UNIT 5  HUMAN TRAFFICKING VS. OTHER RELATED ISSUES

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5.1 INTRODUCTION

Human Trafficking is a complex and multifaceted issue and is often confused and misunderstood with related issues like migration, smuggling of human beings and prostitution. In the previous Units you have studied linkages between human trafficking and other related issues like migration, smuggling of human being, prostitution and human rights. In this Unit we will be discussing few other issues related to human trafficking.

5.2 OBJECTIVES

After reading this unit, you should be able to:

● explain human Trafficking as a public health issue;
● explain the linkages between human trafficking and organized crime;
● discuss the linkages between human trafficking and corruption;
● describe the linkages between technology and human trafficking; and
● describe human trafficking as a human security threat.
5.3 HUMAN TRAFFICKING AND RELATED ISSUES

In the following sections the linkages between human trafficking and the following issues are discussed:

- Public Health
- Organized crime
- Corruption
- Technology
- Human Security

5.4 HUMAN TRAFFICKING AND PUBLIC HEALTH

Human trafficking is a global public health issue. Victims of human trafficking pay a dreadful price in life in terms of health like psychological and physical harm, including disease and stunted growth. All these often have permanent effects. In many cases, the exploitation of trafficked victims is progressive: a child trafficked into one form of labour may be further abused in another. It is a brutal reality of the modern day slave trade that its victims are frequently bought and sold many times over. Many of them are often sold initially by family members. Victims forced into sex slave trade are often subdued with drugs and subjected to extreme violence.

The health effects of trafficking can be divided into three stages — the pre-departure stage, the transit stage, and finally the destination stage. Studies have shown that trafficking victims are more likely to come out of a background of poverty as well as physical and sexual abuse. Therefore, victims are more likely to enter the situation of human trafficking in a state of health with pre-existing conditions such as sexually transmitted infections, pregnancy and psychiatric disorders resulting from previous abuse. Besides the pre-existing health conditions that a victim may possess are added dangerous and traumatic circumstances under which transit of trafficking victims occurs. These additional health problems may include new sexually transmitted infections, general infections such as pediculosis, Reiter’s Syndrome, injuries secondary to physical abuse and trauma, as well as various psychiatric conditions such as depression and anxiety that results from mental trauma occurring during the transit stage.

The most profound though are the health consequences that occur upon arrival at the destination. These are the health consequences of the victim as well as members of the local destination population. The health consequences of the victim include additional physical and sexual trauma along with their repercussions. Victims of sex trafficking are at high risk for factors associated with the spread of sexually transmitted infections. Therefore, victims of human trafficking are at high risk of obtaining and transmitting multiple infectious diseases including but not limited to HIV/AIDS. Evidence of the primary role of human trafficking in the global spread of HIV/AIDS is increasing to the point that plans to bring the HIV pandemic under control must include efforts to eradicate human trafficking in order to be successful.

The Table given below is discussed in detail on the various forms of risk and abuses during the trafficking process and its potential consequences.
<table>
<thead>
<tr>
<th>Forms of risk and abuse</th>
<th>Potential health consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Physical abuse</strong></td>
<td><strong>Physical health</strong></td>
</tr>
<tr>
<td>• Murder</td>
<td>• Death</td>
</tr>
<tr>
<td>• Physical attacks</td>
<td>• Fatigue, exhaustion</td>
</tr>
<tr>
<td>• Torture</td>
<td>• Poor nutrition, malnutrition, starvation</td>
</tr>
<tr>
<td>• Physical deprivation (sleep, food, light, basic necessities)</td>
<td>• Deterioration of pre-existing conditions leading to disability or death</td>
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<tr>
<td>• Physical restraint (ropes, cuffs, chains) and confinement</td>
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<tr>
<td>• Withholding medical or other essential care</td>
<td></td>
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<tr>
<td><strong>Sexual abuse</strong></td>
<td><strong>Sexual and reproductive health</strong></td>
</tr>
<tr>
<td>• Forced sex; gang rape; degrading sexual acts</td>
<td>• HIV/AIDS and other sexually transmitted infections</td>
</tr>
<tr>
<td>• Forced unprotected sex and sex</td>
<td>• Acute or chronic pain during sex</td>
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<tr>
<td>• Unwanted pregnancy, forced abortion, unsafe abortion</td>
<td>• Negative outcomes of unsafe abortion</td>
</tr>
<tr>
<td>• Sexual humiliation</td>
<td>• Irritable bowel syndrome, stress-related syndromes</td>
</tr>
<tr>
<td><strong>Psychological abuse</strong></td>
<td><strong>Mental health</strong></td>
</tr>
<tr>
<td>• Intimidation of and threats to women and their loved ones</td>
<td>• Suicidal thoughts, self-harm, suicide</td>
</tr>
<tr>
<td>• Lies, deception, and blackmail to coerce women, to discourage women from seeking help from authorities or others, lies about authorities, local situation, legal status, family members</td>
<td>• Chronic anxiety, sleep disturbances, frequent nightmares, chronic fatigue, diminished coping capacity</td>
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<tr>
<td></td>
<td>• Memory loss, memory defects, dissociation</td>
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<tr>
<td></td>
<td>• Depression, aggressiveness, violent outbursts, substance abuse, addiction</td>
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<tr>
<td></td>
<td>• Changes in identity and self-esteem, guilt, shame, difficulty developing and maintaining intimate relationships</td>
</tr>
</tbody>
</table>

