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"Human Trafficking: a Modern Day-Slavery"

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CHAPTER ONE

INTRODUCTION

1.0 Overview

This chapter presents the introduction of the study. Accordingly, the chapter discusses the background to the study, statement of the problem, objectives of the study and research questions, justification and scope of the study. Lastly, this chapter provides a definition of terms.

1.1 Background of Study

The practice of human trafficking has existed over the years across the globe. Dating back to the ancient Romans and Greeks through the medieval times to the present time, human beings have been subjected to numerous forms of sexual and physical slavery¹. A majority of the literature that deals with human trafficking takes it to mean a modern practice of slavery, as in both human trafficking, and ancient slavery, victims are held captive and exploited². Human trafficking victims usually give their consent due to deception or coercion or fraud. Human trafficking may either take place within the state territory or outside it³.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, gives a supplement of the United Nations definition of human trafficking as,

"the recruitment, transportation, transfer, harbouring 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

¹ Cullen-DuPont, K., 2009. *Global Issues: Human Trafficking*. New York: Infobase Publisher.

² Talmadge, E., 2006. *Camel racing sport of the sheiks*. [Online] [Accessed 29 April 2015].

³ Vago, S., 2006. *Law and society*. P.69

the consent of a person having control over another person, for the purpose of exploitation"⁴.

From the above definition, human trafficking involves trade in purposeful exploitation and trade in children: sale and exploitation in pornography, sex tourism and forced labour; white and sexual slavery⁵. Human trafficking victims are classified as women, children, victims of forced labour, domestic workers and victims of organ removal.

Some of the significant timeline activities that have taken place in history related to human trafficking are as follows:

1400s-1600s: The 1400s saw the onset of the European slave trade in Africa. Slaves were transported from Africa to Portugal by the Portuguese with the British joining in the trade in 1562⁶.

1904: The signing of the International Agreement for the Suppression of White Slave Traffic was done in 1904 taking effect the same year. In white slavery, white women or girls were forced or deceived into practicing prostitution⁷. This agreement's purpose was to protect women, both young and the old, from their involvement in "white slave traffic".

1927: After the World War I, the League of Nations was founded with the goal of maintaining world peace and handling international issues including human trafficking. Moreover, the Suppression of White Slave Traffic was renamed to "traffic in women and children" in order to remove discrimination to race hence including everyone. Moreover, children, both male and female, were recognized as victims of trafficking⁸. The studies

⁴ UNODC., 2008. *Human Trafficking: An Overview*, Vienna, Austria: UNODC.

⁵ Holmes, L., 2010. „Introduction: The Issue of Human Trafficking. In: L. Holmes, ed. *Trafficking and Human Rights European and Asian-Pacific perspective*. UK: Edward Elgar Publishing Limited.

⁶ Cullen-DuPont, K., 2009. *Global Issues: Human Trafficking*. New York: Infobase Publisher

⁷ Laczko, F., 2005. Data and Research on Human Trafficking. *International Migration*, 43(1-2), pp. 5-16

⁸ Laczko, F., 2005. Data and Research on Human Trafficking. *International Migration*, 43(1-2), pp. 5-16

were a positive initiative towards gaining more insightful information about the issues pertaining trafficking in persons.

1995: The United Nations, in 1995, held its fourth World Conference to address issues of women trafficking. A major accomplishment of the meeting was the recognition of trafficking as an act of violence against women. Moreover, the meeting set forth actions to be taken including addressing the contributing factors that lead to trafficking, implementing the use of international conventions on human slavery and trafficking, establishing both national and international institutions that will effectively enforce the law and who would work towards eliminating trafficking, and implement educational programs and develop rehabilitation institutions to provide psychological, medical, and social needs to trafficking victims.

2002: Katherine Chon and Derek Ellerman, seniors from the Brown University, on 14 February 2002, officially founded the Polaris Project. They were motivated after realizing the presence of a brothel at close proximity to their college. With the aim of creating a community in which modern day slavery is abolished, the individuals initiated the Polaris Project, which currently is a leading non-profit group that works to stop human trafficking making their vision a reality.

2008: In 2008, traffickers illegally smuggled several migrants into Thailand. Of all the immigrants being transported, fifty-seven of them died due to suffocation after the air conditioning system of the food container they were being transported in malfunctioned. Sixty-seven survivors narrated how they hoped to find work in Thailand. With the fear that he might be suspected by the police at checkpoints, the driver ignored passenger pleas only fleeing after he realized some persons had collapsed. This story brought to attention several trafficking issues reminding the need for change in order to improve the present trafficking conditions.

2009: In 2009, the U.S. Department of Homeland Security and the National Immigration Agency busted a large ring of human trafficking in Taipei, Taiwan. In this case, a number of young females were brought to the United States illegally using fake passports.

2011: In this year, the U.S President Barrack Obama, declared January to be the Human Trafficking Awareness month, and with 11th January 2011 being named the National Human Trafficking Awareness Day. On this day, individuals and groups undertake different events with the effort of increasing awareness about human trafficking amongst the public in general. At the same time, the Alliance to End Human Trafficking, which is an anti-trafficking coalition, initiated a campaign in which they advocated for the government to take a severe stance on trafficking by reviewing the Trafficking Victims Protection Act. In addition to increasing awareness, the coalition also wanted the government to initiate action on human trafficking

2013: In this year, the UN General Assembly convened a high-level meeting to appraise the implementation of the UN Global Plan of Action to Combat Trafficking in persons.

The UN 2000 Trafficking in Persons Protocol defines human trafficking as the recruitment, transfer, harbouring or receipt of a human for the purpose of exploitation. The United Nations 2014 report indicates that human trafficking is increasingly growing calling for necessary action to stop it. From the various researches undertaken much information has been obtained on the nature of trafficking but the magnitude of the problem is still unknown.

According to the United Nations Office on Drugs and Crime (UNODC), human trafficking in the Gulf States is a significant problem⁹. Children trafficked to Qatar are often used as jockeys for camel racing, a practice unique in the Arab world. While with their abductors, these children are subjected to various abuses including physical abuses such as beatings and denial of food. The United States (US) Trafficking in Persons Report indicates that parents are deceived to sell their children with the promise of money or better future for their children with other child victims being abducted from their home countries. However, the children are later trained and used as jockeys in camel racing¹⁰. The main pull factors for the occurrence of child trafficking include lack of respect for child rights, the

⁹ UNODC, 2009. *Global Report on Trafficking in Persons*, Vienna: UNODC.

¹⁰ UNODC, 2009. P.41

dependency of children on their parents, use of children as lighter weights, and weak implementation of the necessary laws.

Consequently, different states in the region including Qatar, have taken several initiatives to stop, assist and repatriate rescued child victims. In addition, various non-governmental and international organisations in combating child trafficking in the region, advice governments in the region on policy issues, implementation of legislation, and provide assistance to rescued child victims.

1.2 Problem Statement

Human trafficking has developed to be one of the forms of modern-day slavery. The international community in its response to this problem has created numerous organisations with a primary task of find a solution¹¹. However, there has been no definite impact on the organisations on abolishing or reducing the cases of trafficking of human beings. Many countries in the world have grown to become transit routes, destination points and source markets of human trafficking with reference to the large number of trafficked victims that are estimated to move into one country/region to another¹².

The interconnection of the world has led to an increase in the practice of human trafficking. Even though there is no accurate data available on the number of persons trafficked, the International Labour Organization (ILO) estimates that approximately 1.2 million human are trafficked every year¹³. In the Gulf region, child trafficking occurs for the purpose of child jockey riders in camel racing. Despite the substantial efforts taken by various states in the region and recapped global commitments, there is still much that needs to be done to

¹¹ Talmadge, E., 2006. *Camel racing sport of the sheiks*. [Online] [Accessed 29 April 2015].

¹² Kouaouci, A., 2005. Labour Migration in the Gulf System. In: D. Masey, et al. eds. *Worlds in Motion: Understanding at the end of the millennium*. Oxford: Oxford University Press, pp. 134-159.

¹³ UNICEF, 2006. *Starting Over: Children Return Home from Camel Racing*, Dubai: The United Nations Children's Fund.

ensure protection, rehabilitation, and reintegration of victims into the society. Moreover, extra effort needs to be directed towards compensation of children in this crime for the harm and loss they have suffered, prosecution of the perpetrators of this crime, changing certain societal norms, and providing long lasting solution to end this crime. The study will, therefore, seek to explain trafficking in the Gulf region and the plight of its victims. Given this concern, it will be important to research on the nature of trafficking, factors contributing to trafficking, the contexts within which the act occurs, and the prevention and combating of this vice.

1.3 General objective

The primary objective of the study is to discuss trafficking with a focus on child trafficking for the use as jockey riders in camel racing.

1.3.1 Specific objective

The study will be guided by the following objectives:

- i. To ascertain the nature of trafficking.
- ii. To find out the perceived causes for the occurrence of trafficking.
- iii. To determine the various initiatives taken by governments to combat trafficking.

1.4 Research questions

The following research questions were formulated for collection of information to achieve the outlined objectives:

- i. What is the nature of trafficking?
- ii. What are the perceived causes for the occurrence of trafficking in the Gulf region?
- iii. What are the initiatives taken by governments to abolish trafficking?

1.5 Justification of Study

Even though the problem of trafficking may be well-defined, the scale of trafficking may be less well understood. Since trafficking in persons is covert in nature, crafting an estimate of the magnitude of this problem is difficult. A majority of the specialists, that is, scholars

and experts, on trafficking and smuggling in persons are in agreement that the problem is significant, and the supply and demand for persons are growing. The conspicuous gap in our knowledge of the occurrence of trafficking in different industries and other areas affects responses at all levels. Moreover, the identification of the impacts of counter-trafficking efforts has been made nearly impossible.

According to the United Nations reports, trafficking in children is increasingly growing with more children being at risk due to the interconnectedness of the World. Besides social tolerance, persistent demand, and the benefits obtained from the crime, the UN further attributes new technologies to the increasing levels of this crime. In its report, the UN calls for action at the global level to put an end to child trafficking. Child trafficking in the Gulf region occurs for purposes of use of children as jockey riders in camel racing. Although most Gulf States have put an end to this crime, it is essential in this study to discuss the nature, scale, and efforts taken to combat child trafficking.

1.6 Scope of study

This study discusses human trafficking with the focus on child trafficking for jockey riders in camel racing.

1.7 Definition of Terms

Human trafficking: It is modern-day slavery that involves illegal trade of persons for sexual or labour exploitation; or commercial gain

Coercion: It is the act of compelling someone by force, intimidation, or authority, especially without regard to an individual's desire or volition

Deception: It refers to the act of making someone believe something that is not true.

Smuggling: The criminal offense of secretly and intentionally bringing an item or person into a country without declaring it to customs officials and paying the associated taxes or duties, or of bringing an illegal item into a country. Smuggled migrants are prone to abuse and exploitation.

Sexual exploitation: It refers to the commission of any sexual offences against the victim of human trafficking. A person may be misused sexually through sex work, personal gratification, forced marriage and forced pregnancies for purposes of selling children.

Forced labour: It is the situations in which people are coerced to work by the use of intimidation, or violence, or through the use of more subtle means such as retention of identity documents, accumulated debt or threat of condemnation to immigration authorities

Child labour: Is defined as work that robs children their childhood, their dignity and potential, and that is dangerous to their mental and physical development.

CHAPTER TWO

LITERATURE REVIEW

2.0 Overview

This chapter provides an overview of the various issues of human trafficking. The chapter will first discuss the definition of human trafficking and other concepts, and then provide a summary on the development, process and the various forms of human trafficking. Next, the chapter will discuss the global reach, growth and demand of trafficking. This is followed by a discussion of the different perspectives in which human trafficking can be analysed, and then the effects of trafficking to the various parties involved. The chapter also discusses the trafficking business highlighting the different models in which trafficking may occur. An overview of the global patterns of trafficking is provided.

2.1 Human trafficking

Since the 1904 International Agreement for the Suppression of the White Slave Traffic, different organisations dealing with trafficking have attempted to define the term “trafficking”. Some of the instruments that were adopted in the first half of the 19th century but failed to define trafficking are: the Agreement to Suppress Trafficking in Women and Children (1921); the Agreement to Suppress Traffic in Women of Full Age (1933); and the Convention for the Suppression of Traffic in Person and the Exploitation of the Prostitution (1949)¹⁴ During the last half of the 19th century, the Global Alliance against Trafficking in Women defined “trafficking” to include forced labour, sexual exploitation and involuntary work. At the same time the International Organisation for Migration (IOM) broadened its definition of “trafficking” by including any form of forced labour¹⁵.

After the endorsement of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, there was a universal conferment to the Trafficking in Persons Protocol’s definition of human trafficking that supplemented the

¹⁴ Talmadge, E., 2006. *Camel racing sport of the sheiks.*, P.101

¹⁵ Cullen-DuPont, K., 2009., P.61

United Nations Convention against Transnational Organised Crime¹⁶. The Trafficking in Persons Protocol provides that,

"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 or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs"¹⁷.

The protocol further explains that the transportation, recruitment, transfer, receipt, or harbouring of a human for exploitation shall be considered trafficking in persons even if it does not involve the means stated above.

In this definition, the protocol focuses on trafficking of individuals for purposes of prostitution, forced labour, slavery, and removal of organs. Basing on this definition given by the Trafficking in Persons Protocol, three elements are highlighted: an action, means of involvement and goals¹⁸.

- ❖ Action: It describes the recruitment process, transportation, transfer, harbouring and receipt of persons.
- ❖ Means of involvement: It is the various methods used to traffic persons including the use of force, coercion, threat, deception, fraud, abuse of power and vulnerability, and offer and acceptance payments.

¹⁶ Cullen-DuPont, K., 2009., P.68

¹⁷ Kouaouci, A., 2005. Labour Migration in the Gulf System. In: D. Masey, et al. eds. *Worlds in Motion: Understanding at the end of the millennium*. Oxford: Oxford University Press, pp. 134-159.

¹⁸ Linda, S & Mattar, M., 2004. Creating International Consensus on Combating Trafficking in Persons: U.S. Policy, the Role of the UN, and Global Responses and Challenges. *The Fletcher Forum of World Affairs*, 28(4), pp. 155-178.

- ❖ Goals: refers to the purpose of trafficking, that is, sexual exploitation, slavery, forced labour, involuntary servitude and/or removal of organs.

As explained by the United Nations Office on Drugs and Crime (UNODC), the crime of trafficking in persons can only be defined by combining the three constituent elements and not the individual components¹⁹. However, in some cases, the three individual elements may constitute criminal offences independently. In addressing the question of consent, the Trafficking in Persons Protocol explains that, the consent of a trafficking victim becomes irrelevant where coercion or force are present as described in the Trafficking in Persons Protocol's definition. In situations where the trafficked victim is a child, its consent becomes irrelevant irrespective of the means used.

Even though there is a universal consensus on the definition as provided by the Trafficking in Persons Protocol, there are arguments regarding some of its elements. For example, the Protocol does not define terms such as forced labour, sexual exploitation and slave-like practices which obligates signatory states to further define them under their national legislation. As observed by the ILO, there has been a deliberation on whether trafficking must encompass some movement of trafficking victims either across or within state boundaries and the process of recruitment, or whether focus should only be on the exploitation that ensues at the end.

2.1.1 Deception and coercion

The interpretation of the terms, deception and coercion, with respect to adults has proved challenging. There is a common misleading notion that all trafficking victims, including minors, are hired under false pretence and with no idea of the expected at their destination. The amount of the information given to victims about their work and living in the destined country vary from victim to another. Therefore, to better understand victimization, it can be

¹⁹ UNODC, 2006b. *Trafficking in Persons, Global Patterns, Appendices*. [Online] Available at: <http://www.unodc.org/documents/human-trafficking/HT-globalpatterns-en-appendices.pdf> [Accessed 22 April 2015].

viewed on a scale of complete coercion to a minor form of deception²⁰. When trafficked persons reach their destination, they become victims of exploitation when their freedom is limited, cannot negotiate their working conditions, they are forced to hand over most if not all of their wages to their traffickers or required to 'buy back' their passports at exaggerated prices²¹.

