

STATUS OF HUMAN TRAFFICKING AS MODERN DAY SLAVERY IN SOUTH ASIA

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Abstract

Human trafficking is one of the major crimes in the world after trafficking in arms and drugs and one of the fastest growing criminal enterprises because it holds relatively low risk with high profit potential. Causes that contribute to human trafficking are commonly believed to be related to poverty, globalization and economic disparities among countries. Human trafficking is the modern equivalent to slavery. It presents a dangerous threat to the human rights and human dignity of many people each year. To understand Human Trafficking and Modern Day Slavery. To understand how different conflict between SAARC Countries which fuels Human Trafficking, the study has been designed. It is a qualitative descriptive analysis of secondary information. It is simply a literature review of status of human trafficking as modern day slavery in South Asia.

Keywords: Human Trafficking, Modern Day Slavery, SAARC

Background

Modern day slavery means forcing any peoples to do work without his/her will. The work is according to the interest of the owner and only for the profit. At present large number of active agencies which are illegal used to organize this modern day slavery crime. Human Trafficking play a big role in the case of Modern Day Slavery or in other words Slavery is the result of Human Trafficking. In today's condition if we look in South Asia different types of slavery are present like Food Chain Slaves, Sex slaves, Bonded Slaves, Child Slaves, Bridal Slaves, Prison Slaves. Human Trafficking is a modern-day form of slavery involving the illegal trade of people for exploitation and commercial gain. Every year, millions of men, women, and children are trafficked from South Asian Countries to Gulf countries and even within the south Asian countries. Mass human displacement from the areas which have been experiencing harshness in climatic conditions, or those which have witnessed long- unbearable never ending wars and internal insurgencies, have lead increase in trafficking (Bhardwaj, 2010). People are tempted to visit by cultural attraction but hosts offers brothels (Badal, 2019)

In 21st century still some people are born in such a family who used to live their life as a bonded labour in South Asia. All the trafficked victims are forced to live a miserable life and under the supervision of his/her master/owner. Sometime traffickers used to kidnap the individuals and before

being sold they are kept for exploitation. Victims are exploited by various means like through 'forced marriage', unpaid labour on fishing boats/industries, or as domestic workers/servant. Others are tricked and lured into situations they cannot escape, with false promises of a good job or an education. Modern Today some militant group are also using trafficked children in their military for doing destruction anywhere because tracing of the children in these field is a hard work. The chain of modern slavery is well organized which create a tough job for the police men in their investigation. Traffickers are well trained and at every steps new traffickers used to carry the victims. The trafficking of girls from Nepal into India for forced prostitution is perhaps one of the busiest slave trafficking routes anywhere in the world, with estimated 5,000-10,000 Nepali women and girls trafficked to India each year (Koirala, Banskota, & Khadka, 2004). In this paper I examine what is the status and types of slavery in South Asia by analyzing the Global Slavery Index and Trafficking in Person report and also what are the problems are present between SAARC countries in the implementation of SAARC convention.

Introduction

The countries which come in South Asia are Afghanistan, India, Pakistan, Bangladesh, Sri Lanka, Nepal, Bhutan and Maldives. In south Asian countries a modern form of slavery, called human trafficking appears to be more vulnerable and has become a significant crime in the world after drugs and arms. In macro-level economic and social changes that are altering marketing traditions and labor requirements (Evans & Bhattarai, 2000). Since South Asian countries have formulated policies; mutual and regional agreements to combat human trafficking but due to their internal conflict, Non-Cooperation, lack of research, lack of updated data this crime go on. Human trafficking is of many types like sexual exploitation on commercial basis, debt bondages or forced work, child labour etc. Human trafficking becomes a profitable business in the world because the trafficked person is sold on daily basis and it is a Trans-National nature. About 50 percent of Nepal's female sex workers have previously worked in Mumbai and more than 200,000 Nepalese girls are involved in the Indian sex trade (Joshi, 2010).

In Human Trafficking human beings are treated as commodities to be bought and sold, and to be put to forced labour. Trafficking usually for the sex slavery or sex industry but now its trend changes like in the agricultural sector, entertainment sector, in hotels and restaurants etc. In 21st century this Human Trafficking becomes a biggest crime in the world and this South Asia emerging as a hub of it. This Human Trafficking leads to Modern Day Slavery because trafficked victim one trap in any work he/she can't able to make him/her self-free and in other word we can say they started to work as slave in that work and we can say this is the result of Human Trafficking which termed as Modern Day Slavery. There is a clear link between the broader migration phenomenon and

trafficking in persons (Simkhada, 2008).