**Self Assessment Question**

1) List out the various kinds of sexual abuses and its potential consequences.

- Forced sex; gang rape; degrading sexual acts
- Forced unprotected sex and sex
- Unwanted pregnancy, forced abortion, unsafe abortion
- Sexual humiliation

**Linkages between HIV/AIDS and Trafficking**

The phenomena of sex trafficking and HIV/AIDS directly contribute to each others growth. There is no doubt that trafficked persons, especially those forced into the vast sex industry, are especially susceptible to HIV/AIDS. Trafficked women are more at
risk of contacting HIV than other women in the sex industry because they are far less able to negotiate condom use, forced to endure more partners, and subjected to sex of a more violent nature. A study on the prevalence of HIV in India has found that almost 40 per cent of Nepalese women and girls who were rescued after being forced into prostitution in India are HIV positive.

HIV/AIDS is one of the outcomes of trafficking for sexual exploitation. This is because:

1) Women and children trafficked for prostitution cannot say no to unwanted or unprotected sex. They are forced to have sex with multiple buyers who can and do pass on the HIV virus to them.

2) Often the trafficked victim is infected with the HIV virus at the time of her “seasoning” when pimps and traffickers rape and sexually assault the victim to prepare her for a life in prostitution.

3) Trafficked victims are forced by brothel managers, with an eye on maximizing profits, to have repeated sex, thus increasing their chance of infection.

4) Even those trafficked women who have organized “sex worker” groups are unable to enforce condom usage with buyers of prostituted sex due to their own physical and mental health and the demand of buyers for unprotected sex. To deal with the out-of-body experience of repeated rapes, the trafficked women are often dependent on drugs or alcohol and cannot remember to enforce condom usage or say no to a forceful buyer.

5) Inadvertently, AIDS workers who cut deals with brothel managers to distribute condoms further endanger women and children trafficked for prostitution to the HIV virus as they end up empowering traffickers/brothel managers by legitimizing their continued existence. These traffickers/brothel managers create the demand for the trafficked victims and supply them to potential buyers for prostituted sex. The traffickers/brothel managers trot out the hapless victims as and when required by AIDS workers, manipulate, coerce or indoctrinate the victims into denying their own exploitation and continuing to force them into unprotected sex when there is a profit in doing so. In reality, there is little connection between the distribution of condoms and actual use of the condoms. AIDS workers while trying to solve one problem end up allowing the continued existence of a greater problem — the sexual slavery of women and children.

6) The urban myth that having sex with virgins cures one of HIV/AIDS has not only meant an increase in demand for young girls, it has also led to a number of them being infected with the virus.

7) Continued deaths from AIDS in brothels or depletion of pretty-looking girls due to AIDS related diseases leads to a constant demand for new trafficked girls by brothel managers and buyers of prostituted sex. This neglect has two very significant consequences for not only the public health system, but also for the future economic growth of the country:

- The future workforce is being depleted because of HIV/AIDS related deaths, as the majority belongs to the economically most productive age-group.
- The money and resources required for the treatment and care for victims of HIV/AIDS can be draining.
5.5 HUMAN TRAFFICKING AND ORGANIZED CRIME

Trafficking by and large involves a range of people such as a seller, a procurer, a broker, an agent, a middleman, a transporter, a buyer, a moneylender, a money launderer, an owner of illegal premises and an exploiter. All of them know that they are breaking the law to make a profit in cash or kind from the act. This fits in with the definition of the United Nations Convention Against Transnational Organized Crime, 2000, which states that an “organized crime group” is “a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit” (Article 2(a)).