Complete coercion occurs when victims are abducted. In cases of adult trafficking for labour and sexual exploitation, coercion rarely exists. In children, coercion exists when they are kidnapped²². Kidnapped children may be used as child soldiers or sex slaves for apostate or outlawed militia. Children may be forced into submission through drugging. In some cases of labour trafficking, children are freely given or sold by their parents to traffickers in hope that they will be educated or trained²³. For many victims of trafficking, coercion is more of psychological control than physical control. Victims threatened with violence or being reported to immigration officers will not seek assistance and will work as instructed. As stated by the Anti-Slavery International, coercion occurs in "any situation in which the person involved has no real and acceptable alternative but to submit to the abuse involved". In some cases, victims may endure the abuses to earn more as compared to their earnings in their home countries.

2.1.2 How Smuggling Supports Trafficking

To better understand human trafficking, there is need to differentiate it from smuggling. Human smuggling involves the facilitation of the unauthorized foreign nationals to entering another country. It is different from trafficking as smuggled people are willing to migrate

²⁰ NHRC, 2006. *Qatar: National Human Rights Committee Report*, s.l.: National Human Rights Committee.

²¹ ILO, 2013. *Overview: ILO Report on Child trafficking in the Middle East*. [Online] Available at: <http://www.migrant-rights.org/2013/04/overview-ilo-report-on-human-trafficking-in-the-middle-east/> [Accessed 27 May 2015].

²² Gallagher, A. T., 2010. *The International Law of Human Trafficking*. New York: Cambridge University Press.

²³ ILO, 2013. *Overview*, P.23

and pay the necessary fees to find new opportunities to better their lives. Human trafficking, on the other hand, involves an aspect of coercion. Although smuggling does not usually involve children, they have fallen victims through the practice hence end-up into the traffickers' hands.

The Protocol against Smuggling of Migrants by Land, Sea and Air, defines smuggling of migrants as "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident"²⁴. In defining smuggling, an integral characteristic is the crossing of international borders. An individual is said to be smuggled, if prior to departure, he or she pays all the transportation costs and upon arrival at the destinations terminates the relationship with his or her transporter. Trafficking involves payment of a percentage of the transportation costs prior to departure and incurs the remainder as a debt²⁵. Smuggling turns into trafficking when smuggled persons upon arrival at their destination, cannot exercise self-determination and find themselves in a state of exploitation.

The major differences between smuggled individuals and trafficked persons lie in three key elements: consent, movement across borders and purpose²⁶. While smuggling of migrants necessarily involves the movement across borders, trafficking in humans may not involve the crossing of transnational borders but also it may occur within the boundaries of one's state as internal human trafficking. On the consent of the victims, smuggling of migrants happens with the consent of individuals being smuggled. The persons to be smuggled agree to pay smugglers to be taken across borders illegally but terminate their relationship with their smugglers upon reaching their destination. However, for trafficked victims, even though they may have given their consent to be smuggled and work out of their own

²⁴ Gallagher, A. T., 2010. *The International Law of Human Trafficking*. New York: Cambridge University Press.

²⁵ UNODC, 2006b. *Trafficking in Persons*, p.45

²⁶ UNODC, 2006b, P.46

choice, but upon reaching their destination, they are barred from leaving. This often involves use of coercion, legal threats and debt bondage. Consequently, initial consent becomes irrelevant due to the use of force, threat, fraud or coercion to enslave trafficked persons during their trafficking²⁷. Smuggled persons are free to seek better living and working environments if the present conditions are deplorable, an opportunity trafficked persons cannot afford. Another difference between trafficking and smuggling is the purpose for recruitment. Smuggling of migrants is for the entry of individuals into a country for monetary or material benefits only, while trafficking of persons is for labour exploitation, sexual exploitation, and removal of organs. A final difference between trafficked persons and smuggled individuals is their legal status once they are realized by the Non-Governmental Organizations (NGOs) and government agencies in their destined countries. Trafficked persons are considered victims and entitled to special treatment in many countries whereas illegal immigrants are taken to be abusers of the immigration law and may be subjected to deportation or arrest.

2.1.3 Defining a Trafficker

Basing the definition on the Palermo protocol, a human trafficker is taken to be "someone who transports, harbours, exploits, and lures someone for either himself or to be transported to someone else for a profit"²⁸. One of the features distinguishing it from other forms of crimes, is that human trafficking is characterised by a high rates of women criminals²⁹. One of the possible explanations is due to the fact that trafficked victims will personally start recruiting so as to be free of continuous exploitation. The nature of trafficking makes it difficult for the execution of all the three elements of trafficking by a single person. Putting this fact into consideration, the UNODC, besides punishing key perpetrators, requires all countries to punish persons who knowingly or intentionally take part to organise, aid,

²⁷ UNODC, 2006b, P.47

²⁸ UNODC., 2008. *Human Trafficking: An Overview*, Vienna, Austria: UNODC.

²⁹ Farr, K., 2005 . *Sex trafficking: The global market in women and children*. New York: Worth.

direct, abets, facilitates, or counsels organised criminal groups³⁰. On the other hand, the Trafficking in Persons Protocol also requires all signatories to punish persons who intentionally or knowingly act as co-conspirators and who organise and direct trafficking in humans.

From the evaluation of the two instruments, that is the UNODC and Trafficking in Persons Protocol, it is clear that the answer to the question who is a “trafficker” is not limited to persons who take the lead in the human trafficking process, but also includes persons who intentionally and knowingly take part to organise, aid, guide, abet, facilitating or counselling of human trafficking³¹. Moreover, traffickers may not only be natural persons, but they may also include legal persons. Companies working in the entertainment, tourism, airlines, labour recruitment, and travel agencies have been recognized as potential legal persons that take part in human trafficking process. Consequently, the question as to who a “trafficker” is should include both natural persons and legal persons.

2.2 Development of Human Trafficking

Slavery is deeply rooted in the human history as it is in the ancient Egyptian, Nubian and Greece societies. In the 19th century, people were captured from the African, Latin American and Asian continents and sold as slaves in other parts of the world. Slaves were equated to property and valued. However, slave trade was abolished in the 19th century giving rise to human trafficking that has nearly similar features as slave trade³². Even with the abolition of slave trade, persons were treated as chattels due to the high demand for exploitable persons in developed countries. To exert control over their victims, traffickers use coercion, deception, threats and/or force³³.

³⁰ UNODC, 2006a. *Trafficking in Persons, Global Patterns*. [Online] Available at: http://www.unodc.org/pdf/traffickinginpersons_report_2006-04.pdf [Accessed 22 April 2015].

³¹ Schrum, M., 2010. *The Truth Behind Camel Jockeys in Qatar*. [Online] Available at: http://ihscslnews.org/view_article.php?id=336 [Accessed 27 May 2015].

³² Cullen-DuPont, K., 2009., P.70

³³ Linda, S. & Mattar, M., 2004., P.33

Kovessy defines a slave as "a person held in bondage to another or someone who is the property of another". Within this context, there are several forms of slavery. First, chattel slavery was also referred to as forced labour. In this form of slavery, a slave is considered a personal property of his/her master and can be exchanged for commodities like cars or money. Kovessy further argues that, in this form of slavery, slaves are expected to offer sexual favours and perform labour. As forced labour includes any form of slavery including that of minors, it is possible to consider child labour a subset of forced labour³⁴.

Another form of slavery is debt bondage. In this form of slavery, there is the formation of bonded labour in which enslaved persons are promised freedom once their original debt is fully paid off. The International Labour Organization (ILO) attributes debt bondage to the poor state of the victims, their illiteracy the high levels of the gullibility of the victims³⁵. Moreover, the report indicates that bonded labour not only exists in agricultural sector but also in the carpet, brick kilns, mines, fish processing and leather factories.

2.3 The Trafficking Process

Human trafficking is viewed as a process as opposed to a single offence involving different stages. The first stage of the process is abduction and/or recruitment of persons, the second stage involves the entry or transportation of persons into a different country with the third stage being the exploitation phase in which victims are forced into labor or sexual slavery³⁶. The last stage involves laundering of criminal proceeds. Despite the numerous numbers of victims, the trafficking process is the same for all of them. During the recruitment process, victims are rarely subjected to any form of violence. Victims are promised a good job, an education, or marriage. In the transportation phase, victims will be detained in one city or

³⁴ Kovessy, P., 2014. *US downgrades Qatar for insufficient efforts to tackle human trafficking*. [Online] [Accessed 27 May 2015].

³⁵ ILO, 2013. *Overview.*, p. 55

³⁶ Linda, S. & Mattar, M., 2004., P.33

village or they will be moved from one place to another within their country³⁷. To transport victims internationally across borders, documents will be forged and approved by corrupt government officials. During entry into transit or destination countries, different methods are used including smuggled entry in trains, vehicles or on foot; use of forged documents or use of bona fide documents. To maintain control over victims, violence may be used during their transporting. On arrival at their destination traffickers unleash terror on the victims.

Different crimes are committed during the different phases of trafficking. The European Law Enforcement Organization states that these crimes are committed to directly further trafficking. Examples of primary crimes include corruption amongst government officers, violence linked to victim control and forced prostitution. Offenses committed against individuals during the trafficking process include extortion, theft of documents; threats, aggravated sexual assault, rape, false imprisonment, pimping, and sometimes death³⁸. Crimes against the State include document forgery, abuse of immigration laws corruption amongst government officers, tax evasion, and money laundering.

2.4 Types of Human Trafficking

Human trafficking may take different forms. They include: sexual trafficking, labour trafficking and organ trafficking. Sexual trafficking as a form of human trafficking also takes various forms. Sexual exploitation may be in the form of prostitution, stripping, pornography, sex tourism, mail order brides and live sex shows. Recruitment may be through promises of better lives, false marriage proposals, kidnappings by traffickers, and being sold by husbands, parents or boyfriends³⁹. Severity of sexual exploitation may vary with some instances being very severe. For instance, brothel owners may take up to 95% of the income made leaving victims with very little to cater for basic commodities. Moreover,

³⁷ UNODC, 2009. P.37

³⁸ UNODC., 2008. *Human Trafficking*., p.75

³⁹ Bales, K., 2005. *Understanding Global Slavery*. England: University of California Press Ltd.

girls may be forcefully made to have sex with many clients a day with most cases involving unprotected sex.

In 2000, the United Nations, in its effort to differentiate child trafficking from adult trafficking, defined child trafficking as "the recruitment, transfer, harbouring or receipt of a child for the purpose of exploitation". According to Ebbe, child trafficking for sexual exploitation is "the movement of children for the purpose of financial gain as sex workers from a rural to urban setting, from city to city, across state lines, within countries, or across borders",⁴⁰ globally, it is estimated that 30-50 % of all the victims of trafficking are children below the age of 18 years. Children are exploited sexually in the sex industry for child pornography, paedophiles; and labour exploitation by working as beggars, drug peddlers, picking cocoa, and sewing in sweatshops⁴¹. Traffickers may lure children with promises of better or they may be sold or given away by their parent with the hope they will get educated and to reduce the number of dependants. Children may also be forcefully recruited by illicit militia as child soldiers or sexually exploited by soldiers, enslaving and restricting their freedom and rights. According to the Coalition to Stop the Use of Child Soldiers, there is an estimated tens of thousands of children sexually exploited or used as child soldiers in militia groups in 19 territories and countries worldwide⁴². Child victims of trafficking for forced labour are recruited, transported, transferred, harboured or received for the purpose of exploitation. They may be coerced or forced to work in the construction sector, as domestic servants, in sweatshops, as child beggars on the streets, as sales crews, on farmhouses or plantations, or in hotels and restaurants⁴³.

⁴⁰ Ebbe, OF. (2008). *Global trafficking in women and children*. Boca Raton, FL: International Police Executive Symposium :.

⁴¹ ILO & UN Children's Fund, 2009. *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Geneva: ILO.

⁴² Huda, S., & Persons, E. (2520). *Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Sigma Huda: Addendum*. Geneva: UN.

⁴³ ILO & UN Children's Fund, 2009, p.67

On the other hand, trafficking for labour exploitation may be for forced employment in legitimate economic sectors such as mining, sweatshop factory, construction, janitorial, agricultural, fishery, food service, logging, and domestic servitude or exploitation of victims to participate in criminal acts like pick pocketing, sell of illegal substances and performing forced begging⁴⁴. For many years, discussions on trafficking have focussed more on trafficking for sexual exploitation compared to trafficking for labour exploitation. Many countries view exploitation for labour as a lesser problem. Consequently, identification of victims of child trafficking exploited through forced labour has been less successful.

Trafficking for organs is different from trafficking for sexual or labour exploitation. In this form of trafficking, the crime involves the removal of cells, tissues or organs such as kidneys of the victim⁴⁵. Victims are deceived with the promise of money and assured of leading a normal life. However, contrary to as they were promised, majority of them suffer or die from health complications.

With very few traffickers being prosecuted, incidences of human trafficking are on the increase as traffickers make a significant amount of profits and face little chances of asset confiscation or sanctions. On the other hand, the demand for affordable prostitutes, babies, and trafficked labour which is often cheap continues to grow unabated.

2.5 Global Reach of Smuggling and Trafficking

As opposed to slavery, trafficking was usually restricted to countries and regions. In the present day, trafficking exists on a large scale within Asian and African countries and the continents as a whole. Despite this, just like in the earlier centuries of the slave trade, victims travel long distances to destinations where they are exploited, and the demand for

⁴⁴ Holmes, L., 2010. „Introduction: The Issue of Human Trafficking. In: L. Holmes, ed. *Trafficking and Human Rights European and Asian-Pacific perspective*. UK: Edward Elgar Publishing Limited

⁴⁵ UNODC, 2008. *Human Trafficking: An Overview*, Vienna, Austria: UNODC.

sexual service and cheap labor is high⁴⁶. Many countries concurrently act as source markets, host, and transit points for human trafficking victims.

In the present day, human trafficking is considered modern slavery as persons are reduced in value and equated to commodities. Individuals, irrespective of their age, gender, ethnicity or geography are trafficked from every corner of the world with the trend moving towards industrialised countries from developing countries. Human trafficking has grown to be among the largest organized crimes being ranked third after drug trafficking and armed trafficking. The International Labour Organisation (ILO) estimates that globally there are about 2,450,000 victims of trafficking⁴⁷. Majority of these victims are mainly trafficked for economic and sexual exploitation. Women and girls represent a higher percentage of victims. This high representation of women is attributed to the cultural, political and social status of women in the society that deny them opportunities for education and employment. This makes them vulnerable to trafficking and other vices.

2.5.1 Difficulty in Measuring the Problem

Due to the clandestine nature of traffickers and economies in which victims operate in, accurate statistics to measure the scale of the problem are indefinable with the available data being unreliable. The International Human Rights Law Institute, in its report about Central America and the Caribbean sex trafficking state that, because of the covert and criminal nature of the problem, public misperception about the nature of the problem, and the inadequate monitoring by law enforcement agencies, obtaining accurate quantifiable data on trafficking for sexual exploitation was difficult. As a result, the availed quantitative data was purely hypothetical and based on extrapolations.

The confusion in obtaining accurate data about trafficking is greatly enhanced by the lack of trafficking legislation or failure by legislators to include in the trafficking abuses the

⁴⁶ UNODC., 2008. *Human Trafficking*: P.64

⁴⁷ UNODC., 2008. *Human Trafficking*: P.66

internal trafficking of their citizens⁴⁸. Moreover, the effectiveness of a good legislation is reduced by lack of experience to conduct investigations and prosecute corruption and lack of political will.

Magnifying the problem is the victim's reluctance to report their violation and unwillingness to cooperate when rescued by law enforcement officers. The lack of cooperation may be due to several reasons including, fear of retaliation from traffickers, mistrust in authorities or belief they cannot help, lack of or little opportunities in their countries of origin, rejection by family members, or love for their pimps or traffickers⁴⁹. Victims may view themselves as not being exploited if their income is more than what they could earn in their home country.

Moreover, the data provided by governments, international agencies, and NGOs are often different and incomparable. This is because the data provided by this organization is based on the number of trafficked cases handled and the number of victims rescued or intercepted by each of them.

2.5.2 Severity of the Problem

Over the years, information regarding the trafficking of persons has been on the increase. Despite this, there continues to be insufficient data on the nature and severity of trafficking in humans⁵⁰. Moreover, the available data are not reliable. The figures given on trafficking are based on estimation of trafficking levels with no explanations given on how they were calculated. Existing information provides different estimates on the size of the trafficking problem and the revenue made by organised crime groups from trafficking. However, with no agreement on the methodology to use in calculating such estimates, the results and figures quoted are often contradicting. The estimated figures are often used for purposes of fund raising and advocacy. The United States Government, UNODC, IOM, and ILO are the four organisations at the global level that have databases on human trafficking. The ILO

⁴⁸ Holmes, L., 2010. „Introduction: The Issue of Human Trafficking. In: L. Holmes, ed. *Trafficking and Human Rights European-*, p. 71

⁴⁹ UN.GIFT Human Trafficking., P. 44.