Traffickers use different techniques for the trafficking of any individuals. Only for the money traffickers use to sell all the human values and at every stage victims are sold at very high prices to other individuals and make traffickers huge profits. The United Nations estimates that the trafficking of women and children for CSE in Asia has victimized over 30 million people. Human Trafficking is a human rights violation and is reported by the United Nations to be the fastest growing form of transnational organized crime. Global Slavery Index 2013-15 and Trafficking in Persons Report, 2013 to 2015 indicates that human trafficking is becoming a severe problem in this case and in South Asia the problem is keeping on increasing.

To tackle this problem a good relation between the SAARC countries should be there and strong implementation of law which focuses on combating Human Trafficking should be followed by all SAARC countries then and only we can break the chain of Modern Day Slavery. As we look on the TIP report 2013 to 2015 we can find the position of all SAARC countries almost remain same except Afghanistan, Pakistan, and the Maldives. From this report I concluded that all SAARC countries' condition is pathetic and there are no any extra activities going on to combat Modern Day Slavery. Similarly, we found in the report of Global Slavery Report 2013 to 2014 and it shows that South Asia becomes a hub of slavery and India becomes a capital of it because it tops among all SAARC countries in the rank of Global Slavery Index.

Objectives

1. To understand Human Trafficking and Modern Day Slavery
2. To understand how different conflict between SAARC Countries which fuels Human Trafficking.
3. To examine the position of SAARC Countries in last 2 reports of Global Slavery Index and 3 TIP Report.

Methodology

This study is based on review of reports which is mainly based on analytical approach. The causes and consequences of human trafficking have been explained from interdisciplinary view point. It incorporates data from reports, which shows the position of SAARC Countries in the problem of slavery. Most of the data has been collected from secondary sources such as books, journals, magazines, newspaper etc. In this paper I have analyzed the data of 3 years of trafficking in person, global slavery index and ILO reports.

Human Trafficking

A comprehensive definition of trafficking is given by the UN Palermo Protocol to Prevent, Suppress

and Punish Trafficking in Persons, especially Women and Children, 2000. It encompasses three things, namely: Activities that constitute human trafficking (recruitment, transportation, harboring, receipt of persons), Means being used (force, coercion, abduction, fraud, deception, abuse of power or position of vulnerability) and Purpose, which is exploitation (prostitution of others, sexual exploitation, forced labor or services, slavery or practices similar to slavery). According to SAARC convention “trafficking is defined as the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations, with or without the consent of the person subjected to trafficking.

Human Trafficking is a profitable business for the traffickers and in a few time traffickers used to earn huge amount of money. United Nation representing an estimated \$32 billion per year in international trade, compared to the estimated annual \$650 billion for all illegal international trade” of money generated by the traffickers. Sometimes unsafe migration also leads to trafficking of the individuals because the victim used to migrate to another place for the job and without knowing anything used to work in any firms and do the signature or hand impression on any type of agreement without knowing the truth. It includes: an overview of trafficking patterns and specific information on reported cases of trafficking in persons, victims, and prosecutions (Datta, 2005).

Modern Slavery

Why Human Trafficking also termed as a Modern form of slavery? Simple in Human Trafficking victim from our society get trafficked by his/her known person by giving false promise, luring or force and then he/she get to sell in such sector from where that trafficker can make more profit. After that, that trafficked victim become a slave of the owner and used to perform all the activities which order by his/her boss. Many studies in the past revealed that the conflict induced inflows of women and girls to urban area to increase the commercial sexual exploitation and thus internal trafficking too (Kaufman & Crawford, 2011). In modern slavery, the different practices which are performed are debt bondage, forced or servile marriage, sale or exploitation of children and sex-based slavery etc. According to the 2013 US Trafficking in Persons Report 46,570 victims of human trafficking were officially identified in 2012, there were only 7,705 prosecutions, and 4,750 convictions recorded globally, but in reality millions of people who are trapped are not able to walk away and even sometimes their family also live their life generation after generation which termed as debt bondage. It is not possible to “consent” to trafficking. International human rights law has always recognized that the intrinsic inalienability of personal (Hennink & Simkhada, 2004).

Forms/Dimensions of Human Trafficking

The individual one get trap in this case their life get miserable because victim gets a transfer from

one owner's hand to other's. There are different forms of trafficking are present in the society. The categorization of trafficking takes place only on the basis of the motive of trafficking or crime. Some of the forms of human trafficking are mentioned below and some of them explained also: Sex Trafficking for Sexual Exploitation, Labour Trafficking for Forced Labour/debt bondage/domestic labour, Organ Trafficking for the body parts organ, Child Trafficking for child labour or for different exploitation, trafficking for Hair and Spa salons, and Trafficking for Club dancing. These processes are influenced by macro-level economic and social changes that are altering marketing traditions and labor requirements (Evans & Bhattarai, 2000). The following points are borrowed by (ibid) as above.

