Trafficking in Persons: An Introduction to the Global Situation

Katherine Welch, M.D.
Learning Objectives
Participants will learn:

• Understand definitions, stages, and forms of trafficking in persons (TIP)
• Discuss perspectives of migration, prostitution, legal, and health issues of international TIP
• Discuss current trends and issues in the global trafficking situation
Trafficking is the new slavery

“Faceless, temporary, highly profitable, legally concealed, and completely ruthless”

- Kevin Bales
Definition

- Palermo Protocol\(^2\) UN 2000 is the most widely accepted definition among governing bodies and international organizations.
- Defines trafficking as an “act of recruiting, transporting, transferring, harboring or receiving a person through a use of force, coercion or other means, for the purpose of exploiting them for benefit or gain.”
- The Palermo Protocol defines trafficking, but does not legally bind countries to a code of law.
Three Key Components

1. Movement or confinement,
2. Removing personal agency,
3. For financial profit or other gain
Important Considerations

- TIP victims need not leave his/her home town to be trafficked
- TIP victims may have consented to work but became enslaved afterward
- TIP victims may have participated in a crime as a direct result of being trafficked
- TIP victims may have been born into servitude
Definition: Child Trafficking

Child = any person under 18 years of age
Does NOT require proof of force, fraud or coercion

Any child in a slave-like situation for the purpose of exploitation is considered trafficked!

- Includes child soldiering, child pornography, child labor and commercial sexual exploitation

Source: Palermo Protocol\textsuperscript{2} UN 2000
Definition – International Issues

Problem:
- Palermo Protocol defines trafficking, but does not create law
- Countries use different definitions and tracking mechanisms

“It is extremely difficult to come up with a universal yardstick by which ‘exploitation’ can be measured”³

“Just how deceived (does) a worker have to be about the nature and terms of the employment prior to migrating before s/he can properly be described as a ‘victim’ of trafficking?”⁴

Many worksites have varying kinds of abuse and exploitation with slave-like conditions, but may not meet the strict definition of trafficking
What trafficking is NOT

• Smuggling is voluntarily paying someone to illegally take you across an international border. You’re technically free after the crossing.
  – A smuggled person is at risk of being trafficked

• Prostitution – inextricably linked to sex trafficking, but technically not the same
  – Not all prostituted people are trafficked
  – Trafficking occurs when deceived into prostitution or maintained by coercion
Smuggling vs. Trafficking

Many people get confused with the differences, particularly as it applies to migration and labor. Here is a simple comparison:

<table>
<thead>
<tr>
<th><strong>Illegal Smuggling:</strong></th>
<th>** Trafficking:**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Movement required</td>
<td>Doesn’t require movement</td>
</tr>
<tr>
<td>Illegal border crossing</td>
<td>Border crossing not necessary</td>
</tr>
<tr>
<td>Once in the new country…person is free</td>
<td>Once in the new country…under the control of the trafficker</td>
</tr>
</tbody>
</table>
The Numbers

- Forced labor is the most common form of trafficking, although sex trafficking gets much more attention.
- Differing laws between countries and lack of international standards regarding data makes collecting and comparing statistics problematic.
- Many organizations, including US State Dept, are now hesitant to report numbers.
  - Global estimates are controversial and range from 21 to 36 million people.
- “61% of those living in modern slavery are in five countries: India, China, Pakistan, Uzbekistan, and Russia.”

Stop Human Trafficking
Forms of trafficking

• Forced labor
• Debt bondage: Traffickers or recruiters unlawfully exploit an initial debt the worker may have assumed as employment terms
  – Debts may be transferred through generations
• Sex trafficking: specifically for exploitation for sexual services or pornography
• Forced child labor, child soldiers, child sex trafficking
• Forced marriages
• Involuntary domestic service
Where does it happen?

• TIP is widespread globally

• Countries may be a source, transit, and/or destination for trafficked people
Trafficking of foreign nationals into the USA⁷

• USA is a source, transit, and destination country
• Victims of human trafficking in the US arrive from almost every country in the world.
• Trafficking Victims Protection Act 2000 allows international victims to apply for immigration relief
What puts someone at risk?

- Migrant worker
- Impoverished
- Minority group
- Physical or mental disability
What puts someone at risk?