⁵⁰ UNODC, 2009. *Global Report*, p.63

and the U.S government have data on the estimates of global number of victims whereas the UNODC provides data on the main international trafficking routes used to traffic victims⁵¹. On the other hand, the IOM collects information on the assisted victims of human trafficking.

Using the statistics of the ILO 2005 assessment, of the 2,450,000 trafficked persons, 1,360,000 of these victims originated from Asia and the Pacific with 270,000 originating from industrialised countries, 250,000 from the Caribbean and Latin American and 230,000 of victims from North Africa and the Middle East. Countries in transition and those from the Sub-Sahara region had the lowest number of victims at 200,000 persons and 130,000 persons respectively⁵².

As per the research completed by the U.S Government in 2006, an approximate of 800,000 persons are trafficked across their borders annually. These data excludes the millions of trafficked victims within their states. Free the Slaves estimates that approximately 27 million slaves exist in the world today. According to this NGO, there are over 1.3 million slaves in the Caribbean and Latin America, nearly 24 million in Asia, and about 1 million enslaved persons in the Middle East and Africa⁵³. In a study jointly published by the International Institute of Tropical Agriculture and ILO in 2002, it was estimated that 284,000 children on West African cocoa farms, were either enslaved, unprotected, or involved in dangerous work or were victims of trafficking.

2.6 Growth of Human Trafficking

The existence and growth of human trafficking are attributed to several reasons. These reasons include poverty, gender, ethnic discrimination, lack of employment opportunities,

⁵¹ UNODC, 2009. *Global Report*, p.56

⁵² UNODC, 2009. *Global Report*, p.58

⁵³ UNODC, 2006b. *Trafficking in Persons, Global Patterns, Appendices*. [Online] Available at: <http://www.unodc.org/documents/human-trafficking/HT-globalpatterns-en-appendices.pdf> [Accessed 22 April 2015].

corruption, economic imbalances among regions of the world, political instability, conflict and decline of border controls. Some of the contributing factors (push and pull factors) that have led to the growth of human trafficking include: globalization, poverty, cultural tolerance, illicit trade, natural disasters, corruption and insufficient international coordination.

2.6.1 Globalization

The expansion of human trafficking is attributed to globalization. Bales defines globalization as "the active dissemination of practices, values, technology and other human products throughout the globe". The practice of slavery has commodified human beings hence they are viewed as products that can be bought, sold, traded, and exploited. Through globalization, the world has been made smaller in a sense, hence commodities are readily availed by people and companies all-around the globe⁵⁴. By presenting human beings to be viewed as commodities or goods, globalization can be taken to have contributed to the growth and spread of human trafficking and slavery. The recent impact of globalization allows for human trafficking permeating almost any society. In its Convention on the Eradication of Forced Labour, The ILO (2005) states that, "Over the past few years, there has been a greater realization that forced labour in its different forms can pervade all societies, whether in developing or industrialized countries, and is by no means limited to a few pockets around the globe".

Bales argued that the modern-day slavery has evolved from the ancient form of slavery. He discusses three ways in which slavery has changed. First, slaves are relatively cheaper today compared to the previous years. Human beings are purchased for as low as ten dollars, thereby creating a depiction of the disposability in the modern slave. A second characterization of modern slavery is the length of a person stays in servitude⁵⁵. Today, slaves are being held for shorter periods of time than in the past, sometimes for only a few

⁵⁴ Bales, K., 2005. *Understanding Global Slavery*.P.85

⁵⁵ Bales, K., 2005. *Understanding Global Slavery*.P.86

months or years. In his last description, Bale states that "slavery today is globalized" meaning that the forms in which slavery is practiced around the world are becoming the same. For traffickers, the on-going globalization trend, may be used as an outlet to spread and increase slavery.

Even though globalization has led to the introduction, growth and spread of bad vices in the society such as slavery, it is not an entirely bad movement⁵⁶. To add on, through the introduction of modern improvements in the transportation sector, globalization has led to the growth of human trafficking and slavery. Individuals can now easily travel domestically and internationally. Effectively, the more it becomes common to cross national borders, the easier it becomes for trafficking to blend in with travel purposes such as for leisure.

2.6.2 Poverty and Exploitation

Globalization has led to the widening gap between the poor and the rich creating challenging situation in the sphere of forced labour and trafficking. For instance, individuals living in extreme poverty are more likely to participate voluntarily in slavery. In this sense, voluntary participation is due to the lack of alternatives for individuals to select⁵⁷. Extreme poverty erases any opportunity for legitimate means of making money and leading a normal life. In most cases, poor quality of life leads to an endless cycle of sex trafficking, human trafficking, and forced labour that is difficult to break.

2.6.3 Natural Disasters

Natural disasters, occurring due to global warming, have left many people homeless, displaced and increasingly impoverished⁵⁸. Examples of these disasters include drought in Sudan, the tsunami in Southeast Asia, the earthquake in Haiti and the Hurricane Katrina in New Orleans. There exist limited programs designed to provide aid and assistance to

⁵⁶ Bales, K., 2005. *Understanding Global Slavery*.p.89

⁵⁷ UNODC, 2006a. *Trafficking in Persons, Global Patterns*. [Online] Available at: http://www.unodc.org/pdf/traffickinginpersons_report_2006-04.pdf [Accessed 22 April 2015].

⁵⁸ Aronowitz, A. A., 2009. *Human Trafficking*, p.65

disaster victims. Moreover, the aid provided is often diverted by corrupt officers. Without any opportunities for survival, these individuals become desperate people are often exploited by human traffickers.

2.6.4 Culture of Tolerance

Human trafficking especially for sexual exploitation continues to be globally accepted partly because there exists a cultural tolerance of pimps; people specialized in selling children and women for sexual services. Pimps are hyped throughout the world, specifically in the US. According to UNICEF, culturally, the word “pimp” has been used as an adjective synonymously describing men as being “cool”, “radical”, “awesome”, or constantly in the company of beautiful women. Furthermore, the word has been used to sale television shows, like the MTV’s “Pimp My Ride”. Here, the word “pimp” is used to describe the restoration and tailoring of old cars⁵⁹.

2.6.5 Illicit Trade

Crime groups, especially in those smuggling and trafficking human have taken advantage of the opportunities created by the global economy. The growth of illicit trade across borders and to new world regions has seen the transformation of the trade creating devastating effects.

In the mid-1990s, this economy represented about 6% of the world’s economy. Its shares have continued to increase since then because the money from this trade remains untaxed, and there is an expansion in areas of illicit trade such as human trafficking. As per the recent estimates of the economy of the illicit trade is placed at \$1 trillion to \$1.5 trillion.

2.6.6 Corruption

Corruption, on both small scale and large scale, contributes significantly to the growth of human trafficking. Corruption distorts the economic policies only benefiting the elites and

⁵⁹ UNICEF, 2006. *Starting Over: Children Return Home from Camel Racing*, Dubai: The United Nations Children’s Fund.

limiting economic development. Consequently, public servants such as border police guards and customs officials will gladly take bribes to supplement their low salaries that are not sufficient to support a living facilitating trafficking. But in many countries in which the cultures of corruption prevail, trafficking rings can bribe high ranking officials such as consular officers, and prosecutors who pose a big threat to their businesses, to forge positive relationships and ensure continuity. Labour and health inspectors especially in developed countries also facilitate trafficking by engaging in corruption. Moreover, without corrupt health officials, trade in organs could not persist in hospitals.

2.6.7 International Coordination

The lack of a significant coordinated international effort geared towards addressing human trafficking also leads to its growth. Counter-trafficking strategies have been small and of limited effect⁶⁰. As it is with the drug industry, there is a need for a coordinated enforcement of the law, increased intelligence, and prosecution of perpetrators. Further, while countries and governments are likely to tackle conflict resolution seriously, improving the economic status and providing disaster relief, trafficking has been taken as a minor issue. Consequently, the resulting response has been proportionate with the rapidly growth scale of human trafficking.

2.7 Demand on Human Trafficking

Human trafficking businesses are built upon the widespread individual human suffering. Despite this, combating human trafficking has become challenging due to financial advantages obtained by many legal businesses⁶¹. Individuals (traffickers) involved in the contemporary business of slave trade, obtain significant profits from many of their employees in legitimate businesses. Producers and manufacturers of agricultural products and construction companies may pay trafficked workers below the minimum or no wages at all. Moreover, the majority of these businesses do not possibly pay health insurance,

⁶⁰ Bales, K., 2005. *Understanding Global Slavery.*, p.53

⁶¹ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery: The global trade in human beings*. USA: Greenwood Publishing Group West Port.

accident insurance, social benefits, social security taxes, and pensions that increase the operational cost of their competitors⁶². Moreover, business benefits from abusing trafficked workers by ensuring a compliant labour force.

2.7.1 Market Situations

The general organisation of human trafficking revolves around five participants. The first participant is the migrant who is usually a victim of trafficking and exploitation. The second participant is the recruiting agent who recruits victims for transport. He also takes the responsibility for all the financial costs that will be incurred during transportation of victims. The third participants are buyers who claim ownership and possession of the victim. The majority of the buyers do not have any previous relationships with their victims. The lack of any relationship between the buyer and the victim gives the buyer a go ahead to use coercion and force to ensure compliance and submission of the victim. The fourth participants are the enablers. They are those individuals who secretly work behind closed doors, either knowingly or unknowingly by assisting in the facilitation of the movement of victims from one destination to another. This trend is forthcoming for weakly developing countries such as those in Africa, South America, and Asia where human traffickers avoid the detection of systems and law enforcers. Lastly, the fifth participants are buyers or consumers of sex prostitutes. These prostitutes are obtained from pimps who normally give clientele services. Buyers are charged on an hourly basis. Also in this category are the NGOs whose role in rehabilitating recovered victims from human trafficking menace is very significant.

2.7.2 Trends of Human Trafficking

Despite the number of trafficked victims from the different parts of the world, the majority of the trafficked victims have their origin in Africa, Latin America, and Southeast Asia. On the same line, countries that have a high demand for trafficked people, include, North

⁶² Aronowitz, A. A., 2009. *Human Trafficking*, p. 42

America, the Middle East and Western Europe. According to the UNODC report on trafficking in persons, the regions that are often reported as being the source of victims for human trafficking are: South-East Asia, the Commonwealth of Independent States, Western Africa, Central and South-Eastern Europe⁶³. On the other hand, countries that are most frequently reported as being destination points include countries in North America, Western Europe, and Asia particularly in West Asia. Countries that are exceedingly reported as transit regions include countries of Central South-Eastern and Europe and Western Europe. Transit sub-regions as indicated in the report include areas in South-East Asia, Western Africa, Central America, and in the outer parts of Europe⁶⁴.

The patterns of human trafficking also vary depending on the country of origin of victims and the point of exploitation. Normally, victims from the Caribbean and Latin America are destined to the United States while persons from Africa are trafficked to Southern Africa, the Middle East and Europe. On a similar note, Asian victims are usually destined to Europe and the Middle East⁶⁵.

Similar to the number and patterns of trafficking, the goal of trafficking also varies from destination to another. Trafficking in South America and India is reported to mainly involve human organ trafficking whereas in Asia and Africa, trafficking is mainly for purposes of sexual and labour exploitation.

2.8 Different Perspectives on Human Trafficking

To give a more complete understanding of the notion of human trafficking, the different perspectives about human trafficking will be discussed. Trafficking can be viewed from the labour and globalization perspective, or studied focusing on functions of the governments

⁶³ UNODC, 2009. *Global Report*, p. 56

⁶⁴ UNODC, 2009. *Global Report*, p. 67

⁶⁵ Aronowitz, A. A., 2009. *Human Trafficking*, P.51

in averting and punishing the crime, or from the perspective of human rights in which the victim will be the main concern⁶⁶.

2.8.1 Trafficking as a Human Rights Issue

Historical human rights issues are one of the frameworks that can be used to analyse human trafficking. Before the ratification of the U.N. Trafficking Protocol, different ILO and UN conventions had been used to address the various abuses and exploitations of trafficked victims. During 1920s and 1930s, the ILO and the League of Nations handled issues relating to human trafficking. These international conventions placed more emphasis on human rights⁶⁷. In the source countries, traffickers use the unequal status of girls and women, stereotyping them as objects (sexual), servants and property of men. Gender discrimination is regarded as a basic denial of human right. The different rights violated include but are not limited to; right to life, right to liberty, right to being free from any form of slavery and right to healthcare. Children on the other hand, have the right to grow up in an environment safe and free of exploitation and abuse. Governments are tasked with balancing individual rights against their right to manage illegal migrations. Consequently, the challenge for governments is protecting smuggled and abused persons from their exploiters and enforcing immigration laws simultaneously⁶⁸.

2.8.2 Trafficking as Slavery

As stated in the Universal Declaration of Human Rights, every person is entitled to being free of slavery and prohibits persons from engaging in slavery and any forms of slave trade⁶⁹. Even though slavery has been eradicated in the modern world, it still exists in both industrialized and developing countries in different forms. Forms may include debt bondage, child labour or sexual exploitation. Bale defines slavery as, a state characterized by the loss of free will. Trafficking violates the civil and political rights of its victims. Individuals are denied the right to be free from slave like practices and degrading treatment.

⁶⁶ Shelley, L. (2010). *Human trafficking: A global perspective*. Cambridge [UK: Cambridge University

⁶⁷ Shelley, L. (2010). *Human trafficking*, p.30

⁶⁸ Shelley, L. (2010). *Human trafficking*, p.37

⁶⁹ Gallagher, A. T., 2010. *The International Law of Human Trafficking*. P. 53

Enslaved persons either forced through violence or through threat of violence, are unable to freely sell their labour⁷⁰. Slavery exists in three dimensions, that is, the arrogation of labour, threat or use of violence, and control by a different person. Through human trafficking, people are brought into and maintained in slavery. Therefore, trafficking is not a result of slavery but rather in itself, a process of enslaving.

Traditionally, slave traders obtained their slaves through wars, raids and forced abduction whereas in trafficking victims is obtained through coercion and deception⁷¹. However, once in their final destination, trafficked victims are enslaved and prisoned through threats or use of harm or force. Slavery contributed significantly to the economies of many societies in the past. According to Bale (2005), slavery is one of the forms of trade to first become actualized as international. In the ancient societies, slavery was justified through ethnic differences among members of the society, but today it is fuelled by poverty. It has been proved to be a unique economic institution, overcoming numerous revolutions and different political structures, adapt to features of the changing world and flourishing. With this viewpoint, modern day slavery and trafficking have transformed adapting to the new world economy rapidly as it has been in the past.

2.8.3 Trafficking as a Migration Issue

Migration may either be internal or external. Internal migration involves movement of people from rural areas to urban arrears within a country's boundaries. External migration may involve movement of people from countries in transition and developing countries to industrialised countries⁷². Trafficking takes place within the perspective of migration and it may be internal or external. Immigrants, both with or without documents face the risk of being victims of sexual exploitation and trafficking. From an analysis of different data,

⁷⁰ Huda, S., & Persons, E. (2520). *Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Sigma Huda: Addendum*. Geneva: UN.

⁷¹ Aronowitz, A. A., 2009. *Human Trafficking*, p.54

⁷² Cullen-DuPont, K., 2009., P.72

trafficking is mostly committed to persons without documents. Women and children form the largest group of undocumented immigrants making them more vulnerable to trafficking⁷³. In cases where there are tight security and border patrols illegal migrants use the help of smugglers who are well placed to facilitate both sexual and labour exploitation.

2.8.4 Trafficking and Globalisation

Privatization, market liberalization and globalization, have increased the need for more income to purchase basic commodities⁷⁴. However, the local markets have failed to meet this demand prompting families to send their members in the global market place. Increased globalization has eased accessibility through the internet and television providing its users with vast information about potential and actual opportunities in big cities, neighbouring countries and other world destinations. Through globalization, there is unparalleled mobilization of low skilled and unskilled labour in labour deficit markets for domestic, manufacturing, agricultural and construction work⁷⁵. The estimated population of migrant labourers according to the ILO is at 120 million. Countries receive the largest numbers of migrant labourers include Malaysia, Saudi Arabia, the United Arab Emirates and Kuwait. Countries supplying majority of migrant labourers include the Philippines, Indonesia, Bangladesh, and Sri Lanka. Although migrant workers contribute to the economies of both the supply and receiving countries, situations can easily turn into abuse, trafficking and slavery.