Forced Labor

The victim who are trapped in the chain of trafficking, they are forced to work in different sectors. These labour have to work under the pressure of the owner. Labor has now any right to do work on his/her choice and such labour are termed as forced labour. These labour migrate or go with the trafficker on the promise of job because these labour are poor and leave their native place because of crime, political conflict, discrimination, corruption, or cultural exclusion. Male victims are forced into industries and female victims are forced to in domestic servitude, as a prostitute etc.

Sex Trafficking

Earlier human trafficking is known sex trafficking because traffickers used to traffic only female victims only for the prostitution. In sex trafficking female are lure by their close relative for the good and better life style in big cities and once the female gets trap they never come back to her earlier life. In 21st century the trend of sex trafficking has changed. Now it involves adolescence boy for the child pornography and providing child to the tourist for the sex.

Bonded Labor

Another name of bonded labour is debt labour. In Hindi, we can say *Bandua Majduri* and this is a very common practice of slavery in India. In bonded labour a family used to work generation after generation under a signal owner only because of their ancestral family had taken some advance and he was unable to return back to the owner. Now that basic money and the interest makes all the generation to work as bonded in under the influence of owner. The Palermo Protocol calls for its criminalization as a form of trafficking in persons.

Domestic Servants

In South Asia due to lack of economic development and poverty poor people used to work as a servant in a rich family at very less payment. Sometimes rich people used to buy them from their

parents on the name of that they will provide him/her good food, clothes, school etc. but the fact is that domestic worker is exploited by the family members. Investigators and service providers report many cases of untreated illnesses and, tragically, widespread sexual abuse, which in some cases may be symptoms of a situation of involuntary servitude.

Child Labor

According to SAARC convention 2002, “Child” means a person who has not attained the age of 18 years. The problem of Child Labour in South Asia is largest as compared in the world. In South Asia children are engage in different forms of works against the interest and safety of the children. These children are transferred from one owner to other owner because the output and efficiency of the children is much more than the adult labour. In India maximum children are used in the carpet industries only because little finger moves very quickly in manufacturing of the carpets.

Child Soldiers

This is the new type of problem which South Asia is facing and mainly in the Pakistan and Afghanistan countries. Child soldiering can be a treated as a result of human trafficking. In Child Soldiers trafficked children are illegally and forcefully appointed by the militants in their army. They are recruited in their army for different purpose like for smuggling of drugs and doing blast at any place. Some time they are also recruited for the labor or sexual exploitation by armed forces. Both male and female child soldiers are recruited in their army.

Global Slavery Index

The Global Slavery Index is a type of indexing of all the countries on the basis of the present number of the individuals in slavery and used to present all the indexing in a form of a report. The Index helps countries and citizens to understand their strengths and challenges in addressing modern slavery and to build sound policies for combating them. As we see in the chart which I had created after reading the Global Slavery Index report, we will find that the rank of all South Asian countries under 100 in 2014 and it means that the condition of SAARC countries is very critical in the slavery context. India is at the top in the SAARC countries.

Table 1 Global Slavery Index

SAARC Countries	GSI 2013	GSI 2014	GSI 2016
India	4	5	4
Pakistan	3	6	6
Nepal	5	20	13
Afghanistan	58	62	6

Bangladesh	71	59	10
Sri Lanka	118	92	42
Bhutan	NA	NA	NA
Maldives	NA	NA	NA

(Source: Global Slavery Index)

Trafficking in persons

“Trafficking in persons” and “human trafficking” have been used as umbrella terms for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion.

Causes of Human Trafficking

General Causes of Human Trafficking are listed below as: Push and pull factors, Gender Discrimination, Lack of resources, Lack of human and social capital, Commoditization of women, Social exclusion, Inadequate and outdated state policies, Corruption, Migration policies, Conflict, Lack of awareness, Globalization, Nexus of police and traffickers, Cheap child labour and Domestic violence.

Other Reasons for Human Trafficking in South Asia.

Internal Migration (Trafficking within Nepal)

It has been found that as many of the Nepalese have been internally displaced in the course of the long-running internal conflict from rural to urban areas. Most of the reports show that internal displacement is caused by the direct or indirect action of illegal armed groups or clashes between groups.

Lucrative Urban Life Style

Forced urban displacement constitutes another form of human trafficking. Urban displacement been recognized as a problem Moreover, only members of the affected communities were aware of urban displacement because denouncing it provoked direct threats from the perpetrators.

Sex Industry at Tourism Sites.