The involvement of organized crime groups in India is indicated by case studies, shared by law enforcement officials and covered by news reports. Specifically for prostitution and child labour, gangs and syndicates in India operate at various levels: the village or rural level centres of power at the national level, and the regional or international “flesh trade market”. The different levels are all inter-linked and reflect all the elements of organized crime. Within this criminal activity the commoditized victim is repeatedly violated. Thus conceptualization of prostitution as an organized crime is of vital importance.

All those who are committed or have the responsibility of curbing trafficking have to have an understanding of:

- Place, time & methods of recruitment of the victims.
- The profile of procurers in terms of behaviour patterns; patterns of social conditioning.
- Intermittent abettors (police, passport authorities, taxi operators, etc.).
- Levels of trafficking.

The international links of the traffickers have been well documented. For example, according to the NHRC study, over 10% of the interviewed traffickers had visited one country outside India, 8.1% had visited two countries and 1.3% had visited three or four countries. An overwhelming majority of the traffickers (84.4%) stated that the purpose of the visit was to sell/buy girls. The rest had travelled abroad in connection with associated activities, like arranging dance/song programmes and exploring possibilities for trafficking. The places used by traffickers to carry out trans-border trafficking included Nepal, Dubai, Muscat, Bahrain, Bangkok, Kenya, South Africa, England and the Gulf countries. During data collection, the respondents also revealed that they had trafficked male children to Saudi Arabia and other Gulf countries in order to make them beg.

Vertical and Horizontal Linkages between Crime Syndicates and Trafficking Networks

| Profits from trafficking are third only to the underground narcotics and arms trade. (UNODC 2000) | Organized crime syndicates run trafficking via some recruitment agencies. |
| Strong connections exist between trafficking networks and well-connected individuals who prevent prosecution of traffickers. | Organized crime in India includes international trading of girls and women from Nepal and Bangladesh to major urban centres like Mumbai. |
Inter-linked gangs run gambling, drug, prostitution and the arms trade for overall economy. Cash exchanged for trafficking and prostitution fuels money laundering and the black economy.

**Self Assessment Question**

2) List out the linkages between crime syndicates and trafficking networks.

5.6 HUMAN TRAFFICKING AND CORRUPTION

Corruption is one of the major contributing factors to the crime of trafficking in persons. It is both an underlying root cause and a facilitating tool to carry out and sustain this illicit trade. In its worst forms, corruption can also ensure safe havens for the profits collected as a result of human misery. Unfortunately, there has been very little exploration into the linkages of the two phenomena.

Corruption can emerge before, during and after the actual trafficking crime, which means that corruption is not limited to countries of origin and transit countries, but also facilitates the continued exploitation of trafficking victims once at their destination.

Police officers, labour inspectors and others working in the field of administrative control, health workers, NGO staff, and other actors may be prepared to turn a blind eye to trafficking situations that come to their attention for a 'small fee'. Corrupt practices may also play a role after the actual identification and rescue of a trafficked victim, i.e. before, during and after possible criminal proceedings. Such practices are applied by the traffickers to avoid conviction and obstruct the actions of those who assist and protect the trafficked victims and investigate, prosecute and convict the traffickers. Traffickers have the means and do not experience any kind of inhibitions while bribing their way through the criminal justice system and the investigators assigned to the case all too often fail to overcome their temptations. Corruption can easily lead to establishing close ties between the traffickers and all those who are actually responsible for delivering justice to the victims.
There are reported instances of law enforcement officers and prosecutors demanding sexual services and financial or other payments from the victims in exchange for pursuing their case. For a trafficked person, this amounts to re-victimization. There are also reports of immigration officials requesting returnees to pay them bribes. Corruption can be one of the main reasons why victims are unwilling to turn to the police and cooperate with the criminal justice system.

**Self Assessment Question**

3) Who all are involved in corruption related to human trafficking?

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5.7 TECHNOLOGY AND HUMAN TRAFFICKING

The introduction of new technology particularly information and communication is like a double edged sword in the case of human trafficking. Although new techniques are constantly being implemented and regulations being adopted to combat and eradicate diverse forms of human trafficking, information and communication technologies continue to provide new means and tools that facilitate human trafficking, especially for sexual exploitation. These new forms of organized crime present new challenges to lawmakers, law enforcement agencies, and transnational human rights organizations. In this section both aspects of the influence of technology on trafficking is discussed.

5.7.1 Technology: As Part of the Problem

The two main areas where organized crime groups can advance and facilitate their criminal activities in the area of trafficking in persons are:

**Communication:** The use of new information technologies for communication purposes among traffickers is not extensively documented. However, it is known that criminals generally use new technologies to avoid police interception of their communications. Trafficking in persons requires extensive coordination throughout the process of planning, recruiting of victims, their transportation, and meeting and transferring of people at various locations. It is therefore quite likely that criminals are using new technologies in more complex ways to facilitate their communication channels to avoid detection.