Globalization is characterised by free trade, the notion of free markets, and reduced state regulation and intervention⁷⁶. Moreover, in the advocacy for globalization, it is argued that, reduced trade barriers and international regulation leads to increased investment, trade, and growth. However, these same conditions have led to the expansion of trafficking. Traffickers and different crime groups have taken advantage of the reduced regulations, lesser border controls and increased freedom to expand their network across borders and to

⁷³ ILO & UN Children's Fund, 2009, p.68

⁷⁴ Bales, K., 2005. *Understanding Global Slavery*.p.48

⁷⁵ Bales, K., 2005. *Understanding Global Slavery*.p. 49

⁷⁶ Bales, K., 2005. *Understanding Global Slavery*.p. 88

new world regions. The increased frequency of these contacts has led to their activities being done in a speedy manner.

2.8.5 Supply and Demand

In a study of human trafficking, demand for domestic labour and commercial sex is determined by social, cultural and historic issues; closely related to concerns of supply and vulnerability and that supply leads to demand⁷⁷. The existence of market in trafficked girls and women generates demand for their services.

Women are more vulnerable and in greater demand in a variety of illicit and legitimate economic sectors. The demand for women exploitation is driven by the existence of unequal power relations in male-controlled societies that objectify and sexualize women for consumption. Moreover, the demand for women is also high in domestic, nursing, food, and service sectors. Compared to men, women can easily and cheaply migrate.

2.8.6 Smuggling and Trafficking as an Illegal Market

Trafficking is viewed as a form of economic endeavour hence trafficking, smuggling, and migration are forms of business that participants' objective is to make profit. There are arguments that trafficking should be viewed as businesses acting as 'middleman' in the worldwide movement of people from their point of origin to their destination country. In this sense, trafficking networks can be taken to be business entities⁷⁸.

The growth of trafficking and smuggling can only be explained by the existence of influential market forces sustaining them. Some of the strategies that offenders use to earn money include high demand for migrant labour; strict entry requirements and diminishing legal gateways to enter destination points⁷⁹. Moreover, traffickers use these opportunities to create unlawful businesses that involve provision of fake documents, safe houses, job brokering and guided border crossings. The trafficking industry is dominated by supply factors. Illicit organisations supply their products and services to markets with the highest

⁷⁷ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.74

⁷⁸ Cullen-DuPont, K., 2009., P.76

⁷⁹ Laczko, F., 2005. Data and Research on Human Trafficking,. P.15

profits. The illegal transnational organisations have grown to become international players in businesses like drug trafficking contributing higher profits than profits from national products. The profits gained from smuggling are short term while trafficking profits are gained through long term exploitation. In smuggling, profits are generated probably before departure from country and during transportation. On the other hand, profits in trafficking can be gained before departure and during the transportation of victims but specifically through exploitation that is sexually or in other ways, upon their arrival at their destined countries.

In this way, smuggling and trafficking qualify as illicit markets in which supply and demand factors interact⁸⁰. Persons in origin countries have envisioned better lives in which they are able to support their family members. In destination countries, there exists high demand for cheap labour. As a result of this, the supply (those with ambitions of fulfilling their dreams) and the demand (those willing to risk to satisfy their needs) will never be in shortage.

2.8.7 Trafficking as a Development Issue

Majority of human trafficking victims are the socially deprived members of the society. They are characterized by poor education, unemployed and low income. The listed characteristics typify the circumstances of poor people⁸¹. However, from the data available, not all people who are trafficked from a country have the poorest background. Research on the trafficked victims helped by NGOs and international organization shows that they consistently originate from countries that have some of the poverty index for example Nepal, Mali, Moldova and Bangladesh. In the South-East Europe region, Moldova and Albania are the poorest countries and are the main source for trafficked persons. Poverty, in Central and West Africa, and rural China is a key contributing factor to human trafficking⁸².

⁸⁰ Huda, S., & Persons, E. (2520), P.87

⁸¹ Shelley, L. (2010). *Human trafficking*, p.54

⁸² Cullen-DuPont, K., 2009., P.79

2.8.8 Trafficking as an Organised Crime

Human trafficking can be viewed from different angles. It can be perceived as a violation of human rights, or as organized crime or as an indication of a corrupt system or as a sign of poverty. The United Nations Convention Against Transnational Organised Crime defines organised crime as "the commission of serious crimes, by organised criminal groups that comprise three or more persons, operating in concert for a specified time with the aim to obtain financial or material benefits"⁸³. Organized criminal groups may be tightly or loosely knitted.

Transnational human trafficking requires the operation of many individuals in an organised manner. In most cases, these individuals are in three categories, that is, recruiters at the point of origin, persons in transit countries and last persons in the country of destination.

2.8.9 A Gender Perspective

Human trafficking as a transnational crime has a higher representation in women than men, that is, as perpetrators, victims, and as activists seeking to fight this crime. As indicated in the ILO data, women are excessively the victims of human trafficking, especially trafficking for domestic slavery, sexual exploitation, and marriage⁸⁴.

Unfortunately, women too have perpetrated and facilitated human trafficking. Not only do women exploit young girls and other women in domestic servitude, but they also arrange for the trafficking of their lovers and husbands. In many parts of the world, it is often for women who have aged as commercial sex workers to recruit younger women who will be the next generation of trafficking victims⁸⁵. Usually, these women to be recruited are selected from a network of family and friends. However, their involvement may not end with recruitment as some die or are rescued. As perpetrators of trafficking, these women will train their victims, maintain control and compliance through the use of violence, and run brothels. In China, large smuggling and trafficking operations headed by women have

⁸³ Huda, S., & Persons, E. (2520), P.97

⁸⁴ ILO & UN Children's Fund, 2009, p.77

⁸⁵ NHRC, 2006. *Qatar: National Human Rights Committee Report*, s.l.: National Human Rights Committee.

led to acquisition of significant profits. The success of women in the area is attributed to their superior network skills and use of limited violence in their smuggling operations in China.

Contrary to the above, women increasingly are mobilizing awareness at regional, national, and international levels to curb human trafficking. Their crusading occurs through non-governmental organizations tasked with developing preventive programs and providing support to victims⁸⁶. Through political process, Women also advance their push for international assistance programs for combatting trafficking, developing anti-trafficking legislation both at the national and multinational levels and hence initiating an effective response by the governments to the victims and perpetrators of trafficking. As a result of their participation in the fight against human trafficking, women have been able to understand the global reach and threat of trafficking⁸⁷. Therefore, just like in the antislavery war, women are key figures in the fight against human trafficking.

Women and girls have always been victimized in many parts of the world. The greatest likelihood of trafficking occurs where women and girls are denied property rights, access to education, economic rights, and participation in the political process. Because of their low social status, women and girls are predominantly vulnerable to trafficking as there is no investment in young girls. Some societies view women as avenues that can be used to pursue a family's economic position resulting in the selling off of girls in many societies to repay a debts, provide cash for medical emergencies, or compensate for absence of revenue. According to the ILO, discrimination against women has been found to be major leading factor to trafficking in women in Asia, Africa, and Latin America.

2.9 Effects of Trafficking

Victims of trafficking face numerous physical and sexual cruelties. Suffering begins from the state of origin where victims are recruited through to their point of molestation. These

⁸⁶ Cullen-DuPont, K., 2009. *Global Issues*:p. 76

⁸⁷ Holmes, L., 2010. „Introduction:, P.47

experiences make victims suffer and endure psychological, health, and physical problems. Moreover, trafficking in persons may also have negative impacts on the states in which it occurs⁸⁸.

2.9.1 Psychological Consequences

The majority of trafficking victims suffer from psychological problems as a result of repeated cases of sexual abuses over long periods of time. These problems may include fear of physical pain, insecurity, thoughts of betrayal, depression, helplessness, guilt feelings, mistrust and lack of motive to live⁸⁹. Victims may sometimes develop complex trauma. In addition to that, a number of victims may suffer from memory loss and cognitive impairment. Some of the psychological problems include but are not limited to domestic violence, sexual abuse, gang rape or forced prostitution. Although it has the same characteristics as Post-Traumatic Stress Disorder (PTSD), psychology researchers in their report, argue that complex trauma is expansive in terms of diagnosis because victims undergo and endure prolonged trauma.

2.9.2 Health Consequences

Just as it is with victims of torture, victims of human trafficking have no control over themselves during these experiences. Trafficked victims have little or no access to medical and health facilities⁹⁰. Diseases and unwanted pregnancies are common health complications encountered. Due to the nature of activities, for instance engaging in unprotected sex, victims are prone to sexually transmitted diseases and HIV/AIDS. Because of this, there are high cases of HIV and AIDS among victims of human trafficking.

2.9.3 Social Consequences

The social consequences of human trafficking are vast and endured for a long time. Individuals suffering from psychological and health problems may extend these problems to their families and the community at large. Victims that die prematurely leave families

⁸⁸ Cullen-DuPont, K., 2009., P.65

⁸⁹ NHRC, 2006. *Qatar*., p.28

⁹⁰ Cullen-DuPont, K., 2009., P.73

and communities suffering in the guilt of failing to protect loved ones. This in turn leads to family breaking down and divorces.

2.9.4 Economic Consequences

Although trafficking sustains the daily life of victims and supports economies through remittances, the loss outweighs the significance of the benefits obtained. Source countries with high rates of human trafficking lose greatly from the vice in terms of reduction of the human resource population⁹¹. This is made worse by the fact that the majority of the trafficked victims are youth whose contribution towards a country's economic development is greatly significant.

Human trafficking for labour exploitation negatively affects the economy as it destabilizes the normal market competition in which some employers obtain more benefits than others from the exploitation.

2.9.5 Political Consequences

Human trafficking has numerous political consequences. Corrupt public officers and border official and guards facilitate trafficking in exchange for bribes. This reduces trustworthiness, creating suspicion of the rule of law, politics and government officials. Due to trafficking, accountability of governments, the rule of law and democracy are undermined. The corruption that leads to trafficking weakens governance⁹². Outside the country of origin, trafficking is perceived as a threat to the political, social and economic domains of both the transit and destination states. Warring parties use profits accrued from human trafficking businesses in conflicting regions, help elongate conflicts. Moreover, the presence of illegal migrants and trafficked people in a state, may lead to reduced internal stability. Traffickers may pose a direct threat to national security by smuggling terrorists along with the persons they seek to exploit. For example, human trafficking in the

⁹¹ UN.GIFT Human Trafficking: An Overview. (2008). Retrieved July 20, 2015, from http://www.ungift.org/doc/knowledgehub/resource-centre/GIFT_Human_Trafficking_An_Overview_2008.pdf

⁹² Shelley, L. (2010). *Human trafficking*, p.39

European Union is considered one among the five regional security threats while in the United States, human trafficking is associated with financing terrorist activities.

2.9.5.1 Trafficking as a New Form of Authoritarianism

Authoritarianism manifests itself in trafficking as individuals are subjected to coercion and control outside their countries. It is facilitated by state officials such as customs officials, border patrol guards, security personnel and apparatus and law enforcement personnel⁹³. Their participation in this authoritarianism is for personal gain and at no time in the interests of their employers. States, have declared their opposition to trafficking by signing the UN protocol against trafficking hence outlawing trafficking.

Therefore, authoritarianism as brought about by trafficking does not emanate from the state ideologies such as communism or fascism or personal authoritarianism of a dictator. It is, however, a due to the growth of the global illegitimate economy and the growth of powerful transnational criminal groups, linked but not controlled by the states.

Ironically, victims of labour or sexual trafficking usually undergo the same experiences as those of an authoritarian state. These include lack of legal rights, a legal system that fails to protect individual, and often frequent, extreme physical and mental abuse persons. In an authoritarian society the central feature is state monopoly on forces of coercion and abuse of power to impose compliance⁹⁴. Coercion is often exercised against individuals who oppose the economic and political interests of the state. The new authoritarianism is a consequence of failure by democratic states to prioritize counter trafficking.

2.9.5.2 Trafficking and Democracy

Trafficking destroys the principal doctrines of democracy⁹⁵. In most of the industrialised countries, illegal immigrants smuggled and trafficked for labour and sexual exploitation are present everywhere. Such countries include Western Europe, Japan, the United States, Australia, and Canada. These persons are subjected to dreadful abuse by their exploiters

⁹³ Cullen-DuPont, K., 2009., P.86

⁹⁴ Laczko, F., 2005. Data and Research on Human Trafficking, p.10

⁹⁵ NHRC, 2006. *Qatar*., P.33

and are usually far from the reach of the civil justice system. These practices undermine the value of democracy. Democracies institute the rights of citizens and protection under the law, and assure human freedom. But the victims of human trafficking, basing on their status, are time and again not citizens of their countries of residence⁹⁶.

Even though all democratic countries are co-signers of the UN protocol on human trafficking, in which trafficked persons are defined as “victims”, many of these democratic states have not amended their laws to protect the rights of trafficked people. Moreover, in countries where the necessary laws have been adopted, the resources allocated and the enforcement mechanisms required to protect victims of trafficking are absent. In certain countries, victim protection is dependent upon the victim’s willingness to participate in criminal investigations against those who exploit them. Yet many states have inadequate witness protection programs for the victims⁹⁷. Moreover, these states may also lack programs to protect family members of the trafficked victims in their home countries who because to the testimony of the trafficked victim may be endangered. In democratic societies, citizens are not allowed to sell themselves into bondage. Despite this, slavery is perpetuated in the same democratic societies, because trafficked victims owe debts that under the civil legal systems that govern their daily lives are not enforceable⁹⁸. Because of this the courts and the police in democratic states cannot protect trafficking victims from the transnational enforcement networks of the international criminals. It is within this viewpoint that both the smuggled victims and trafficked persons find themselves in bondage. Persons who are smuggled have a debt resulting from their consensual relationship with their smugglers with trafficking victims also being required to repay their debt to traffickers. In some of reported cases in Nigeria, China, and other democratic

⁹⁶ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.77

⁹⁷ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.63

⁹⁸ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.81

countries, rescued victims may return to their traffickers after having been liberated from them. Such cases demonstrate how genuine these debts are to the life of the victims⁹⁹.

Democratic societies have made huge efforts to ensure workers are protected at their places of work. This involves the development of health, occupational and labour standards and policies. But by subjecting people to human trafficking, the interests and values of these societies are contradicted as workers are denied a healthy work environment. Huge discrepancies exist between the declared values of democratic societies and the daily existence of trafficked victims who labour within them.

2.9.6 Labour Consequences

Trafficking has diverse labour consequences that are usually not recognized. Intergenerational bondage prolongs exploitation. Bonded labourers may sell persons close to them to free themselves from bondage. In this view, one form of exploitation leads to another. Trafficking leads to reduced salaries, increases the accessibility of sexual services and leads to more work-related injuries¹⁰⁰. To add on, the costs resulting from this exploitative labour are rarely incurred by individual businesses profiting from it but borne by the society at large.

The financial welfare of low-income people is undermined, especially for those people who will freely sell their labour. Persons trafficked into agricultural labour, construction labour and domestic servitude reduce the salary amounts, and quality of the work environment as employers can take advantage of the cheaper and flexible workforce¹⁰¹. The ready availability of illegal workers leads to poor working conditions and low wages. Due to the poor enforcement, enslaved workers are usually left unprotected by the labour law.

⁹⁹ Kouaouci, A., 2005, p.144

¹⁰⁰ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*. p.84

¹⁰¹ UNODC, 2006b. *Trafficking in Persons*, p.56

Moreover, because of the high control of communities that exploit labour, inspectors are unable to penetrate them and inspect the vice¹⁰².

2.10 The Trafficking Business

What makes organized criminal business different from other form is their use of corruption and violence in their operations. The use of deception, coercion, violence, and corruption are features common to human trafficking businesses globally. However, an analysis of international markets reveals that entrepreneurs use different business practices in the world regions. Using economic comparisons to analyse human trafficking activities will help highlight the differences in trade and economic rates of growth. These differences in regional human trafficking are not a modern phenomenon as ancient slavery models were different in the Brazil, American colonies and Horn of Africa. As it was in the past, modern human trafficking is shaped by economic, geographic and cultural forces. In order to successfully combat human trafficking, it is important to understand the nature of these organizations; their cultures, norms and traditions¹⁰³.