- Refugee, Internally Displaced Person, statelessness
- Victim of humanitarian crisis: natural disasters, armed conflicts, etc.
Aspects of TIP experiences

Integration/re-integration

Pre-departure

Transit and Travel

Destination

Detention, deportation, criminal investigation
Aspects of Human Trafficking

Health issues and intervention opportunities exist at all aspects and stages

• Pre-departure: baseline poor health
• Travel & transit: accidents, crowded & unsafe means
• Destination: occupational health hazards
• Detention: neglect of health problems, abuse by authorities, withholding care unless complicit in legal proceedings
• Integration/re-integration: chronic physical and mental health problems, lack of health care, return to same problematic situation as prior to being trafficked
Intersection of Health and TIP

- Health professionals are on the front-lines for identifying TIP victims and can be strong advocates for victims and their rights
- Health consequences involve a full range of diseases and physical and emotional symptoms
- Mental health problems are a leading contributor to morbidity among trafficking victims
- Community health and efforts to attain Sustainable Development Goals (SDG) may be hampered by consequences of human trafficking

- SDG Target 16.2 specifically lists ending TIP by 2030
Vignette: A Generational Cycle

• Guneet is a 10 year old Indian girl who lives with mother, older sister, younger brother in the slum area Kamtipura (Mumbai). Her mother has had to prostitute herself following death of husband, losing all legal status and rights.

• Her older sister has already been taken away by pimps. Her brother wants to stay in school, but is having problems academically and socially.

• Guneet is also trying to stay in school, but her mother is facing economic pressures and virgins get a higher price…
Consider:

- The risk factors of the toxic environment, poverty, caste discrimination, lack of school, and adequate child protection all factor against Guneet’s freedom.
- That she doesn’t have to leave her birthplace to be a trafficked person.
- Children of trafficked/prostituted women are often overlooked in intervention strategies.
Migration & Trafficking

- Migration and trafficking are linked
  - vulnerable people choose to migrate and may find themselves caught in slavery

- **Exploitation** is the underlying problem - not migration
  - Focusing on someone’s movement misdirects the problem and resources

- Issues of finance, law enforcement, politics, and systemic injustice all factor in to risks and solutions

- Abuses of contracts, hazardous conditions to not necessarily mean a laborer is trafficked
Migration: Push-Pull Factors

- **PULL**: factors that attract people to a certain place
  - Economic opportunities
  - Demand for cheap goods/labor/sex
  - Migrant workers’ willingness to take undesirable jobs

- **PUSH**: factors that encourage people to leave
  - Poverty and global economic policies
  - Humanitarian crisis
  - Gender-based pressures (e.g. economic, familial, societal)
Vignette – Something’s Fishy

- In July 2015 the Guardian reported on the Rohingya migrants being trafficked onto Thai fishing boats.
- “So profitable is the trade in slaves that some local fishermen in Thailand have been converting their boats to carry Rohingya migrants instead of fish”
- Some migrants were taken directly from immigration detention center and sold onto Thai fishing boats.
Consider:

- Risk factors of fishermen and issues that enable the traffickers
- Law enforcement issues
- Health needs of the fishermen and how might you address them in that situation

Photo credit EU NavFor
Women & Trafficking

- “more and more people including young women are on the move, at a time when changing patterns of production and consumption are in turn affecting demand for labor… trafficking of girls & women often follows the same route as legitimate migration…”
- Women are often disadvantaged due to lower educational, economic, and social status
- Some laws punish would be legitimate migrants such as prohibiting women (single and/or young) from emigrating, forcing them to migrate less safely
- Fewer women are identified as victims (as we identify men as a greater percentage)
- More women are identified as perpetrators
Men and Trafficking

• Increasing number of identified victims are male\(^5\).
  – We are doing better at identifying them as trafficked people rather than illegal migrants

• Issues of identification and aftercare are different from women
  – but few organizations address them

• Men are trafficked in all forms: labor, sex work, domestic service, etc.
Prostitution & Trafficking

• Inextricably linked, but not the same thing
• Legitimizing sex work implies the “seller” (man or woman) has full personal agency and choice in the matter. Trafficking by definition is when a person’s agency has been taken away.
• Someone who consents to prostitution may end up being trafficked; a trafficked person may end up staying in prostitution by choice
• People trafficked for labor are also at risk for sexual violence as part of their “job”
Prostitution & Trafficking

• Decriminalization/attempts at regulation do not demonstrate outcomes hoped
  – does not limit trafficking
  – does not prevent violence
  – does not lessen demand

• Prostituted people are not criminals; legalization won’t legitimize them as people

• Teens arrested for prostitution should be treated as victims of trafficking and sexual assault, not as criminals
Child Trafficking Global Issues

• Definitions and laws vary, so statistics not reflective of scope
  – Emancipation age varies
  – Many countries do not accept UN definition of a child

• Difficult to differentiate a child TIP victim from migrant, homeless or one who is a victim of other form of exploitation and abuse
  – More children are migrating with and without families and may be misidentified as victims of TIP

• Child soldiering includes any child forced to work in any capacity (e.g. as a cook) with a militarized organization, legitimate or not
Demand

• No one (or almost no one) says, “I want to take advantage of a slave today”.
• We want cheap goods and services and globalization enables blind consumers.
• Cultural norms: demand of locals for sex often exceeds demands by foreigners.
• Gender discrimination plays into societal norms of exploitation.
Abike’s Story: Employment False Promises\textsuperscript{10}

- Abike from Nigeria graduated from University and then had two kids with her husband Adam.
- Adam worked in Europe and Abike lived with her in-laws until one day they beat her, kicked her out, and kept her children.
- She then found a job as a nanny in the UK but once she reached London, was forced into prostitution and to take pills everyday.
Abike’s Story

• One day the back door was left unlocked and she escaped but then spent a week sleeping on the streets with no food or shelter
• Abike was arrested after being found with a fake ID that was given to her
• After spending a year in prison she was released when a lawyer proved that she was trafficked
• Subsequently was given asylum and reunited with her children
Consider:

• Abike, like millions of women around the world, was willing to suffer dire consequences to care for her children.

