement, immigration, and judiciary departments), health and public services, international organizations (e.g. United Nations agencies, such as UNODC, IOM, and ILO), Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs), the media, corporations/businesses, academics, and individuals.

A. National Agencies

- 1) **Governments:** Efforts undertaken by the government to combat human trafficking vary in each country. Some governments acknowledge the problem of human trafficking by ratifying the Palermo Protocol and adapting laws to criminalise human trafficking activities. Governments can develop a national strategy to address internal, regional, and international human trafficking and establish a system to coordinate the efforts of government agencies and NGOs.

- 2) **Government agencies (law enforcement, judiciary, and immigration offices):** Combating the crime of human trafficking requires collaboration among all of the stakeholders, particularly law enforcement, immigration and judiciary agencies. The primary responders to human trafficking are often law enforcement agencies, which then coordinate with the judiciary office to prosecute traffickers. If the victims of human trafficking are from other countries, they work with the immigration office to provide a temporary visa to stay in the country or repatriate the victims to their own country.
- 3) **Health and public services:** Once human trafficking victims are rescued from traffickers, victims need access to basic services, such as shelter, legal assistance, transportation, medical exams, and psychological counselling.
- 4) **NGOs and CSOs:** NGOs and CSOs have long been active in the anti-human trafficking movement before governments and the international community started realising the severity of this issue. NGOs and CSOs mainly focus on carrying out awareness-raising campaigns, conducting research, helping law enforcement with victim identification, and providing basic services to victims of human trafficking.
- 5) **Media:** The media plays an indispensable role in educating the public about the reality of human trafficking and illuminating the problems via films, theatre, photographs, newspapers, magazine articles and so on. The media is used as one of the most effective ways to inform communities around the world about different aspects of human trafficking.
- 6) **Private Sector:** The private sector can also play a very important role in further preventing human trafficking. Corporations and businesses can create job opportunities for trafficking victims and financially support other organisations' activities to protect victims. Many businesses have started adopting codes of conduct that would implement measures to prevent labour exploitation and human trafficking.

B. International Agencies

- 1) **UN System and agencies:** Since the Palermo Protocol entered into force in December 2003, 117 countries have signed the Protocol. Led by UNODC, the United Nations Global Initiative to Fight Human Trafficking (UN. GIFT) was created to promote global efforts to fight against human trafficking and is managed in cooperation with ILO, IOM, UNICEF, the Office of the High Commissioner for Human Rights (OHCHR), and the Organisation for Security and Cooperation in Europe (OSCE).
- 2) **Multilateral Development Banks:** The Asian Development Bank (ADB) and the Inter-American Development Bank (IDB) are most active in working on human trafficking issues in their loan and grant projects as well as regional and country-specific technical assistance projects. ADB focuses on preventive measures against human trafficking and on monitoring impacts, especially those related to cross-border road corridors and regional economic integration activities. IDB has established an inter-institutional framework to define a plan of action and support Latin American governments in fighting against human trafficking. Although other Multilateral Development Banks may work on this issue, project information on human trafficking and related issues is not available on their websites.
- 3) **Interpol:** Interpol works with governments to help them strengthen their capacity to fight against global human trafficking. In February 2009, INTERPOL signed an agreement between Nigeria and Italy, coordinating the efforts of both countries and providing tools and resources to national law enforcement to target organisations behind illegal immigration and human trafficking.
- 4) **Bilateral/multilateral and regional initiatives:** Several governments are participating in multilateral, regional and sub-regional initiatives (e.g. the Colombo Process to protect migrant workers from forced labour trafficking).
- 5) **International NGOs:** International organisations, such as Amnesty International, Human Rights Watch, and the Global Alliance against Trafficking in Women (GATW), have been leading the global anti-human trafficking movement. NGOs have been successful in bringing public and government attention to this issue.
- 6) **Academic and Research Institutions:** Academic and research institutions around the world conduct useful research on the various aspects of human trafficking and provide recommendations to policymakers and service providers.

[6] CONCLUSION

Despite security measures taken by most destination countries, traffickers still succeed in finding their way through security networks. Therefore, it will be easier to fight human trafficking when governments look at the problem not just as a security threat requiring law and order, but also as a socioeconomic problem of poverty and deep-rooted discrimination (gender, ethnic, racial, and social). The problem does not necessarily begin with the traffickers, but with those socioeconomic and political conditions that make people vulnerable to exploitation. It is essential to educate the general population, especially those whose socioeconomic conditions make them likely to become victims, about the dangers of the crime.

However, the problem does not stop with just the traffickers and victims. As members of a global society, we need to be aware of and educated about the intricacies and horror of this criminal activity. We need to be willing to accept these victims when they return and help them start new lives under favourable conditions and with complete acceptance. We may never know first-hand what these innocent victims experience, but that in no way excuses us from doing everything we can to help educate and rehabilitate those whose innocence has been lost.

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