The trafficking enterprises are characterized by a number of specific roles assigned to different individuals to conduct within the organization or to provide specific services: these individuals and their specific roles as follows¹⁰⁴:

- ❖ **Investors:** They provide finances to fund the operation, and manage the entire operation. The identities of these people are unlikely to be known by employees who work as daily servants in the operation, as they are protected by an organizational pyramid structure that safeguards their anonymity.
- ❖ **Recruiters:** They look for potential migrants and secure their financial pledges. These people may be members of the community and culture from which migrants are taken.
- ❖ **Transporters:** They provide assistance to the migrants in leaving their countries of origin. Departure may be through land, air, or sea.

¹⁰² Cullen-DuPont, K., 2009. *Global Issues*;, P.87

¹⁰³ UNODC, 2006a. *Trafficking in Persons*,P.63

¹⁰⁴ UN.GIFT Human Trafficking, P.25-33

- ❖ **Corrupt protectors or public officers:** They may assist traffickers in obtaining fake travel documents, and take bribes to allow the illegal entry and exit of migrants.
- ❖ **Informers:** They gather information on issues relating to border surveillance, immigration, asylum systems, and transit procedures, law enforcement activities within the source and destination countries.
- ❖ **Guides and crew members:** These are persons responsible for moving illegal immigrants from one transit point to the other and helping them enter the destination country.
- ❖ **Enforcers:** They are persons whose primary responsibility is controlling migrants and staff and for maintaining order.
- ❖ **Debt collectors:** They are situated in the destination country with the responsibility to collect fees.
- ❖ **Money launderers:** They launder the proceeds obtained from crime, concealing their origin through a series of transactions such as wires or by investing them in genuine businesses.
- ❖ **Support specialists and personnel:** Personnel may include local individuals at transit points who might provide services such as accommodation and other assistance.

2.10.1 Trafficking Groups as Criminal Enterprises

There are six different trafficking business models. The models are, the post-Soviet, Chinese, American, Balkan, Nigerian and Hispanic¹⁰⁵. They are the ideal models but not confined to region or country of origin due to the transnational aspect of the business. However, the models do not fit every criminal group within a particular area. In analysing these types, the following criteria will be included; use of brutal force and corruption, business strategies, goals and profit margins, advertising and levels of traffickers' education. Despite the geographical differences in their operation cooperation between groups may be along transit routes and destination countries¹⁰⁶.

¹⁰⁵ Laczko, F., 2005. Data and Research on Human Trafficking, p.13

¹⁰⁶ Laczko, F., 2005. Data and Research on Human Trafficking,. P.13

2.10.1.1 Natural Resource Model (Post-Soviet organized crime)

In the natural resource model, criminal groups range from individual operated crime groups to multifaceted organisations. The model is suited to conduct human trafficking for women and labour exploitation¹⁰⁷. However, the model do not operate as an integrated business as the Chinese traffickers model. The traffickers focus on short-term profits with little consideration for supply maintenance or durability of the business. This makes victims be sold like they were a readily obtainable natural resource. The business model reflects the traditional Russian trade in natural resources. These post-soviet groups are more pronounced and thrive well in Baltics, Slavic and Moldova regions. The models comprise of learned individuals, who use ex-soldiers to enforce compliance and control. These soldiers are often of Russian origins that have fought in the Yugoslavia, Chechnya, or Afghanistan wars. The soldiers employ the use of violence against resistant women withholding money or refusing to work as prostitutes.

Traffickers use fake employment agencies and advertisements. However, girls are mainly recruited from children's homes. Infants bought for adoption are acquired from children's homes, hospitals, or occasionally purchased from alcoholic parents¹⁰⁸. Children forced to work as beggars may be obtained from the streets, institutions, or in railway stations where street children and the abandoned gather. The use of web sites and the internet for advertising is extensive. The focus is on the recruitment of women for re-sale to intermediaries for sexual exploitation in lucrative markets. Most of these women are often sold off to the bordering crime group. Corruption is used at every stage of their operations, buying protection from local law enforcers, bribing border officials. The groups laundered their money through trade, disposing of off their profits through conspicuous consumption or through the purchase other commodities with rapid sales turnover such cars and rubber. This model results in much human rights violations of the victims as traffickers are not interested in having long-term profits from the women and neither do they have ties to their

¹⁰⁷ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.89

¹⁰⁸ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.90

families as it is with the Chinese traffickers' model¹⁰⁹. Efforts for repatriation often fail as the women victims are humiliated frequently by their experiences and also due to lack of adequate social support services in their home communities.

2.10.1.2 Trade and Development Model (Chinese traffickers)

The trade and development model for the Chinese traffickers is mostly used for the smuggling and trafficking men for labour exploitation. However, a small percentage of women make up the total of trafficking done by Chinese traffickers. The model operates as an integrated business from the beginning to the end. The groups record every detail of their expense including bribes that have been given and fares paid for moving between towns. The control from recruitment point to exploitation through debt bondage ensures long term profits, which are very high¹¹⁰. Significant corruption exists as officials are bribed at both the source and transit countries. This eliminates state control due to the direct implication of government officials in the trafficking networks. Bribes and other corruption costs account for the highest percentage of business' expenses as corruption is integral to every stage of the business processes. However, it is through the payment of corruption fees that traffickers are able to move large numbers of people out of Chinese territory that is tightly controlled.

Smugglers do not advertise their businesses to sell their service or recruit members. With guaranteed placement on delivery, their links provide continuous victims from source communities¹¹¹. The smuggled men work in sweatshops, restaurants and other businesses for long hours. These businesses are controlled and operated by the Chinese community in the diaspora, and their working conditions are similar to those of trafficked victims. The women and young girls are taken to work in brothels or sweatshops. Girls forced into prostitution are generally controlled from the recruitment process to their assigning to brothels. The control of the trafficked from recruitment to exploitation ensures the group

¹⁰⁹ Kouaouci, A., 2005, p.135

¹¹⁰ Kouaouci, A., 2005, p.139

¹¹¹ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.76

makes enormous and long term profits from the business. Assets are wired back home or through an underground banking system laundered through gold shops and other techniques used over time¹¹². The Chinese are trafficked and smuggled into various destination markets including Europe, United States, Australia, parts of Asia and former Soviet Union. There is less significant violence, and violations of human rights in this model compared to the post-Soviet model because smugglers and traffickers are interested in long-term profits from their victims. Moreover, smugglers often have kinship ties with their victims' families and that victims are to remain healthy to work and continue the smuggling cycle.

2.10.1.3 American Pimp Model (High consumption and small savings)

The American pimp model is only operational in the U.S and is suited for female sexual exploitation¹¹³. Pimps are traffickers born in the U.S, operating as entrepreneurs in mutually supportive but loose networks. The profits made from trafficking are significant as the trafficked American girls and women are often enslaved by the traffickers for a long time. Victims are manipulated psychologically. The most vulnerable to traffickers are young women, throw-away children or the homeless. As the majority of the trafficked are already victims of sexual abuse, traffickers use the offer of affection to recruit them. Drug and psychological manipulation ensures compliance and maintains control over victims¹¹⁴. Consequently, women are forced to surrender and be submissive relinquish to their pimps. Physical violence is used to punish defiant prostitutes. Punishment may be in the form of kicks, punches, being forced to lie naked on the floor, engage in sex with her colleague while being watched, or by locking them in a car's trunk. Some of the injuries sustained include half-broken teeth and broken bones. Tattoos may be used for young girls to show they belong to a certain pimp.

In technologically advanced states, pimps used their films to train prostitutes while supervising them. Pimps use the internet to publicize and market their services. Victims are

¹¹² UNODC, 2006b. *Trafficking in Persons*, p.54

¹¹³ Shelley, L. (2010). *Human trafficking*, p.76

¹¹⁴ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.80

controlled from recruitment to their exploitation. In this model, pimps invest little capital as women are offered a little that may result in massive expenditures¹¹⁵. The conduct of their businesses is small scale entrepreneurs cooperating within networks. In this models, there is high consumption but little saving are made. This is characteristic of the American life. A vast amount of the profits gained is spent on expensive jewellery, automobiles, and clothes.

2.10.1.4 Supermarket Trade Model (Low cost and high volume)

The supermarket model is centred on maximizing profits where a large number of people are moved, and a small amount charged for the movement of each individual. However, with increased border controls at the US-Mexican border, the cost per transit has gone high. Due to the high profit margins, drugs groups and multimember gangs have joined the human trafficking business. Traffickers take advantage of the most vulnerable members of the society such as young children, the deaf, and members from regions with the highest rate of unemployment. A majority of the impaired victims, the deaf and blind, are forced to sell drugs while the young girls are forced into prostitution. Most of the traffickers and smugglers are specialists in this trade and use the availability of large-scale supply and demand to their advantage. Both the Mexican and the American border officials' benefit from the profit gained in this business model. Corruption amongst border officials is on the rise possibly because of the huge financial benefits and close kinship ties between the American and the Mexican border officials. Apart from earning money through charged transportation costs, smugglers extort money from the victims' families threatening to physically harm the victims transported. This high cost of smuggling increases the possibility of trafficking¹¹⁶. These organizations use business card advertising. Codes and symbols only understood by Hispanic community members are used to advertise for the availability of sex services. Consequently, the Hispanic trafficking organisations have the lowest cost of advertising compared to other trafficking models. Women are required to serve up to 30 clients a day reflecting the supermarket that the group uses to make money,

¹¹⁵ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.92

¹¹⁶ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.92-96

that is, on the number of people but not the quality of service. The millions of dollars netted are laundered and invested back in Mexico farms and land. Through the model, the majority of the victims' human rights are violated with the incidence of fatalities being common. This is attributed to the little profit gained from each individual. Detection is, however, difficult as trafficking is disguised within large scale smuggling processes.

2.10.1.5 Violent Entrepreneur Model (Balkan crime groups)

The Balkan crime groups deal exclusively in the trafficking of large numbers of women. Labour trafficking is part of the group's operations. However, drug trafficking and arms smuggling is done along similar routes as human trafficking. These goods may be moved separately or simultaneously. The victims constitute large numbers of Balkan women and those sold to the Balkan crime groups from Eastern Europe and former Soviet Union. The model is opportunistic both at the source and destination countries¹¹⁷. The opportunistic nature arises in the use of the civil conflict in the 1990s and instability in the source countries to obtain women. The trafficked women were those who had lost their family members or were seized by the family as part of its blood revenge against another family. Most of the Balkan trafficking groups within the framework of a family group men control criminal organisations, even though, there are situations in which operations are headed by women. Moreover, the Balkan groups sometimes use Dutch and Belgian women to conduct daily operation of their cells across neighbouring countries. These groups supply their enslaved women to the Eastern and Western Europe. Since the market was already controlled by established groups, to market their product, these groups used extreme force to eject their competitors from markets in Great Britain and Continental Europe. This led to their model name "violent entrepreneurs"¹¹⁸.

Combating these groups is challenging as they are operated by retirees and present members of the police and other security agencies. Hence, there is substantial use of

¹¹⁷ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.97

¹¹⁸ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.97

corruption. This has incapacitated the efforts of law enforcement officials in combating trafficking in the Balkan states.

These groups make huge profits as they traffic women to some of the most lucrative and active markets globally. These profits are channelled back to families and clans of gang members either through cash couriers or money transfers. Profits may also be invested in legitimate businesses such as car rental, restaurants, taxi companies and investment in property. This model involves the use of very extreme violence against its trafficked women victims. The model relies on use of violence across all its stages of operations making it the model that seriously violates human rights. The model combines the use of extreme physical abuse of women and threats to victims' family members in countries of origin.

2.10.1.6 Traditional Slavery with Modern Technology

This model is prevalent in West Africa. In this model, criminal groups are multifaceted. Trade and trafficking in women is one of the facets. In this model, trafficking groups combine trade in women and drug trafficking in their delivery chains¹¹⁹. This trade is facilitated by the Nigerian community in diaspora, particularly in Italy, which has the largest number of enslaved women of Nigerian origin in Europe. Moreover, it is in Italy that the biggest number of Nigerian immigrant community reside. Through the diverse networks established throughout the West African region, female recruiters obtain girls and women. To force compliance and maintain control over victims, both psychological and physical pressures are used. Majority of the female recruiters are sex trafficking victims. The model combines the use of contemporary transport networks and ancient forms¹²⁰. These become very effective as it combines both sophisticated forms of modern transportation technology with the tribal methods. This model resembles the traditional form of slavery that has adapted to the modern world.

¹¹⁹ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.98

¹²⁰ Talmadge, E., 2006. *Camel racing sport of the sheiks*. P.45

In Nigeria, corruption is rampant. Hence state control of illegal activities is insignificant. Moreover, government officials are among the direct beneficiaries of this trade. Nigerian traffickers take advantage of the ineffective and corrupt administration to acquire genuine passports with incomplete information. In this model, there are substantial human rights violations. Children are left unattended in recipient countries while women are forced to work exploited in conditions that are extremely physically dangerous. No advertising is required as women are forced to be assertive and offer quality services. The profits gained are significantly higher due to the increased trend in trafficking in Europe¹²¹. Substantial financial resources are used in order to facilitate the trade. Some of the money generated from human trade is used to bribe corrupt officials and buy political influence in home country. Little amounts of the profits gained are reinvested into local crime operations of the group with family members of the trafficked victim occasionally receiving some. A big chunk of the profits made is thought to be towards other illicit activities and with some being laundered into the genuine economic sectors.

An analysis of the models shows the different ways in which profits are moved and the variance in the forms of laundering proceeds¹²².

Model 1: Chinese traffickers: Involves significant amount of capital allocated for development. Large portions returned home mainly through systems of underground banking. Investments made in infrastructure, land, hotels and homes.

Model 2: Post-Soviet group: Much of the profits gained immediately disposed of through high consumption. Part of remainder invested in other illegitimate businesses at home and in high cash turnover businesses like nightclubs, restaurants, car dealership and travel agencies. Overseas investment is in trade and property business.

Model 3: Balkan group: Most of the proceeds are used for large overseas scale investment and also in international criminal activities. Some proceeds repatriated home by use of couriers and wired transfers. At home, investments are in business such as car dealership,

¹²¹ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.117

¹²² Talmadge, E., 2006. *Camel racing sport of the sheiks*.p.106

restaurants, travel agencies, taxi companies and cafes. Proceeds also invested in illicit activities with political power.

Model 4: American Pimps. Much of the profits used to buy jewellery, clothes and automobile. Little amount saved.

Model 5: Mexican group: Proceeds sent home with investment being done in land, farms and homes.

Model 6: Nigerian group: A big percentage of profits invested laundered with other illicit proceeds and re-invested in illegal activities. Part of the profits gained returned to traffickers' home and community.

2.11 Global Patterns of Trafficking

The different trends in movement and exploitation are as a result of globalisation and trafficking in persons¹²³. Transnational human trafficking has received global attention and coverage. The focus on international human trafficking is partly due to the cooperation between destination, transit, and source countries in effort to reduce the present and future number of victims of the problem. Moreover, through cooperation the countries will be able to repatriate exploited victims and help in their integration back into the society¹²⁴. On the other hand, internal trafficking has received less attention making it difficult to detect. Countries may, therefore, underestimate it leading to a country's citizens being violated of their basic human rights.

Traditional destinations for trafficking such as United States, countries in Western Europe, Japan, Australia, and Canada receive much global attention. In these destinations, trafficking in persons is frequently linked to sexual exploitation of children and women¹²⁵. The majority of the reports received by the UNODC indicate human trafficking originates from 127 countries with destination countries which are points of exploitation totalling 137

¹²³ Talmadge, E., 2006. *Camel racing sport of the sheiks*.p. 112

¹²⁴ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.90

¹²⁵ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.91

countries¹²⁶. According to the recent United States annual Trafficking in Persons Report, 170 countries are transit routes for trafficking¹²⁷. In determining the scale of trafficking in the world, the IOM uses its data and research on trafficking in children. However, the studies provide information on certain regions of the world and fail to provide information about other parts. A large percentage of the studies were piloted in European countries at 44%, Asian-Pacific countries at 25%, Africa at 13%, America at 7% and Middle East at 1%¹²⁸. Lack of information may be due to neglect of the vice or lack of awareness in those countries.