• Abike has gone from being abandoned, to being enslaved, to being imprisoned all the meanwhile her health needs are not being addressed.

• Family and compatriots both abused and exploited her, leaving her with no one she can trust or talk with. This mistrust carries forward towards those who intend to help her.
Trafficking Prevention

- Community awareness actions needed at local, national, and global levels
  - MUST hit root causes
  - Bondage and incarceration
  - Economic exploitation
  - Gender discrimination
  - Exploitation of children

- Issues vary between and within countries, and according to population characteristics - gender, age, ethnicity

- Reduce PULL: fair migration laws WITH enforcement
- Reduce PUSH: holistic community development, poverty alleviation
Trafficking Prevention

By improving and enforcing transparency, fair trade and labor laws, governments can change economic policies that perpetuate slavery.

“By acknowledging and addressing its own ‘slavery footprint,’… government procurement of goods made and services provided on the backs of forced laborers… each government can drastically shift the economic policies that perpetuate modern slavery.”¹¹
Prevention strategies

• Vocational alternatives
  – Elementary and secondary education
  – Microcredit or microfinance schemes are helpful
  – Vocational training/retraining

• Heavier prosecution and penalties and targeting notorious businesses
  – e.g. Sweden recognized the inequality of the “business” of buying sex and made it illegal
  – Increased transparency in commodity supply chains
Global Trends

- Increased globalization increases risk and opportunities
- Increasing attention to improve transparency within global supply chains
- Increasing international cooperation to focus on typical routes and methods of traffickers
- Increasing legislation addressing migration and buying sexual services
- International victims may be rapidly deported - easier to deal with immigration infringements than investigating & prosecuting trafficking cases
Global Gaps

- Identification of traffickers & victims remains difficult.
- Need better protection for rescued victims – “aftercare facilities” can feel like being in prison
- Legal loopholes, anemic laws, and lack of advocacy create gaps for traffickers to operate.
- Need effective protection laws for migrant workers
- Need greater health care involvement in all aspects of trafficking
- Need more research across all disciplines to develop effective and informed interventions
Now what? Getting involved

- Educate yourself – these modules are a great start!
  - Read TIP Report, books, articles, manuals, etc
- Educate others – health care colleagues, local law enforcement, church and community groups
- Read about the situation in your area – what is happening locally and how can you help?
- Are you interested in another spot on the globe? – read about that country!
Roles of health care professionals:

*Caring for TIP victims involves much more than just clinical care*

We must understand unique concerns, issues, and health problems of survivors

- Prevention
- Identification
- Research
- Training
- Advocacy
- Multi-disciplinary care
Health and TIP

• Prevention: Economic and health-related community development can reduce vulnerability

• Training: Health care workers around the world need to be informed about the aspects of trafficking
  – Unique access and opportunities for intervention
  – Improving ability for identification

• Research: development of evidence-based interventions

• Advocacy
  – Credible position in society makes recommendations from health care workers carry extra weight
Health Risks of Human Trafficking

- Trafficking trauma is prolonged and repetitive, setting it apart from single traumatic events.
- Few data are available on the full nature of health risks or global disease burden.

Risk factors for poor health:
- Poor health condition prior to trafficking
- Crowded & unsanitary living conditions
- Lack of access to health professionals
- Growth and development problems in children
- Prolonged, repeated physical, mental, emotional trauma
- Poor nutrition
- Social/cultural isolation & restriction
Clinical Care: potential barriers

• Lack of knowledge about health needs by physicians, social workers, and law enforcement
• Lack of proper specialists (forensics, mental health, interpreters)
• Complex social and legal situation; cross-disciplinary cooperation crucial
• Long-term healing, chronic care, and follow up necessary, but survivor may be moved around, leading to intermittent health care
• Payment/cost issues
Conclusion

• Global issues are large and complicated, but local actions can make a huge difference.
• Health professionals play a key role in preventing human trafficking as well as helping those affected.
• Understanding the global issues affecting your local community will delineate interventions to fight human trafficking.
References


5. Global Slavery Index 2014.


Post Test –
Your success in gaining knowledge through this module is important to us. To measure what you have learned, click on the following link and take a brief self evaluation:

https://www.surveymonkey.com/r/PZ9C6Z2

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