**Financial Transactions:** With accelerating globalization, criminals are able to take advantage of the ease of capital movement, increasing mobility of people and commodities, diversity of legal provisions in various jurisdictions, and advances in technology to transfer assets quickly from place to place in such a way that they ultimately appear as legitimate assets. These assets are then made available to serious offenders and criminal organizations anywhere in the world to finance further criminal operations.

5.7.1.1 Using Technology for Recruitment

The relationship between recruitment of victims and technology takes various forms. These include:

- Victims may fall prey to traffickers via websites and other internet services.
Victims may be traded or their services 'advertised' to clients via the internet.
Victims recruited in traditional ways may be forced to contact clients online.

5.7.1.2 **Using Technology to Exploit the Victims**

Technology can be used for the purpose of exploitation, particularly sexual; either by individuals for their own private use or by organized criminal groups or other entities using the internet as a commercial tool to generate profit by selling images or services. Types of online technology that can be exploited for such purposes include the following:

- Newsgroups
- Web message and bulletin boards
- Websites
- Chat rooms
- File Transfer Protocol (FTP)
- Search engines
- Peer to Peer networks and file swapping programmes
- Encryption

5.7.2 **Technology: Part of the Solution**

In fighting transnational organized crime which is facilitated by the use of technology, rather than repressing technology, it becomes necessary to harness its potential to interfere with organized criminal activities and to combat trafficking and assist its victims. There are numerous examples around the world of this being done. Cooperation is key to efforts to investigate, interrupt and prosecute traffickers; this is all the more so now with the acceleration of globalized technology. The international mobility of offenders and their use of advanced technology make it more necessary than ever that law enforcers and judicial authorities coordinate their responses to be able to follow crimes and criminals across borders.

5.7.2.1 **Using Technology to Investigate Trafficking Crimes**

**Law Enforcement Cooperation through Technology:** This calls upon States to endeavour to conduct law enforcement cooperation in order to respond to transnational organized crimes committed through the use of modern technology. The work of Interpol particularly highlights the potential offered by technology as a medium of global law enforcement cooperation against trafficking in persons.

**Computer based Training for Law Enforcement:** A key means by which technology has been harnessed to strengthen law enforcement response against trafficking, has been through the use of training resources which use a technological platform:

- Law Enforcement Best Practice Manuals
- Learning Human Trafficking Modules
- Crime Reduction Toolkit
- NATO Advanced Distributed Learning Materials

5.7.2.2 **Using Technology to Interrupt Trafficking Process**

**Security and Control of Documents:** New technologies mean that false documents can be more easily produced and criminal networks are able to provide trafficking victims with false passports and other travel documents such as visas. Several kinds of technology that are new or in the process of being developed offer considerable potential for the creation of new types of document that identify individuals in a unique manner,
can be rapidly and accurately read by machines and are difficult to falsify because they rely on information stored in a database out of the reach of offenders rather than information provided in the document itself.

**Border Control:** Innovative methods have been adopted using advanced technology to secure border to curb trafficking in human beings. For example ‘Operation Paludin Child’ was conducted in the United Kingdom in 2004. This initiative involved the recording of the personal details of every child arriving at border posts throughout the United Kingdom who was assessed as possibly being at risk or trafficking or exploitation.

### 5.7.2.3 Using Technology to Prosecute Trafficking

Human trafficking is an offence that frequently occurs across borders, States must take steps to ensure that they can cooperate and assist each other in the investigation of trafficking offences and the prosecution and punishment of offenders. The international mobility of offenders and the use of advanced technology, among other factors, make it more necessary than ever that law enforcement and judicial authorities collaborate and assist the State that has assumed jurisdiction over the matter. In order to achieve this goal, States have enacted laws to permit them to provide such international cooperation and have entered into treaties on mutual legal assistance in criminal matters.

### 5.7.2.4 Using Technology to Assist and Support Victims

There is a clear role for information communication technology in facilitating the safe return of a victim to their place of origin. Beyond this there are creative ways to assess which technology can be used to assist victims of trafficking in persons. A very basic one is the access provided by the internet to numerous service providers who can assist victims.

**Self Assessment Question**

4) List out the technologies used to abuse trafficked victims.