As per the IOM's global trafficking database, the biggest source countries include the Kyrgyz Republic, Colombia, Moldova, Ukraine, Romania, Belarus, Mali, Bulgaria, and Uzbekistan. In addition to the stated countries, the UNODC adds Nigeria, China, Albania, the Russian Federation, Thailand, and Lithuania to the list of source countries. The UN identifies the following countries as key destination points; the United States, Belgium, Greece, Germany, Italy, Israel, Japan, Thailand, the Netherlands, and Turkey.

In a study, "Trafficking in persons, Global Patterns" undertaken by the UNODC, Western Africa, South Eastern and Central Europe, South-East Asia and the Commonwealth of Independent states were identified as the most common regions reported as source for trafficking in humans¹²⁹. Moreover, the study identified Turkey and countries in Western Asia, North America, and Western Europe as destination points for human trafficking.

2.12 Difficulty in Identifying Victims

There are various reasons why trafficking victims rarely seek the help of authorities. According to Farr (2005), the first cause of this trend in the inability of casualties to leave their places of work as it is forbidden or highly restricted. Victims are highly monitored as

¹²⁶ UNODC, 2006a. *Trafficking in Persons*, p.45

¹²⁷ UNODC, 2006a. *Trafficking in Persons*, p.56

¹²⁸ Laczko, F., 2005. *Data and Research on Human Trafficking*, p. 9

¹²⁹ UNODC, 2006b. *Trafficking in Persons*, P.33

they are hardly neither left alone nor allowed to contact friends and family members. In addition, victims are afraid of the implications if they inform authorities or try to escape from their situations¹³⁰. Moreover, a majority of the victims work in countries whose languages they are not familiar with. This impedes their capacity to communicate with the police or authorities. Furthermore, victims lack trust in the police force, especially, those in their home countries. Officials including immigration officers and the police have been accused of collaborating with smugglers and traffickers in the sale of persons. Farr argues that the success of trafficking depends on corrupt officials, who either receive bribes to ignore the occurrence of trafficking under their watch or are bribed to facilitate the smuggling of human cargo to different destinations¹³¹.

A second reason as to why authorities or anti-trafficking find it difficult to identify victims of trafficking is due to the physical and psychological drain victims undergo¹³². The use of violence and threat of violence suppresses any attempts of defiance to the point of discouraging any spirited efforts to seek help or escape. Besides this, victims also fear criminal conviction as a result of their efforts to seek help. Since a majority of victims usually end in their destination countries illegally, they are hesitant to contact authorities which may lead to their arrest¹³³. Consequently, the police and other anti-trafficking organizations are tasked with the responsibility of locating victims which is problematic.

Another reason for victims remaining hidden is the nature of activities victims are forced to engage in. Trafficked women and children are sexually exploited and forced into prostitution. Consequently, most of the victims working in the sex industry are prostitutes. According to Vago, (2006), besides the police making inconsistently arrests on the vice, they have also for long time viewed prostitution as a victimless crime¹³⁴.

¹³⁰ Farr, K., 2005 . *Sex trafficking*:, P.67

¹³¹ Farr, K., 2005 . *Sex trafficking: The global market in women and children*. New York: Worth.

¹³² Farr, K., 2005 . *Sex trafficking*:p.67

¹³³ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.90

¹³⁴ Vago, S., 2006. *Law and society*. 8th ed. Upper Saddle River, NJ: Prentice Hall.

The issue of consent also presents a significant challenge to the authorities in identifying victims. When it comes to immigration, police believe a majority of trafficking victims consent to their entry into destination countries illegally and accordingly justify their arrest and deportation. Aronowitz argues trafficking is often classified as smuggling of person. Even though these crimes have the same features, some aspects of the process of their actualization make them different¹³⁵. Similarities and differences between the two vices include; victims of trafficking occasionally consent to unlawful travel as do persons who pay smugglers money to be shipped into a country which they do not have legal residency. In human smuggling, individuals are not forced, coerced, or deceived, and they are at liberty to return to their home country or risk being enslaved¹³⁶. However, certain smuggling cases are quickly turned into trafficking cases if force or coercion is used against individuals' will¹³⁷.

Finally, victims may remain hidden from authorities due the organized nature of trafficking activities¹³⁸. As previously discussed, trafficking in persons involves a sequence of diverse workload. In determining the networks and its associates, authorities are required to investigate several countries. By being diverse, the networks make it harder for authorities to figure out where to start their investigations¹³⁹. The lack of training and skill by the police on how to investigate such cases just compounds the problem. Consequently, the lack of expertise on how to investigate, identify victims, and the scarcity of resources to conduct investigations contributes to traffickers continuously moving victims from one destination to another¹⁴⁰. This complicates the efforts of the police to discover and uncover the human trafficking enterprise.

¹³⁵ Kelly, L. & Regan, L., 2000. *Stopping traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK.*, London: Police Research Series.

¹³⁶ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.106

¹³⁷ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.100

¹³⁸ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.102

¹³⁹ Vago, S., 2006. *Law and society*. P.78

¹⁴⁰ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.123

The problematic nature linked to identifying trafficking in persons' victims presents more opportunities to traffickers who consider the benefits associated with and consequences of engaging in this crime¹⁴¹. It is evident that the benefits overshadow the implications of the risk of being caught is low. If traffickers continue to benefit from the vice, the rate of human trafficking activities will continue to grow. According to Cohen & Felson (1997) in order to discourage perpetrators of human trafficking from engaging in such crime, victims and potential victims should be better protected. Moreover, the community should collaborate with the police to increase vigilance for such offenders.

2.13 Combating Trafficking

Many governments, law enforcement agencies, and trafficking organizations both at the local and international levels have putting to and end forced labour, human trafficking and slavery on their agendas¹⁴². Even though these agendas are prioritised, achieving them is often a long, difficult task. One of the possible explanations for this trend is the limited number of success stories in terms of number of rescued victims and number of prosecuted offenders, compared with the estimated number of persons trafficked. For example, the Vienna Forum to Fight Human Trafficking, which was held on 13th – 15th February, 2008, in Vienna, Austria, brought together reps from international and local NGOs, researchers, government bodies, religious organizations and private sector, from 116 countries worldwide. The mission of the forum was to raise awareness on all dimensions and forms of trafficking, enable cooperation, and create new partnerships amongst participants. The forum also provided suggestions on inventive measures and instructions for future actions. A number of institutions that specialize in trafficking have been developed at the national level within countries to address the issue of trafficking. These institutions can take the form of national rapporteurs or offices such as Office to Monitor and Combat Trafficking in Persons in the US, interagency or inter-ministerial coordination for example Nigeria's National Agency for the Prohibition of Traffic in Persons and Other Related Matters, or

¹⁴¹ Vago, S., 2006. *Law and society*. 8th ed. Upper Saddle River, NJ: Prentice Hall.

¹⁴² Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.119

bodies tasked with the responsibility of coordinating service provision to trafficking victims for example the Traffic king Watch Group in the Philippines. Some countries have established prosecutorial and special law enforcement units. A number of projects and manuals have been developed to provide training to those countries that lack the required expertise to deal with trafficking. Moreover, the manual is intended to provide practical help to police, governments, judges, prosecutors, policymakers, NGOs, and other organisations.

At the global level, different organizations are active, working in collaboration with local government authorities and/or NGOs to conduct research; establish prevention campaigns; offer training to judges, prosecutors, police, and NGOs; help in the development of national action plans; or provide assistance and protection victims of trafficking¹⁴³. Some of these organisations include; the La Strada, Free the Slaves, Terredes Hommes, the Office of the High Commissioner for Human Rights (OHCHR), IOM, Save the Children, the Organization for Security and Cooperation in Europe (OSCE), the United Nations Development Fund for Women (UNIFEM), the International Centre for Migration Policy Development (ICMPD), ILO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Office on Drugs and Crime (UNODC), the United Nations High Commissioner for Refugees (UNHCR), and the United Nations Children's Fund (UNICEF). The United Nations Office for the Commission on Human Rights (UNOHCHR) and the (OSCE) are some of the organisations that have appointed a rapporteur or special representatives to fight human trafficking¹⁴⁴.

In discussing anti-trafficking, three Ps are addressed: prevention, prosecution, and protection.

2.13.1 Prevention

International and local organisations, and governments have collectively engaged in raising awareness among populations that are vulnerable to prevent at initial victimizations of

¹⁴³ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.87

¹⁴⁴ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.90

persons at risk. Moreover, increased awareness is set to improve of suspected trafficking cases. For example, Stop the trafficking is a global non-governmental drive against human trafficking. The international initiative, with more than 1000 organization as members in 50 countries, raises awareness and educates communities on trafficking¹⁴⁵. A common feature about awareness campaigns is that initiation is often at source countries as opposed to destination countries. It is necessary for awareness campaigns to target groups or individuals at risk including family members and accurately describe the recruitment methods used by traffickers. Moreover, these campaigns should explain the markets into which victims from specific regions or countries are trafficked. Prevention campaigns may include anything from TV and radio advertisements, to posters at strategic points such as airports, to education programs at learning institutions¹⁴⁶. Other strategies may include use of multi-lingual web site, films and documentaries and national hotlines.

Research should be done to assess the risk of the vulnerable within a society and identify factors promoting trafficking, be it ethnic or minority identity life experiences, or lack of knowledge and job skills. For instance, potential migrants should know their human rights and be able to verify the accuracy of marriage or job offerings.

Since majority of the trafficking victims are those from disadvantaged, marginalized and poor countries, prevention measures should include more permanent measures. This may include providing income generating opportunities and activities, education, job training, and the necessary tools. Moreover, governments in destination countries should regulate labour markets and those into which victims are trafficked. They include traditional markets such as brothels, massage parlours, karaoke bars, and nightclubs and non-traditional markets including agricultural, construction, hotels, restaurants and fishing industries.

¹⁴⁵ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.105

¹⁴⁶ Vago, S., 2006. *Law and society*.p. 87

2.13.1.1 International Law and Human Rights

A number of legal frameworks have been formulated both at the internationally to control trafficking¹⁴⁷. The laws provide norms and standards that have been agreed upon by all countries globally. Some of these international laws laid down include:

- ❖ The 1979 Convention on Elimination of All kinds of Discrimination against Women. CEDAW provides the basis for which countries can realize equality between men and women. This can be achieved by ensuring women have equal access to, and obtain equal opportunities. Through the implementation of the Convention, countries agree to take proper measures to prevent all forms of trafficking in women and their exploitation.
- ❖ The 1986 Declaration of Legal and Social Principles involving the Protection and Welfare of Children, with Special Orientation to Foster Placement and Adoption, Nationally and Internationally¹⁴⁸. This declaration calls for the establishment of policies and enactment of laws. Specifically, these policies and legislation should cater for the prevention of abduction and any other activities that illegally place children.
- ❖ The 1989 Convention on Rights of the Child. This convention emphasizes the need for the protection of the child's rights. It calls for continued improvement in a peaceful and secure manner globally.
- ❖ The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The protocol promotes the idea that in order to abolish child prostitution, sale of children, and child pornography, there is need to adopt a holistic approach and the factors contributing to occurrence of the vices¹⁴⁹.
- ❖ The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children. The protocol calls for an all-inclusive international approach that would lead to prevention and elimination of child trafficking especially in children and women in source, transit and destination countries.

¹⁴⁷ NHRC, 2006. *Qatar*:, P.53

¹⁴⁸ NHRC, 2006. *Qatar*: P.52

¹⁴⁹ NHRC, 2006. *Qatar*: P.34

- ❖ The SAARC Convention on Prevention and Combating Trafficking in Children. The protocol recognizes the essence of active cooperation between regions to prevent trafficking for purposes of a successful investigation, detection, prosecution and punishment of persons responsible¹⁵⁰.

2.13.2 Prosecution

Victims are often reluctant to cooperate with enforcement officers during investigations. The police are then forced to use other means to obtain evidence against human traffickers. The use of telephone taps is particularly difficult as traffickers rotate phones and numbers or dispose of phones after using them and interpreters often required to translate taped conversations¹⁵¹. To successfully investigate and arrest traffickers, there should be coordination among the local, regional and international law enforcement agencies.

Training law enforcement officers is important to strengthen their response to trafficking. In this sense, several international organizations have developed training modules for the law enforcement officers. The “Toolkit to Combat Trafficking in Persons” developed by the United Nations Office on Drugs and Crime, (UNODC) provides a practical help to policymakers, governments, NGOs, police, and other agencies through “best practices”. The United Nations Development Program, (UNDP) in collaboration with the International Centre for Migration Policy Development, (ICMPD) developed a comprehensive training order that targets specific groups on how to use their “Law Enforcement Manual for Combating Trafficking in Human Beings”¹⁵². The Organization for Security and Cooperation in Europe, (OSCE) with members in 57 states from Central Asia to Europe and North America provides law enforcement training and assessment needs. The UNODC in collaboration with the Government of India, published a “Compendium on Best Practices on Anti-Child trafficking by Law Enforcement Agencies”, that outlines best methodologies on preventing trafficking, investigating and prosecuting traffickers, and

¹⁵⁰ NHRC, 2006. *Qatar*: P. 35

¹⁵¹ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.106

¹⁵² UNODC, 2006a. *Trafficking in Persons, Global Patterns*, P.64

protecting victims. However, current reliable data relating to criminal justice system response to child trafficking are unavailable.

2.13.3 Protection

Victims may be offered assistance in their home countries as well as at destination countries. Strategies to assist victims aim at reintegrating and safely returning them into their homes or communities. However, this is not an easy task as sometimes victims may be reluctant to return to their homes. These decisions may be influenced by victims' rejection by their families, inadequate psychological and medical services, shame and stigmatisation, fear or reprisals and lack of employment and education opportunities at their homes¹⁵³. Situations involving young children may be complicated since some of them may have run away from their homes due to sexual or physical abuses or they were sold by their parents into slavery. Hence, returning a child home to its parents may not be a sustainable option. Due to the severe trauma suffered, rescued victims need to be given time to heal and consider their options. Normally, rescued victims are provided with physically safe and secure environments to recover. During this time, victims should be given medical care, shelter, legal and psychological support¹⁵⁴. This should be independent on whether the victims will cooperate with the authorities.

¹⁵³ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.89

¹⁵⁴ Aronowitz, A. A., 2009. *Human Trafficking, Human Misery*.p.99

CHAPTER THREE

METHODOLOGY

3.0 Overview

The chapter presents the methodology of the study; this will be followed by the study limitations.

3.1 Research Methodology

It is not easy to obtaining accurate, measurable data on trafficking incidences in source, transit and destination is difficult due to the ‘ghost-like’ nature of the trafficked victims. The clandestine nature of trafficking also contributes to the elusiveness and difficulty in tracking, validation, and documentation of incidences. In addition, there are a lot of concerns raised regarding the definition of human trafficking, whether there are differences between voluntary and forced trafficking, exploitation and contradictions in findings making it difficult for researchers to obtain precise information they seek to obtain¹⁵⁵. Therefore, the study employed the use of desktop research, utilising mainly secondary data sources for data collection. Information was obtained from government and non-government institutions, international and national legal instruments, journals, books, electronic sources and reports.

Based on the collected data, the following themes for analysis and answered issues raised in the study were used: general information on human trafficking, exploitation in work, camel jockey riders, and victims of the crime, government initiatives taken to address challenges, aid and attention provided by international organisations and human rights groups. The study provides a specific case study of the State of Qatar to help the reader develop a personal link to the subject and give him/her a profounder understanding of human trafficking. The research discusses the abolition of child camel jockeys in the State of Qatar and the initiatives taken by the government to stop trafficking.

¹⁵⁵ HUMAN TRAFFICKING Monitoring and Evaluation of International Projects Are Limited, but Experts Suggest Improvements. (2007). [Online] Available at: http://pdf.usaid.gov/pdf_docs/Pcaab621.pdf [Accessed on 19 July 2015]

3.2 Limitations

This study relied on secondary sources for data collection. Therefore it was limited to analyse only the number of variables investigated by governmental, nongovernmental and private institutions handling trafficking problems.

If the study had used interviews and questionnaires to collect data, more current, reliable data would have been obtained.

CHAPTER FOUR

DISCUSSION

4.0 Overview

This chapter presents the discussion of the study. It discusses trafficking in the Gulf region, highlighting the different forms in which it occurs. The chapter continues to examine the factors that contribute to the occurrence of trafficking and the initiatives taken by the governments and other organisations to stop trafficking in the region.