A large number of displaced women in the Nepal become displaced only due to sexual violence. Due to the conflict there, male members were killed and after that woman who are forced to assume all family responsibilities. Women (and children) are trafficked or forced due to the conditions in which they live to become prostitutes in domestic sex tourism industry fueled by foreign visitors, or become forced laborers in manufacturing and agriculture production. Women and children are

most vulnerable to be trafficked.

Conflict due to Regionalism

Conflict is a disagreement within a group when the beliefs or actions of one or more members of the group are either resisted by or unacceptable to one or more members of another group. Conflict can arise between members of the same group, known as intergroup conflict, or it can occur between members of two or more groups, and involve violence, interpersonal discord, and psychological tension, known as intergroup conflict. In SAARC countries there are so many internal conflicts. These conflict may be due their international boundaries, competitions, and non-cooperation between them like in the case of Nepal, Pakistan, Bangladesh, and India all these four SAARC countries have tension on the issue of International boundaries. Similarly, Pakistan and Afghanistan also used to fight to each other on the same issue. All these conflicts lead to the division of SAARC countries on any common issue and they demand their own rights and this cause big problem for the poor people to earn a piece of bread in a conflict zone which results in unsafe migration. Consequences of Human Trafficking are as follows: Physical and psychological disorder in the victims, Human rights and human security violation and HIV/AIDS and different diseases.

Conclusions/ Findings

South Asia consist of eight countries and the problem of human trafficking is maximum in India, Nepal, Bangladesh and Pakistan but the problem of trafficking can be short out only after the mutual cooperation between all countries. The policies should be formed in such a way that the officers can easily move to any other SAARC countries regarding the investigation and rehabilitation of the survivors. Policies should be victim oriented and not for the personal profit.

Security along the border should be tightened by involving intelligence, militaries, and border security forces for checking illegal and unsafe migration. NGOs should be involved along with above security person for their training and keep them an update regarding the issues of trafficking and migration.

There should be a good and active network of all the good NGOs and volunteers who is working on this issue. More and more research and conferences should be done on this issue because only after the research we can find the actual problem, updated data of the trafficked individuals, rescued individuals, and rehabilitated individuals. And only from research we can come to know which NGOs is reliable and doing his work genuinely on this issue. Removing corruption from the NGOs because today most of the NGOs are doing fraud and misusing the data and funds. There is no any supervision on their work culture and expansion of donated funds. The government should actively

look after the utilization of the donated funds. Capacity building programs should be organized at a fixed interval by the trainers for all authorities who is working on the border regularly. Awareness programs regarding the law and policies on this issue should be organized in the stakeholders so that they should also know what and which type of fine are there if they engage any trafficked victim in their factories or any firms. Concept regarding Human Trafficking should be clear because today even police officer gets confused during filing FIR. i.e. it is the case of Migration/kidnapping or trafficking. There is need of doing more research on this issues and analysis, documentation of the data is also one of the most important things of combating human trafficking. Border-based prevention strategies require for combating human trafficking and also police authorities should monitor and evaluate the movement of rural peoples to urban cities.

References

- Badal, B. P. (2019). Roles of Rahul Sankrityayan in Nepalese Cultural Tourism. *Research Nepal Journal of development Studies* 2.1, 13-21
- Bhardwaj, V. K. (2010). *Women Trafficking from Nepal in India: Uncontrolled Problem and Helpless Victims*. Jaipur- India: University of Rajasthan, South Asia Studies Centre -Post-Doctoral fellow (ICSSR- India).
- Datta, P. (2005). Nepali female migration and trafficking. *Journal of Social Science*, 11(1), 49-56.
- Evans, C., & Bhatpara, P. (2000). *A Comparative Analysis of Anti-Trafficking Intervention Approaches in Nepal*. Kathmandu and New Delhi: The Asia Foundation Kathmandu Population Council New Delhi.
- Hennink, M., & Simkhada, P. (2004). Sex trafficking in Nepal: context and process. *Asian and Pacific Migration Journal*, 13(3), , 305-338.
- Joshi, S. (2010). Human trafficking in Nepal: A rising concern for all. *Kathmandu University Medical Journal (2010)*, Vol. 8, No. 1, Issue 29, 3-4.
- Kaufman, M. R., & Crawford, M. (2011). Research and activism review: Sex trafficking in Nepal in Intervention and prevention. *Violence against Women*, 17(5), 651-665.
- Koirala, A., Banskota, H., & Khadka, B. (2004). Cross border interception – A strategy of prevention of trafficking women from Nepal. *Int Conf AIDS :15. 2004, Jul 11–16*. Int Conf AIDS :15. 2004, Jul 11–16.
- Simkhada, P. (2008). Life histories and survival strategies amongst sexually trafficked girls in Nepal. *Children & Society*, 22(3), 235-248