



HUMAN TRAFFICKING

ISSUES OF GENDER AND AGENCY
IN KEYWORDS

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Human Trafficking: Definitions, Statistics

Current Trends in Trafficking: *The Global Report on Trafficking in Persons 2022*

- **Crisis situations** like the recent COVID-19 pandemic limit opportunities and potentially push trafficking further underground, while constraining law enforcement capacities to target the crime
- Trafficking for sexual exploitation **less detected during crisis situations**
- Victims rely on “self-rescue” as **anti-trafficking responses fall short**
- Increased **impunity in home countries** resulting in more victims trafficked to more destinations
- **War and conflict** offer hunting grounds for traffickers
- **Climate change** is multiplying trafficking risks

The **UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** defines trafficking as:

“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, or 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, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Human Trafficking: Purposes

Trafficking for **commercial sexual exploitation** is the most virulent form in South Asia.

Other purposes for which women and children in the region are trafficked, are:

- forced marriage
- domestic work
- agricultural labour
- construction work
- carpet industry, garment industry as well as other sites of work in the formal and informal economy
- forced begging
- organ harvesting



Emerging Trends from South Asia

- An estimated 2.5 million people are in forced labour (including sexual exploitation) as a result of trafficking, out of which 1.4 million (56%) are in Asia and Pacific region.
- South Asia is estimated to be home to 150,000 trafficked persons annually (source: UNFPA 2006)
- Within South Asia there are certain countries designated as 'sending' countries or sites of origin like, Bangladesh and Nepal.
- While others assume the role of 'receiving' countries or sites of destination like India and Pakistan. These countries are also regarded as 'transit countries'.
- The decade leading up to 2002, 200,000 women were trafficked out of Bangladesh. (US state Dept.)
- It is estimated that every year between 5,000 and 10,000 Nepalese women and girls are trafficked to India for the purposes of commercial sexual exploitation and are working in brothels in various cities in India.
- However, 90 % of India's sex trafficking is internal; trafficking from neighbouring countries accounts for 10 %-2.17 % from Bangladesh and 2.6 % from Nepal. (Source: United Nations Office on Drugs and Crime, Trafficking in Persons: Global Patterns 2006) Movement from Pakistan and Sri Lanka has been observed. At times of hardship, this starts out as illegal migration and ends up as trafficking.
- Trafficking has a serious correlation with AIDS at least in the context of South Asia. The routes that traffickers take are also the places where there is almost an explosion of HIV positive cases in the recent years. →

Trafficking is **gender**, age and region specific and so should be the **Keywords**.

“As such then, men are **smuggled** or illegally transported whereas women and children are **trafficked**.”

Anna Wang, “Now: Forced Labour and Commercial Sex”

Trafficking of women and statelessness

STATELESSNESS IS THE QUALITY OF BEING, IN SOME WAY, WITHOUT A STATE, WITHOUT A NATIONALITY, OR AT LEAST WITHOUT THE PROTECTION THAT NATIONALITY SHOULD OFFER.

- Young women who are particularly vulnerable to sexual harassment are being abused by the police on both sides of the borders.
- Denied citizenship by the country of origin and refugee status by the host country has compelled these women to become stateless.
- In patriarchal systems women are constantly reduced to the status of non-subjects.
- In such a situation no matter what the abuse women try to cross borders for the sake of survival and become easy prey for traffickers.

Trafficking of women and statelessness

- In patriarchal systems women are constantly reduced to the status of non-subjects. In such a situation no matter what the abuse women try to cross borders for the sake of survival and become easy prey for traffickers.
- Women are often unaware of the value of identity papers in times of displacement. Once these women are trafficked without documents, they lose most of their rights and become virtual stateless people.
- They are in a permanent state of 'not belonging'. Most of the cases they are marked as "*illegal migrants*"
- Trafficked stateless women are not considered as permanent residents of the country of destination/host country.
- They can neither own property nor cast their votes. Nor are they entitled to get government jobs and any other benefits that the citizens of India otherwise enjoy.
- Without papers nowhere are they able to access either their rights or justice. Consequently, they have become the people of 'no where'