4.1 Human Trafficking in the Gulf Region

The US Department of State Trafficking in Persons Report of 2011 places one of the Gulf States in Tier 2 Watch List. Its government therefore, was accused that it did not entirely conform to the minimum standards of the 2000 US government's Victims of Trafficking and Violence Protection Act. However, the States government is making substantial efforts to eliminate trafficking.

According to the UNODC, trafficking is a significant problem in the region. According to the United States Trafficking in Persons Report, almost all persons were taken by force or cheated of gifts before they were taken away. Later, they were made slaves to work in involuntary debt bondage or servitude¹⁵⁶. Some states have grown to become hubs of trafficking with reference to the high number of trafficked victims that are estimated to move into the area as migrant workers¹⁵⁷. Since the 1970s, Gulf States have heavily relied on foreign labour. The rise and dependence on foreign labour was synonymous with the boom in oil and gas in the 1970s that led to the massive development of industrial infrastructure in countries in the Gulf Cooperation Council¹⁵⁸. In order to build an industrial base and construct a developed economy, countries in the GCC required more skilled labour than the countries could domestically supply. Consequently, to solve the labour

¹⁵⁶ UNODC, 2009. *Global Report on Trafficking in Persons*, Vienna: UNODC.

¹⁵⁷ Kouaouci, A., 2005, P.65

¹⁵⁸ Kouaouci, A., 2005. *Labour Migration in the Gulf System*, p.136.

imbalances, political leaders opted for labour migration¹⁵⁹. Labour were therefore usually voluntarily carried away from India, Nepal, Bangladesh, Indonesia, Ethiopia, Sudan, Jordan, Morocco, Thailand, Sri Lanka, Vietnam, the Philippines, Syria, Tunisia, Pakistan, Nigeria, Kenya, Burma, Egypt, and China into the region to search for the benefits they heard of¹⁶⁰. While in the country, they were required to work in the construction sector, service industry, material production, and domestic service¹⁶¹. Some workers were exploited in various ways¹⁶². However, the extent of their subjection is not well known. Some countries are used as a transit for victims of trafficking. Workers destined for one country are passed through another country and taken to work forcefully in farms, where they may face conditions as suggestive involuntary servitude including confiscation of papers, threats of physical violence, psychological abuse, restricted freedom of movement, threat of deportation and legal action, arbitrary detention, job switching, and withholding of pay. Their share of the trafficking problem was unbearable as most of them did not clearly understand what they were going through¹⁶³.

4.2 Perceived Causes of Trafficking

4.2.1 The Sponsorship System

Workers entering the GCC countries are recruited under the sponsorship system. In this system, the official work visas and residency permits of the workers are solely obtained and held by the sponsor. The sponsor assumes full economic and legal responsibility of the worker not more than two years¹⁶⁴. Recruitment agencies in the home countries of workers who fall victims of trafficking have played an important role in obtaining them and

¹⁵⁹ Kouaouci, A., 2005. Labour Migration in the Gulf System, p.139

¹⁶⁰ US Department of State, 2012. *2012 Trafficking in Persons Report-Qatar*. [Online] Available at: www.refworld.org/docid/4fe30c9ec.html [Accessed 27 April 2015]

¹⁶¹ Kouaouci, A., 2005. Labour Migration in the Gulf System, p.141.

¹⁶² US Department of State, 2012.

¹⁶³ US Department of State, 2012

¹⁶⁴ NHRC, 2006. *Qatar: National Human Rights Committee Report*, s.l.: National Human Rights Committee.

transporting them to the GCC countries. These agencies further deceive and exploit by promising non-existent benefits. Employers are alleged to paying the recruitment fees and later passing the fees on to their workers. According to the organization Migrant Rights, because of the financial investment employers made, they take the workers as personal property. With such perceptions, sponsors justify their abusive and mistreatment¹⁶⁵. Consequently, no one can take legal action against most of the people found committing crimes involving trafficking. Moreover, the workers usually don't take legal actions due to fear of retaliation, lengthy process of the alternatives or absence of knowledge of their legal rights¹⁶⁶. The US 2014 TIP report indicates that under the restrictive sponsorship system, sponsors/employers have the autonomous power¹⁶⁷ to cancel residency permits, reject requests made on behalf of the workers to change employers, and decline to give them permission to exit the country¹⁶⁸. Since the sponsor is usually the employer, workers are restricted to only work for a single sponsor¹⁶⁹ leaving them entirely dependent on their employers' will to change employment and sponsorship, stay in the country, or obtain exit visas¹⁷⁰. Since sponsors are usually respected members of the society, in situations of work-related conflicts employees are less likely to file successfully a complaint against them and obtain a resolution in their favour¹⁷¹.

Under the sponsorship system, workers who are victims of trafficking face numerous challenges¹⁷². Some of the problems posed by the system to workers in forced labour in the country include: poor working and living conditions such as withholding of salaries, denial

¹⁶⁵ NHRC, 2006. *Qatar*, p. 21

¹⁶⁶ Kovessy, P., 2014. *US downgrades Qatar for insufficient efforts to tackle human trafficking*. [Online] [Accessed 27 May 2015].

¹⁶⁷ US Department of State, 2008. *The Facts About Children Trafficked For Use As Camel Jockeys*. [Online] Available at: <http://2001-2009.state.gov/g/tip/rls/fs/2005/50940.htm> [Accessed 1 June 2015].

¹⁶⁸ Kovessy, P., 2014. *US downgrades Qatar*, p.4

¹⁶⁹ NHRC, 2006. *Qatar*:,p.12

¹⁷⁰ US Department of State, 2008, p. 6

¹⁷¹ NHRC, 2006. *Qatar*:,p.19

¹⁷² US Department of State, 2008, p. 8

of minimum wages, long working hours, congested and unclean camps; fatalities and accidents experienced by workers due to lack of safety at the workplace^{173,174,175}. While lack of protection of workers by the sponsorship, many of the experienced challenges stem from the worker's source country, as deceitful recruitment agencies take advantage of the economic situations of the worker¹⁷⁶.

4.3 Combating Trafficking

4.3.1. Initiatives taken by the Government of the State of Qatar to Combat Trafficking

In 2014, the State of Qatar confirmed its commitment to combatting human trafficking. This came out in a speech by the Permanent Representative of the State of Qatar to the UN Office in Geneva delivered before the Human Rights Council on the interactive dialogue with the exceptional Rapporteur on trafficking in persons. These efforts will include both legislative level, institutional and awareness levels¹⁷⁷.

According to H.E Mr. Faisal bin Abdullah Al Henzab, Qatar's Permanent Representative to the UN Office in Geneva, the government of the State of Qatar has taken several important legislative measures to combat trafficking¹⁷⁸. The government enacted Law No. (15) 2011 on combating trafficking in persons, strengthening the anti-human trafficking national legal system. The law criminalises all practises included in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons' definition of human trafficking including the implied meaning of rules in this law. Through this, the government aims to establish a legal and procedural system for monitoring illegal migration and human trafficking, and ensure protection of witnesses and victims of human trafficking¹⁷⁹.

¹⁷³ NHRC, 2006. *Qatar*:,p.20

¹⁷⁴ US Department of State, 2008, p. 9

¹⁷⁵ Kouaouci, A., 2005. *Labour Migration in the Gulf System*, p.142

¹⁷⁶ Kouaouci, A., 2005. *Labour Migration in the Gulf System*, p.144

¹⁷⁷ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.7

¹⁷⁸ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.8

¹⁷⁹ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.9

To prevent impunity of human trafficking perpetrators from punishment and apply the principle of victim non-criminalisation, Al Henzab indicates that, the government of the State of Qatar has laid down a security and criminal integrated system that will be used to prevent, control, and expose human trafficking crimes so as to achieve deterrence goals¹⁸⁰. This will ensure confrontation and limitation of trafficking in persons, and stop impunity of perpetrators from punishment, criminal and civil accountability.

The Representative of the UN Office at Geneva also pointed out that the State's effort to combat trafficking in persons intensified through the implementation of the national action plan to fight trafficking in persons for the years 2010-2015. The federal action includes a series of statutory, research and awareness, and capacity building procedures.

To promote international cooperation in the fight against human trafficking, the State of Qatar adopted the Arab initiative to shape national capabilities within the Arab countries to contribute to the enhancement of the international efforts to combat trafficking¹⁸¹. Al Henzab pointed out that the government of the State of Qatar committed itself to incur the total costs of the initiative amounting to (\$ 6 million). In implementing the project, the State of Qatar has partnered with Qatar Foundation for Protection and Social Rehabilitation, the Arab League, and the United Nations Office on Drugs and Crime. The aims of the initiative are to: build capacity of national leaders working in different areas that deal with eliminating trafficking in persons in the Arab region such as the prosecution, immigration and border exists, international cooperation, labour administration, labour recruitment, officials in charge of shelters and humane care centres for victims of human trafficking, civil society institutions, and those responsible for law enforcement agencies and criminal justice systems; identification of human trafficking victims, addressing their circumstances, returning them to their countries of origin or their rehabilitation centres,

¹⁸⁰ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.11

¹⁸¹ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.14

and providing them with protection, assistance and care¹⁸². Of importance will be putting into consideration the gender and special needs of the victims such as children and women.

4.3.1.1 Protection and Prevention

According to the National Human Rights Committee of Qatar (2010), the government of the State of Qatar has taken several steps in the protection and prevention of violence especially against women, girls and the disabled. In 2002, the government established the National Human Rights Commission (NHRC). The NHRC safeguards and consolidates the human rights for every individual subject to the State jurisdiction¹⁸³. The Ritz-Carlton Doha shaped the World's largest Cake Sculpture for the QFCHT to promote its awareness.

Hamad Medical Corporation adopted various policies to reinforce the response of the health system towards violence against women. The policy and procedures deal with sexual harassment, sexual assault, illegal pregnancy, treating pregnant women, care of vulnerable patients, and domestic violence.

In 2002 The Qatar Foundation for Child and Women Protection was established. In 2007, the Foundation opened an office at the Emergency and Accidents Department of Hamad General Hospital. In 2005 The Qatar Foundation for Combating Child trafficking was founded¹⁸⁴.

Placement of hotlines in the Qatar Foundation for Combating Human Trafficking, the Qatar Foundation for Child and Women Protection, and National Commission for Human Rights, opens the channels to receive cases and reports of persons subjected to violence¹⁸⁵. On the other hand, the Family Guidance Centre's hotline, provides advice to families and marriage related issues.

¹⁸² US Department of State, 2012. *2012 Trafficking in Persons Report*, p.11

¹⁸³ NHRC, 2006. *Qatar*:,p.15

¹⁸⁴ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.10

¹⁸⁵ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.9

4.3.1.2 Prosecution and Punishment

Institutions headed by the Government, the National Commission on Human Rights, and other civil societies, provide continuous training workshops and courses to enhance the impact of the Convention on Elimination of all Forms of Discrimination against Women and the Convention concerning disabled persons to increase awareness of its provisions and train law enforcers, lawyers, and journalists.

4.3.1.3 Rehabilitation and Social Reintegration

In 2003, the Qatari House for Lodging and Human Care was established to house victims subjected to human trafficking, providing them with protection and care¹⁸⁶. Also, the Dar Al-Aman was founded in 2007, providing housing to children and women exposed to violence. While the Dar Al-Aman is affiliated with the Qatar Foundation for the Protection of children and women, the Qatari House for Lodging and Human Care is affiliated with the Qatar Foundation for Combating Human Trafficking. In 2009, the Ministry of Interior opened a special office to handle cases of violence against women and domestic violence. Superior to other traditional frameworks, the office provides educational, psychological, and social support to victims¹⁸⁷.

Barwa which is a contracting agency in the State of Qatar, constructed a residential place for labourers referred to as Barwa Al Baraha (Workers City). The project which was estimated to cost \$1.1 billion is an integrated City in the country's industrial area. The camps provide sensible living standards as stipulated by the new Human Rights Legislation. In addition to providing a living space per person, the camp also provides the labourers with a service and recreational area¹⁸⁸.

¹⁸⁶ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.7

¹⁸⁷ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.8

¹⁸⁸ Bowman, D., 2008. "Qatar to build \$1.1bn laborer city". [Online] [Accessed 27 May 2015].

4.3.2 International Laws and Organisations

The international community uses international laws and organisations to stop and prevent trafficking in persons globally. In the State of Qatar, some of the international treaties and laws working to prevent trafficking in persons include: the Universal Declaration of Human Rights and the Convention on the Rights of the Child¹⁸⁹. The International Organisation for Migration, International Labour Organisation, and the United Nations are some of the international organisations also working to stop trafficking in persons in the State.

4.4. Case Study

4.4.1 Children as Jockeys for Camel Races in the State of Qatar

Camel racing has existed in the Arab world for thousands of years. In the Gulf States, camel racing is a professional traditional sport and it attracts tourists¹⁹⁰. The competition used child jockeys to ride and direct the camels during the race. Small children from poor Asian and African countries were illegally brought into Qatar, trained and later used as jockeys. Children aged as little as four years were used to race the camels¹⁹¹. A majority of these children originated from Sudan and sold to traffickers by poverty stricken, desperate parents or abducted by employment agents who smuggle them into the country. In order to enable the camels to run faster, camel owners favoured using small jockeys. Consequently, custodians kept the children undernourished so as to keep their weights down¹⁹². Children also incurred serious injuries as they were strapped on the camels during the race or even death due to falling of the camel.

Due to international condemnation of the use of human jockeys, the State of Qatar banned the use of child jockeys¹⁹³. In 2005, The Emir of the State of Qatar Sheikh Hamad Bin

¹⁸⁹ US Department of State, 2012. *2012 Trafficking in Persons Report*, p.3

¹⁹⁰ Talmadge, E., 2006. *Camel racing sport of the sheiks*. [Online] [Accessed 29 April 2015].

¹⁹¹ Talmadge, E., 2006. *Camel racing sport of the sheiks*, p.2

¹⁹² Talmadge, E., 2006. *Camel racing sport of the sheiks*, p.3

¹⁹³ Al-Issawi, T., 2005. "Qatar to use robots as camel riders". [Online] [Accessed 29 April 2015]

Khalifa Al-Thani banned the use of child jockeys in camel racing and in 2007, directed that robot jockeys would be used in all camel races¹⁹⁴.

4.4.1.1 Abolition of Child Camel Jockeys in the State of Qatar

In 1993, the State of Qatar announced a ban on the use of child jockeys under the age of 15 years and below 100 lbs.¹⁹⁵. However, the law was generally ignored as in the mid-1999; Qatar's authorities freed many children who had been held captive by a camel racing circuit.

The International Labour Organization (ILO) and United Nations Children's Emergency Fund (UNICEF) are committed to support the efforts of the State of Qatar and other GCC countries in combating the use of child jockeys¹⁹⁶. The use of child jockeys in camel racing was banned in 2005 and was indicated illegal for children under the age of 15 and with less than 45 kg to ride camels in camel racing¹⁹⁷. Medical committees were set up in order to examine every potential child jockey to ascertain their age as stated in their passports and examine their medical fitness¹⁹⁸.

Consequently, camel owners were required to return all children not meeting the minimum requirements for a camel jockey to their home countries¹⁹⁹. In addition, the use of a series of penalties was announced for persons found guilty of breaking these new laws. Persons found guilty of committing the offence for the first time, would have to pay a fine²⁰⁰. For persons convicted of the crime for a second time, the offender would be barred from taking

¹⁹⁴ Al-Issawi, T., 2005, p.4

¹⁹⁵ Gluckman, R., n.d. *Death in Dubai*. [Online] Available at: <http://www.gluckman.com/camelracing.html> [Accessed 27 May 2015].

¹⁹⁶ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*. [Online] Available at: http://www.khaleejtimes.com/DisplayArticle.asp?xfile=data/theuae/2005/May/theuae_May691.xml§ion=theuae [Accessed 1 June 2015].

¹⁹⁷ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.22

¹⁹⁸ US Department of State, 2008, p.43

¹⁹⁹ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.51

²⁰⁰ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.52

part in any camel races for a period of not less than a year²⁰¹. Persons found guilty of the offence for the third and subsequent offences, different terms of the sentence would be imposed²⁰².

The Ministry of Interior was tasked with the implementation of the new rules. The ministry would work with local municipalities in the State²⁰³. On the other hand, the State's airports are required to ensure that no child below the age of 16 years suspected of being brought into the country to work as a camel jockey is allowed entrance²⁰⁴.