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### 5.8 HUMAN TRAFFICKING AND HUMAN SECURITY

Human trafficking takes place in almost all social, political, cultural, economic and legal contexts. In recent years, human trafficking has been identified as a form of modern slavery, as a threat to human security, and as one of the greatest human rights challenges of our time.

The concept of ‘human security’ has a wide usage and can be found in many recent United Nations documents. However, the term ‘human security’ is most often associated with the 1994 Human Development Report on Human Security. This can be divided into seven components: economic, food, health, environmental, personal, community and political securities. All these components of human security are interdependent and easier to ensure through early prevention of violations.
In its most basic form, ‘human security’ represents “freedom from fear and freedom from want”. This term is people-centered, and not threat-centered nor state-centric. It consists of physical safety, and of economic well-being, social inclusion, and full exercise of human rights. It is a condition that results from an effective political, economic, social, cultural, and natural environment, and not from executing a set of administrative procedures. Therefore, in order to uphold human security effectively, a proactive attitude towards threats, whether they are sudden threats such as an earthquake or tsunami, or the perpetual threats faced by the destitute, is essential. Human security which is people-centered has a close linkage with the lives of people. Human trafficking is a serious threat to human security, which may cause human rights violations affecting human life and dignity. Further, human trafficking is not limited to one person as there are many who are involved. It has attained a world-wide significance.

Trafficking as a threat to human security at various stages of trafficking is given below.

**Threats to Human Security: Pre-departure Stage**

- Multi-dimensional threats at personal and societal levels.
- Major threats: absolute poverty, absence of income, employment and educational opportunities, lack of health care, debt bondage, social exclusion, physical and sexual violence, strained relations at home, displacement by natural disasters, migration, armed conflict, cultural biases and traditional harmful customs and practices.

**Threats to Human Security: In transit**

- Application of force and the use of violence to ensure compliance.
- Curtailment of freedom of movement.
- Rigours of travel without food, rest and medical aid, often for long periods of time.
- Exposure to different physical and psychological health troubles.
- Sexual abuse and exploitation, physical maltreatment.
- Risks of contacting sexually transmitted infections, including HIV/AIDS.
- Exposure to risks of arrest on account of forced engagement in criminal activities.

**Threats to Human Security: At Place of Destination**

- Physical and psychological trauma.
- Physical violence and sexual abuse by employers, customers and clients.
- Unlimited working hours, no holidays.
- Wage deprivation.
- Those taken to brothels held in bondage, abused, beaten and gang-raped to suppress resistance.
- Virtual imprisonment.
- Absence of formal charges for fear of possible incarceration on grounds of illegal immigration and reprisal.
- Social alienation and resentment.
- Lack of access to social services.

Human Trafficking vs. other Related Issues
Human Security Issues: Post-return

- Unanticipated reaction at home.
- State actors insensitive to needs of trafficked victims-disrespectful and insolent.
- Absence of State support services upon return.
- Mixed reactions: relieved as no longer in dubious professions; ashamed as looked at differently.
- Families unwilling to take them back-considered spoilt.
- Reintegration a difficult task due to stigmatization, social exclusion, indifference and intolerance at different levels.

Self Assessment Question

5) Define the concept of ‘Human Security’?

5.9 SUMMARY

- Human Trafficking is a very serious public health issue. Trafficked victims suffer both physical and mental health issues, and are highly vulnerable to HIV/AIDS.
- Trafficking of human beings is an organized crime activity, linking the supply and demand factors of trafficking.
- Corruption is one of the major causal factors of human trafficking and mitigation of corruption is very critical in combating human trafficking.
- Technology is both a facilitator and a solution to human trafficking.
- Human trafficking is a serious human security threat, which not only endangers the individual but also the community as a whole.

5.10 TERMINAL QUESTIONS

1) Discuss human trafficking as a public health issue. Examine the linkage between human trafficking and HIV/AIDS?
2) Describe actors, actions and opportunities relating to corruption in human trafficking?
3) Discuss technology as a facilitator and a solution to human trafficking?
4) Examine human trafficking as a serious threat to human security?

5.11 ANSWERS AND HINTS

Self Assessment Questions

1) Refer to Section 5.4
2) Refer to Section 5.5
3) Refer to Section 5.6
4) Refer to Section 5.7
5) Refer to Section 5.8
Terminal Questions
1) Refer to Section 5.4
2) Refer to Section 5.6
3) Refer to Section 5.7
4) Refer to Section 5.8

5.12 REFERENCES AND SUGGESTED READINGS


4) The Asia Foundation, Utilizing Information Technology to Address Human Trafficking, Available at http://www.asiafoundation.org/ICT/trafficking.html