South Asia: Women's Experiences

WHAT MAKES THE SOUTH ASIAN EXPERIENCE DIFFERENT IS THAT ALMOST THE ENTIRE PROCESS IS ATTRIBUTABLE TO HUMAN FAILURES, IMPERIAL MACHINATIONS, GOVERNMENTAL FAILURES AND MISMANAGEMENT OF INTER-COMMUNAL RELATIONSHIPS, AND NOT MERELY ECONOMIC FACTORS WHICH ARE LARGELY APPLICABLE IN THE CASE OF NORTH AMERICA OR EUROPE. **THE FACTORS ARE MORE POLITICAL THAN ECONOMIC, AND THIS MAKES PROTECTION MORE CONTENTIOUS.**

- Women's experiences of migration, abduction and destitution during partition and State's responses to it is a pointer to the relationship between women's position as marginal participants in state politics and gender subordination as perpetrated by the State.
- In this context the experiences of abducted women and their often, forcible repatriation by the State assumes enormous importance today when thousands of South Asian women are either refugees, migrants or stateless within the subcontinent

SOME VOICES PIYA

A girl of 17 who is living at present in a children's home in South Bengal

Mother sex worker who works at one of the famous red-light districts of Kolkata and stays in north suburban areas of the city.

Piya never lived with her mother before the pandemic. Her mother kept her in a boarding school so that she could study and have a better life than her mother. Piya is a meritorious girl who has secured 92 percent in her board examination in the year of 2021. Unfortunately, the last phase of the lockdown forced her to leave her hostel and stay with her mother. In October, 2021 her mother sent Piya to Kolkata to buy new clothes for the annual festive season of Durga Puja. Her mother gave few money in her hand. She was accompanied by an uncle who is the new baboo (boyfriend) of her mother and stays at their home. Piya says, on reaching Kolkata her uncle bought a lot of expensive clothes and jewelleries for her from Hatibagan market and convinced her to enter a boarding house in Sealdah for a few hours of rest and partake of some food. She says, when they arrived into the hotel room her uncle started flirting with her. As she resisted him he slapped her and started beating her. He then locked her room from outside. She says, at night the man came once again and brought dinner to her. After dinner he raped her several times. . This continued until she was rescued by the police and taken to a home . Piya promises to never go back to her mother but go somewhere else in search of job. After her own experience she is unafraid to contact people “who takes you to Mumbai/Delhi”.

SOME

VOICES

JASEEMA

- Currently lives in a women's home.
- Hails from the Dhaka Zila

Jaseema was trafficked by her own maternal uncle with the consent of her parents. She wants to go back to Bangladesh but do not want to go home. As she knows her parents will sell her to the traffickers once again, and perhaps they would be more organised and more difficult to get rid of. Jaseema served as bonded labour at a red-light area near Kolkata. She was caught by the police in a tourist's hotel. The hotel owners and the attendants were pimps and belonged to the "sex rackets". The hotel owner himself recruited girls and introduced them to sex work. He also ran a hostel for girls in this trade.

Jaseema wanted to go into business by herself. She says there is much more money and more autonomy in that. She wants to venture by herself once she gets her freedom. Perhaps she can bring some more girls from Bangladesh. She talks about an incident when her maternal uncle forced her to provide labour. She was hungry and tired when this hotel owner gave her egg curry rice to eat. At that time she felt he is her best friend even though she knew he would lure her into sex trade.

SOME
VOICES
Namiya

- Lives in the plantation area of Alipurduar.
- Both parents worked in tea plantations.

During Covid-19 Namiya lost her father. Her brother worked as a migrant worker who lost most of his savings during Covid-19 and came back home. He went back to the city from where he had fled during the pandemic simply because he has no work in his native village. He is yet to send any money home. Now Namiya's mother is preparing to send her out for work even though she is a minor. Even Namiya is ready to go out of her native place. When asked if she is aware of the risks she blithely replies it is better than dying of hunger. Also, she is excited that she will have cash in her hand. The ZEE news, Bangla on 30th January 2022 reported that the police officers held a meeting with the garden workers in the tea garden areas of Darjeeling and Jalpaiguri districts to reduce trafficking of minor girls and boys in recent times. The workers are helpless and practically living without food. In this situation they are sending their minor girls and boys to work outside as cheap labour. The children are not unaware of the risk but they want to brave it for a better life.