4.4.1.2 Integration and Repatriation of Children

In November 2005, Sheikh Hamad bin Jassim bin Faisal al-Thani, Chairman of the organizing committee of camel racing, established a centre that would be used to oversee efforts and measures taken to ban importing, hiring and training of minors in Camel races²⁰⁵. The centre has the capacity to accommodate 500 children, providing them with food, clean clothing, proper medical care, better education, and a safe shelter. After a period of 4 months, these children are repatriated back to their original home countries. However, on returning to their ancestral home, a majority of these children face difficulties in fitting back into the society because of the extreme emotional and physical abuse they have gone through. Consequently, as a result of lack of employment opportunities or money to educate them at their homes, some parents return these children to the state of Qatar where they work on farms or as camel jockey trainers²⁰⁶.

Since a majority of child jockeys originate from Pakistan and Bangladesh, in 2005, UNICEF initiated a program in Pakistan of repatriating and providing the children with

²⁰¹ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.53

²⁰² Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.55

²⁰³ Wam, 2005. *UAE enforces stringent steps to eradicate child jockeys*, p.57

²⁰⁴ US Department of State, 2008, p.43

²⁰⁵ UNICEF, 2006. *Starting Over: Children Return Home from Camel Racing*, Dubai: The United Nations Children's Fund.

²⁰⁶ Lillie, M., 2013. *Camel Jockeys in the Qatar*, p.18,

vocational training to facilitate their successful transition back into the society²⁰⁷. According to UNICEF, the government agreed to give US\$ 1000 to every child. This money would go towards a child fund established in their respective countries. The funds would be used to educate the children, for transportation and vocational training²⁰⁸. In addition, these funds covered integration and rehabilitation costs through which children obtained food, clothing, and temporary shelter.

Tracing family members of the rescued children was a hard task to accomplish. In cases where investigations were not complex, investigators used residence permits, travel documents, telephone numbers, and bank accounts²⁰⁹.

4.5 Multinational Efforts on Combating Trafficking

The use of the 2000 Trafficking Victims Protection Act is a tool to combat human trafficking²¹⁰. Several conventions and Acts ban the trafficking of minors to be used as jockeys for camel racing. These conventions include the UN Supplementary Convention on Abolition of Slavery, Slave Trade, and Institutions and Practices related to Slavery and the ILO Convention 182²¹¹.

4.5.1 UNICEF Report on Abolition of Child Camel Jockeys

4.5.1.1 Comparison of Prevention Mechanisms in Affected Countries

Countries including Bangladesh, Mauritania, Pakistan, and Sudan which form a majority of the most affected countries, have legislations in place that prohibit the use of child jockeys in camel racing²¹². These countries have strengthened their legislations and policies that prohibit trafficking and exploitation of minors for use as jockeys in camel racing. Moreover, these laws and policies protect and provide assistance to young victims. The

²⁰⁷ Lillie, M., 2013. *Camel Jockeys in the Qatar*, p.9

²⁰⁸ UNICEF, 2006, 39

²⁰⁹ UNICEF, 2006, 64

²¹⁰ US Department of State, 2008, p.32

²¹¹ US Department of State, 2008, p. 31

²¹² Aronowitz, A. A., 2009. *Human Trafficking, Human Misery: The global trade in human beings*. USA: Greenwood Publishing Group West Port

initiatives undertaken by these countries arise from national and regional partnership, with countries working in cooperation to protect children and families²¹³.

❖ **Bangladesh**

The country obtains guidance and operational support from government officials, non-governmental organisations and various international organizations²¹⁴. These institutions ensure that children rescued by the Committee of Children Involved in Camel Racing are successfully repatriated, rehabilitated and reintegrated into the community. Moreover, Community Care Committees in collaboration with local governments and the police provide support to children and their relations as well as monitor their progress²¹⁵. State authorities require parents of repatriated children to sign a pledge that prohibits them from sending their children away again.

❖ **Mauritania**

The government enacted legislation that prohibits trafficking in persons. In addition to the law, there was an endorsement of a new Children's Code that protects the welfare of minors in the country²¹⁶. In the country, even though there is no signing of an official document, it is mandatory for parents to pledge to not send their kids away²¹⁷. Consequently, parents of the repatriated children meet with government officials and must orally pledge they will never send their children away again.

❖ **Pakistan**

The government monitors and combats trafficking in persons in the country through the use of committee that is headed by government ministry²¹⁸. Much of the committee's activities are centred in the Punjab province where there are high incidences of child trafficking. Some of the committees include the national and regional steering committees on prevention of human trafficking. Through these committees, law enforcement agencies are

²¹³ UNICEF, 2006, p.49

²¹⁴ UNICEF, 2006, p.63

²¹⁵ UNICEF, 2006, p.53

²¹⁶ UNICEF, 2006, p.69

²¹⁷ UNICEF, 2006, p.70

²¹⁸ UNICEF, 2006, p.71

trained to ensure the provision of efficient services that safeguard the rights of children at both exit and entry points to the country²¹⁹. Integrative programmes were developed to engage parents and all the community members in an effort to processes that would lead to improved healthcare, better schooling, provision of vocational training and income generating opportunities. These efforts aim at minimizing the occurrence of trafficking in the future. On a similar note, the government of Pakistan also requires the parents of the successfully repatriated children to sign a pledge committing themselves to not sending or selling their children to traffickers again²²⁰.

❖ **Sudan**

The government receives recommendations from the National Committee on Trafficking on how to strengthen policy, legislation, and procedure. The committee consists of representatives from UNICEF, government ministries, and non-governmental organizations²²¹. The recommendations forwarded include: tightening regulations for procedures of acquisition of visas and passports, raising the age requirements for working visas to the age of 18 years, and verification of the age of all young people who apply to obtain overseas working visas by a medical committee headed by the police²²².

4.5.1.1 Integration of Rescued Child Jockeys into the Community

According to the UNICEF (2006) report, different countries have set up a mechanism that manage the taking in and reintegration of children into the communities and reuniting them with their respective families²²³.

❖ **Bangladesh**

The Ministry of Home Affairs oversaw the repatriation, reintegration and rehabilitation of children into the community. On the other hand, two local NGOs that are the Dhaka Ahsania Mission and the Bangladesh National Women Lawyers Association traced the

²¹⁹ UNICEF, 2006, p.72

²²⁰ UNICEF, 2006, p.74

²²¹ UNICEF, 2006, p.92

²²² UNICEF, 2006, p.97

²²³ UNICEF, 2006, p.98

family members of the children and offered transit care²²⁴. During their stay in the shelter home, children were provided with medical care, legal assistance, psychosocial support, and language training to a majority of children who were unable to speak Bangla²²⁵. Community Care Committees oversaw the integration process. The committee consisted of family members, local government, neighbours, teachers, and NGO representatives. The funds given were strictly for the support of the children. The committee was, therefore, responsible for assessing the needs of each child and plan for the use of the funds.

❖ **Pakistan**

The government of Pakistan is directly coordinated the tracing and the reintegration of children through the Child Protection and Welfare Bureau in the country²²⁶. A majority of the rescued children were identified to come from Rahim Yar Khan and the neighbouring localities of the Punjab Province. These children were taken to child protection institutions that take care of the neglected and destitute children²²⁷. At these institutions, children were given medical examination, educated and used various recreational facilities available and were supervised by psychologists.

The 2004 Punjab Destitute and Neglected Children Act requires that parents of children at these institutions appear before the Child Protection Court with a letter verifying they are parents to the children before been given legal custody of their children²²⁸. Once reunited with their parents, the families are entitled to reintegration benefits including vocational training of the child, cash grants of US\$ 10 per month for successful training or school attendance²²⁹. In addition, children obtained bicycles for their transportation. In the Rahim Yar Khan District, community-based integrated programmes were started to provide

²²⁴ UNICEF, 2006, p.99

²²⁵ UNICEF, 2006, p.101

²²⁶ UNICEF, 2006, p.103

²²⁷ UNICEF, 2006, p.104

²²⁸ UNICEF, 2006, p.105

²²⁹ UNICEF, 2006, p.106

assistance in improving the livelihoods of residents hence preventing the occurrence of trafficking in the future²³⁰.

❖ **United Arab Emirates (UAE)**

The United Arab Emirates has taken various measures to address the issue of child jockeys. There have been campaigns of raising community awareness on the other forms of child rights abuses in the country²³¹. The first human rights association in the country was formed and registered in 2006 as an autonomous NGO under the Ministry of Social Affairs. The purpose of the NGO was to address issues relating to human rights abuses in the country. In Abu Dhabi, a more authoritative Committee for Family Affairs was formed to strengthen the functioning and roles of NGOs and other agencies that were interested in issues relating to implementation of child rights²³². Through these projects, a majority of issues affecting children were handled. Discussions involved violation of child rights in homes and schools and the necessary steps required to stop them²³³.

❖ **Sudan**

In Sudan, the process of reintegration and reuniting children with their families was quick and less complicated²³⁴. A majority of the camel jockeys were repatriated before the implementation of the 2005 law. Children from the Rashayda tribe formed a majority of children involved in camel racing. As part of their heritage, the Rashayda tribe organised camel racing during traditional festivals²³⁵. A majority of the children had travelled with their fathers to the GCC countries where they were placed to work on camel farm. Hence, most families knew the location of their children²³⁶. With the announcement of the ban on the use of children as jockeys, community members took their children from farms in preparation to take them back home. Tribal leaders were responsible for transit care, tracing

²³⁰ UNICEF, 2006, p.108

²³¹ UNICEF, 2006, p.109

²³² UNICEF, 2006, p.110

²³³ UNICEF, 2006, p.111

²³⁴ UNICEF, 2006, p.112

²³⁵ UNICEF, 2006, p.113

²³⁶ UNICEF, 2006, p.115

of family members and their reunification²³⁷. These leaders used Rashayda community networks to contact parents both in Sudan and in the GCC countries. The Rashayda community leaders living in Khartoum provided shelter to the repatriated children.

❖ **Mauritania**

There were a few children from Mauritania, who worked as jockeys²³⁸. The reintegrate process was coordinated by a committee established by the government. However, a judicial official verified that family member had been identified before a child was repatriated²³⁹.

²³⁷ UNICEF, 2006, p.116

²³⁸ UNICEF, 2006, p.117

²³⁹ UNICEF, 2006, p.120

CHAPTER FIVE

CONCLUSION AND RECOMMENDATIONS

5.0 Overview

This chapter concludes the study by providing a summary and recommendations. The summary and recommendations relate to the discussion in chapter four.

5.1 Conclusion

Trafficking in Persons is one of the oldest crimes that have grown exponentially over the past decades to become one of the leading crimes in the contemporary human society. This unforgivable crime affects millions of men, women and children. Trafficking in persons is a crime that can occur within a country's borders and across international borders. The global patterns of trafficking indicate that the crime is driven by both pulls and push factors including political and economic instability in various parts of the world, culture, globalization, and feminization of poverty. Due to the adverse impacts of trafficking to individuals and countries at large, different organisations, including governments, international organizations and NGOs have launched efforts to combat trafficking in persons.

Despite extremely relying on a high proportion of foreign workers to meet the countries' labour-intensive needs, it is important to enact fully laws that will protect the rights of its workers. There is a need for the legislation and implementation of reforms in the sponsorship system that allows marginalization and discrimination of workers. Reforms such as restructuring policies to prevent sponsors/employers from withholding migrant workers' travel papers and allowing workers to change voluntarily employers will have immense positive impact. Workers will not only be less likely to reach the illegal status, but will be able to fill in other labour needs and better provide remittances to their home countries.

On a similar note, the use of the national and international law by institutions that protect the rights of workers will help to address the underlying issues of labour exploitation and human trafficking.

5.2 Recommendations

The recommendations provided in this study are in reference to both the source and the destination countries of migrant workers. There should be greater cooperation at the regional and multilateral levels to facilitate proper development and implementation of a comprehensive migration policy that has its basis in human rights. Moreover, such agreements should incorporate and conform to the established human rights guidelines and treaties on migrants.

Cooperation between source and destination countries can be enhanced through the scrutiny and monitoring of recruitment agencies. Through this, problems relating to documentation and debts will be minimised. As suggested by the Human Rights Watch (2008b), destination countries and source countries should meet on a regular basis to discuss this particular issue. Besides the establishment of mechanisms for independent monitoring of recruitment agencies, these countries may conduct impromptu inspections and visits to the institutions.

Destination countries should be more aggressive in its role of ensuring compliance with the existing labour laws in the country. Since some countries lack trade unions, protection of worker interests is vested in the government and various human rights organisations. Currently, the rights and interests of migrant workers in some destination countries are protected by respective embassies in the country. The embassies provide assistance to employees during difficult moments. Hence, there is a need to enforce laws through enhanced control, monitoring, and inspection of all firms throughout the country. There is also a need to provide adequate resources that will be used to handle worker issues.

Another mandate is to include the provision of training on job performance by source countries. Training should not only focus on the high-skilled workers, but also on low-

skilled labourers. Training programs should include job performance and safety issues at the workplace to reduce accidents and fatalities at places of work.

In addition, provision of knowledge and skill training of potential migrant workers that are set to travel to a country will have a great positive impact. Through guidance and provision of information to migrant workers on personal rights and creation of platforms for discussion around issues of perception towards migrant workers, human rights organizations can initiate the necessary course towards creating a safe and inclusive setting for workers.

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ABSTRACT

Human trafficking has developed to become a global crime of the 21st century. However, not all nations on the globe recognise it as a crime. Men, women, and children are subjected to practices suggestive of exploitation and debt bondage in many countries across the world. The global nature of trafficking has made it difficult for nations outlawing the vice to effectively stop it, challenging the efforts of international, non-governmental, and governmental organisations to police it.

The aim of the study is to discuss the occurrence and the perceived causes of trafficking in the Gulf region, and the various initiatives taken by different stakeholders including governments and international organisations to combat the crime.

The study further highlights the efforts to combat trafficking with a particular focus on child trafficking for camel races. The abolition of child trafficking as camel jockeys in the State of Qatar is discussed to provide the reader with a profounder understanding of trafficking, hence helping him/her develop a personal link to the subject. Policy recommendations are presented.

As a conclusion, the study may serve as a guideline to assist both source and destination countries in taking the most appropriate measures to protect the rights of victims.

Due to the covert nature of the subject, it was difficult to collect quantitative data from personal interviews and questionnaires. The study used information generated from government, and academic reports; studies conducted by international, inter-governmental and non-governmental, organizations; media and general literature.

ZUSAMMENFASSUNG

Menschenhandel hat sich im 21. Jahrhundert zu einem weltweiten Verbrechen entwickelt. Nichtsdestotrotz erkennen nicht alle Nationen Menschenhandel als ein Verbrechen an. Männer, Frauen und Kinder werden in vielen Ländern der Welt zu ausbeuterischen Tätigkeiten und in Schuldenfallen getrieben. Es liegt in der Natur des Menschenhandels, die es dem Gesetz schwer machen, es effektiv zu bekämpfen, und Anstrengungen von internationalen, Nichtregierungs- und Regierungsorganisationen erschweren.

Das Ziel der vorliegenden Arbeit ist es das Auftreten und die wahrgenommenen Ursachen des Menschenhandels in der Golfregion, sowie auch die verschiedenen Initiativen, die von verschiedenen Interessengruppen, darunter Regierungen und internationale Organisationen, die die Kriminalität bekämpfen, zu diskutieren.

Weiters werden die Anstrengungen zur Bekämpfung von Menschenhandel mit einem speziellen Fokus auf Kinderhandel für Kamelrennen erörtert. Die Abschaffung von Handeln mit Kindern als Kamel jockeys in Qatar wird dargestellt, um den LeserInnen ein tieferes Verständnis von Menschenhandel zu vermitteln. Empfehlungen für die Gesetzgebung werden präsentiert.

Die Studie dient als Richtlinie für Herkunfts- und Zielländern, um die best möglichen Massnahmen zum Schutz der von Opfern zu garantieren.

Aufgrund der schwerzugänglichen Thematik können quantitativen Daten aus persönlichen Interviews und Fragebogen schwer generiert werden. Die Informationen für diese Arbeit wurden aus Regierungsberichten, akademischen Berichten, von internationalen Nichtregierungs- und Regierungsorganisationen durchgeführten Studien, Medien und Literatur entnommen.

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