



# Human Trafficking

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an overview

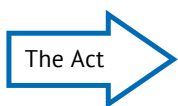


# Understanding trafficking

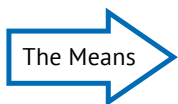
- It won't be wrong to say that the term 'trafficking', was in the past understood in context of the commute of vehicles or conveyances on the road and other such routes. Still that may not be completely correct. The League of Nations, the predecessor of today's United Nations had released a comprehensive international report in 1930s on slavery and slavery like systems as trafficking. In the past few decades the term 'trafficking' was also used anonymously with 'drug trafficking' that is for the illegal transportation of narcotics.
- The term 'traffic' differed from 'transportation' as the latter was historically used for a lawful and ethical activity while 'traffic' was linked with unlawful and unethical transportation.
- Human Trafficking, in short, is the buying, selling, pawning, pledging, unlawful procuring, detention, of persons using unlawful means such as use of force, fraud, coercion or the abuse of one's power over another person or of another person's vulnerability in order to induct such person in an exploitative activity for the gain of person/s other than such trafficked person. For example sex trafficking, means trafficking a person, to or with a view to, sexually exploit that person in the sex trade. It has also been observed that some women are trafficked to or so as to exploit them in the prime role of an illegitimate wife stripped of any rights due to a lawful wife even in that very society. This form of trafficking is called 'bride trafficking'.

# Components of trafficking

- The means that are used for human trafficking are almost always, **illegal**, **criminal** and **unethical**. They start from luring, using **force**, **fraud**, **deception**, **coercion** or the **abuse of one's power** over another person or of another person's vulnerability, kidnapping/abduction etc. to accomplish such movement. Therefore, going by the definition, human trafficking has three components:



Procuring, buying, recruiting, taking, receiving, harboring, transporting, transferring a person



Force, fraud, deception, coercion, buying, drugging, wrongfully confining, kidnapping/abducting, and such other criminal means



The purpose is to exploit the person for someone else's gains. e. g. as done in **sex trade**, **bonded or forced labor**, **organ harvesting and trade**, **slavery**, **slavery-like practices**, **servitude**, **shadow entertainment** (circus, lap dancing etc.) **illegal adoption** (baby selling), **induction of children into beggary**, or as **soldiers**, **mail bride**, **surrogacy** etc. The activities indicated above, are actually the end purposes or exploitative situations and hence, maybe called as the '**destination crimes**'.



# Who gets trafficked?

- Anyone who is vulnerable and available, and by trafficking whom profits can be made by the trafficker, carries the risk of getting trafficked. Infants are trafficked for illegal adoption, organ harvesting and organized beggary. Children get trafficked for all these as well as for the labor sector. Young people get trafficked for labor sector exploitation, for the sex trade, and for circuses, dance bars or other trades of shadow entertainment. Young women also get trafficked as commonly shared or temporary brides. Old people get trafficked for organ harvesting. People of every religion, political system, age, race, creed, can and do, get trafficked. However poor people, unsupported and unprotected persons people of poorer countries, belonging to lower social strata, are most susceptible to getting trafficked.

## What are trafficking-prone occupations?

- There are certain occupations which especially facilitate human trafficking. They create vulnerabilities, exacerbate them and thus make a person/persons relatively easily available for getting trafficked. They are situations that erode, breakdown or weaken the protective mechanisms of the state and the civil society and facilitate the traffickers' access to potential victims. e.g. rural agricultural produce market yards beedi-making industry, fish processing industry, ladies bars, dance bars, erotic dance clubs, massage parlors, etc.

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## Is Human Trafficking the same as - sex trade, indentured labor, organ trade, slavery, bonded labor or organized beggary?

- No! Human Trafficking refers to acquiring human beings by criminal means with a view to induct them into a variety of exploitative situations or destination crimes. Thus, they are not the same as the destination crimes. More clearly human trafficking is not the same as slavery, sex trade, bonded labor or shadow entertainment etc. While they are close to one another they are distinct. 'Trafficking' (for example sex trafficking) is carried out for the 'destination crimes' (for example sex trade).







# Must Human Trafficking involve transportation of a person from one place to another?

No! In technical terms, change of place often happens in most of our normal life activities. If by the change of place, we mean across districts, states, nations and continents, then that is not the most essential condition for Human Trafficking (although, often we do come across such shifts). The UN and other definitions of Human Trafficking do use the term 'transfer' which refers to the change of status or situation of the person subjected to trafficking, without the change of place.

Many young girls are employed in certain types of establishments and jobs in one position, and then with force or fraud, they are made to engage in an exploitative life. For example, girls and women who work in the beedi (crude cigarettes) rolling industry, or serve liquor in a ladies' bar, or work as dancers in dance bars are often pressurized to sell their body for sex without having to change their place of residence or work. This is what is covered by the use of the term 'transfer' in these definitions.

## What is the difference between trafficking and migration?

Migration is a relatively permanent shift of abode by a person, family or a group of people. Historically, the term migration has been used to indicate a voluntary shift of abode for betterment. There was a routine shift of abode of women outside their village or district or city due to marriage.