ADDRESSING **GENDERED KEYWORDS** IN TRAFFICKING: Methodological Challenges

Need for focused work on individual target groups: Not 'one size fits all'

“Any production of data or estimates of victims of trafficking should be based on clear conceptual, but also practical, identification of who the target group is, and who the inferences are valid for. Furthermore, any keyword should clearly state which stage of trafficking is being focused on.”

Source: “Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking” by Guri Tyldum and Anette Brunovskis*

Need to focus on individual experience

“Although statistical data can be instructive and useful, as we pointed out initially, there is also a need to understand the processes by which men and women experience trafficking; how they relate to clients, social services, and law enforcement while in countries of destination; how they get away from a situation of exploitation; should be reflected while describing The Trafficked.

Statistics and beyond: Need to understand the social constitution of the field to create a keyword.

“Furthermore, we need a better understanding of the social field that constitutes trafficking, as well as its bordering fields; i.e. is trafficking best understood as a phenomenon within the field of labour migration, international prostitution, or migration in general, or does trafficking constitute a distinct and separate phenomenon with its separate causes and mechanisms? Questions about keywords call for analysis in anthropological and social psychological with the political.

Some Concepts

TO RETHINK KEYWORDS ON TRAFFICKING



Victimhood

Narratives and studies on trafficking, while offering a sympathetic outlook, often fall into the trap of reducing survivors of trafficking to the status of victim.



Coping

In crisis situations, women cope with lack of employment or security at home by accepting and even searching out illegal and irregular employment.



Agency

When home offers very little choice and when traffickers give alternatives to these young women then that alternative might be more lucrative than living in perpetual penury. They do not sacrifice their agency but take agentive decisions in this act.

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Thai girls usually work voluntarily, while Burmese and Cambodian girls are regularly imprisoned, the career trajectory is often for a girl in her early teens to be trafficked into prostitution by force, but eventually to resign herself and stay in the brothel even when she is given the freedom to leave. ”

This excerpt from an article by Nick Kristof, while being sympathetic and sensitive to the violence involved in human trafficking, refuses to look beyond the narrative of victimhood.

It does not ask why many women may choose not to leave sex work post-trafficking even when having the opportunity. It simply presumes it to be conditioning and coping with violence.

Such narratives provide an insulated view of the lives of trafficked women. Frequently, circumstances at home become such that women do not feel that returning would be worthwhile: whether due to lack of livelihood or a family that sold them out into prostitution. The agentic position of women in such circumstances must be recognised.

Universalized narratives of victimhood only serve to gloss over the social specificities of a survivor's life.

QUESTIONING THE NARRATIVE OF VICTIMHOOD

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“It is wrong to think the girls were unaware of the issues related to trafficking. They submit to the traffickers because for them the traffickers are not predators but a path to a world where they can escape their poverty and live their lives to the full.”

Author's interview with Baitali Ganguly on 1 June 2022 in Calcutta Club, Kolkata.



Roles of CSOs

- Sensitizing missions
- Making young women aware of the fact that traffickers often acts as middlemen to exploitative employers who use them for purposes of hard labour or sex trade.
- Helping survivors of trafficking recuperate and become self-sufficient and aware

»» When will we grant those who are trafficked their autonomy?

»» When will we recognize that the trafficked have their voice?

»» There is a nexus between the trafficked and the traffickers that is often inviolable.

Anisha Chandra: Psychological Counsellor

Two things are remarkably important to mention about these women:

- They don't believe anyone
- They always try not to provide many information's about their homes and past lives. That is how they exert their autonomy

Most of the girls who were trafficked said **they don't want to go back to their homes. They rather trust the trafficker.**

In that case perhaps autonomy is a better word to describe the trafficked. But it is not easy autonomy. We need to problematize it.