In the developing countries, there is also a similar shift in the abode of the student population as it moves out for higher education. In other cases, more important jobs made people leave their place of origin and shift to newer places, often permanently. Historically, persons, families, and groups of people also shifted their abode due to certain unavoidable situations like war, organized violence (riots, ethnic cleansing), famines and droughts, man-made disasters like earthquakes, forest fires, and tsunamis, outbreak of epidemics, industrial depression, project displacement, or personal mishaps like marital desertion, abandonment, orphaning, kidnapping, etc. The latter category has a striking element – the element of lack of voluntarism or choice. Hence, it is better described by the terms ‘forced migration, eviction, uprootment, displacement or stress migration’. The element of voluntarism makes migration distinctly stand out from the second category of shift namely eviction.

Trafficking is not the same as migration since the element of consent or voluntarism is missing. In some cases, the element of voluntarism is apparent but closer analysis shows that the consent is for the apparently fair plan suggested by the trafficker as a part of his/her larger game of deception. The exploitative end and intent are an integral part of trafficking but not of migration.

When trafficking is interpreted as migration the crime inherent therein is made invisible or trivial which is incorrect and unfair. Trafficking and migration are however closely related. Unsafe migration often easily glides into trafficking. While some people make the conceptual error of conflating trafficking with migration some others do it purposely so as to create confusion or misunderstanding in order to facilitate some or the other destination crime of human trafficking such as labor exploitation, sex trade.

## Is Human Trafficking a Global Problem?

Yes! Human Trafficking is present in almost all countries regardless of their;

- Size (small or large countries)
- Economic standing (rich or poor)
- Technological advancement (advanced or backward)
- Religious status (religious or secular)
- Economic order (state ownership, liberal economy or mixed economy)
- Political ideology (communist, liberal, democratic, socialist, fundamentalist)
- History of civilization (old civilizations or new nations)

It is often seen that the economically backward countries and politically disintegrated societies are high on supplying the trafficking victims, while the rich, stable, and technologically advanced countries are low on the supply and high on the exploitation of the trafficked victims directly or indirectly (such as through the supply chains).

## What is the incidence of Human Trafficking in the world?

Human trafficking being a disguised heinous crime, it is impossible to have any reliable statistics on it. The data keeping and data management standards of different countries are extremely wide ranging. The definitions of trafficking followed by different countries are also different. Many countries do not have the crime of trafficking codified in their law books. e.g. India introduced the term and offence 'trafficking' in its law book only in the year 2013. The official data that is maintained are that of reported incidence of trafficking crimes. The understanding of the people engaged in collecting and quoting statistics about human trafficking across countries and within countries is widely different.

All these factors make it impossible to have any reliable statistics about Human Trafficking. What gets circulated in the name of statistics deserve to be aptly called as sheer 'guesstimates' and not even estimates.

When monetary and other incentives (e.g. NGO funding) get attached with making higher guesstimates, the guesstimates tend to snowball and become bigger in volume.

It does not mean that the problem of Human Trafficking is any less serious or not alarming. The inability to record or count the crime does not discredit the overall perception that human slavery is not at all over and that it is being encountered rampantly. As no one has any data about the historical incidence of slavery and human trafficking making a well-founded empirically established comparative statement on the incidence may not be possible. However, that does not discredit the overall concern expressed by different stakeholders that the incidence is rising.

To the extent the various stakeholders across the world follow a common definition and make a responsible and verified statement about the incidence as witnessed by them there is a hope and a way to arrive at a better idea about the overall incidence.

## Is Economic Rehabilitation of Trafficking victims possible?

Yes! Rehabilitation is of various types. For the moment let us focus on economic rehabilitation. The purpose of a sound and sustainable economic rehabilitation of a victim is to provide such livelihood skills to the victim whereby the person can become self employed by way of running a small enterprise such as a beauty care unit or a vegetable or catering service and thus financially self-reliant. Alternatively, or additionally, the person is given sustainable employability and job placement. The term 'sustainable' is critical here.

In the past the activities covered under economic rehabilitation were limited, archaic and insensitive to the market conditions such as making incense sticks, wax candles, rebottling of phenyl, or chalk making or at the most, teaching small-time tailoring.

These days young adults (boys and girls) are sought by food chains who give them barely a couple of days' training, a smart uniform, a cap, a cell phone and place them in a food outlet in an air-conditioned Mall. This attracts these children who even cut their formal education short to join. However, the skills given being extremely specific and limited when the enterprise slumps there are few alternatives to these young adults. In such a situation, the plight of the victims who are without a family support system, gets compounded making them further desperate and vulnerable.

Many civil society organizations have, over the last decade or more, evolved several success stories of sustainable economic rehabilitation such as fashion designing, beauty care, hospitality workers like housekeeping, catering and linked them with the corporate sector. The established gloomy picture of economic rehabilitation now appears to be changing and there is light seen at the end of the tunnel.

# Types of Trafficking





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