

Trafficking for forced labor

Part I: Definitions

Until quite recently, the main concern of public opinion has been with trafficking for sexual exploitation. Certainly, this has dominated media reporting. And in Europe, it is the appalling treatment of the young women and even children from Albania, Moldova and the Ukraine for example, forced into prostitution in countries of Central and Western Europe, that has received most of the attention in meetings of this kind. However there seems to be a growing realization that trafficking for labour exploitation, though little documented or understood at present, should at least in Europe move higher up the policy agenda.

This aspect of trafficking is strongly emphasized in the European Commission's 2001 strategy paper on the subject, which refers specifically to "labour exploitation in conditions akin to slavery". More recently, the EC's July 2002 Council Framework Decision on the subject refers to offences for the purposes of labour exploitation or sexual exploitation. The most recent report by the US Department of State makes similar observations, pointing to cases of trafficking of men, women and children for forced labour in agriculture, domestic service, construction work and sweatshops.

A focus on trafficking for labour exploitation is of obvious relevance for Europe, where the challenges are considerable. There have been longstanding concerns to curb irregular labour migration, and it is for this reason that human trafficking and smuggling have been perceived in large part as security concerns. Yet at the same time, if migratory flows are to become more orderly, it is essential that demand as well as supply-side issues be better understood. Trafficking also needs to be addressed from a labour market perspective, to understand the workings of informal as well as formal labour market institutions. To what extent do trafficked persons make use of regular employment and job placement agencies, in searching for employment opportunities overseas? What are the linkages between the more formal and licensed labour institutions, and the irregular services likely to be linked to the criminal and trafficking syndicates? Moreover, labour institutions and authorities can play a key role in prevention and monitoring.

Yet while there is growing international acceptance of the need to combat the two main forms of trafficking, for the purposes of sexual and labour exploitation respectively, very little headway has been made with regard to the latter. Even with regard to sexual exploitation, in view of the hidden nature of the phenomenon, it has proved notoriously difficult to obtain reliable data. Efforts are at least being made. Initial attempts are being made to estimate the number of victims by country and region. Special police and other units are beginning to investigate, and new laws are being adopted to provide special protection for the victims.

With regard to trafficking for labour exploitation, a huge amount remains to be done before one can even begin to think of effective remedies. Despite the new international guidelines and directives, there appears to be little understanding of the concept in practice.

- ❑ What sets trafficking for labour exploitation apart from smuggling?
- ❑ In which economic sectors are abuses of this kind likely to be found?
- ❑ How can labour inspection services best monitor the phenomenon, together with other law enforcement agencies?
- ❑ What tend to be the linkages between employment and job placement agencies, and trafficking intermediaries?
- ❑ How can migration for employment be managed more effectively, in order to eradicate the risk of this form of trafficking?

Part II: Victim's Stories

Trafficking for Forced Labor



Thailand's fishing industry relies heavily on Burmese laborers – men and women – most of whom are undocumented and highly vulnerable to conditions of forced labor.



Young people and children accompanied by traffickers ("snakeheads") gain entry into the wealthy countries through a variety of ways without the knowledge of authorities. Many arrive by plane using forged passports, accompanied by an adult pretending to be a parent; others arrive by boat, generally under the cover of night.



A small girl, bonded into slavery just as her parents and their parents were before her, labors under the hot sun forming bricks from clay in rural South Asia.

The victims include skilled and unskilled workers; Muslims, Hindus, and Christians; young adults traveling outside their home countries for the first time; and married men, and single and divorced women, with children to support.

In many countries, these workers delivered dairy products, cleaned government hospitals, repaired water pipes, collected garbage, and poured concrete. Some of them baked bread and worked in restaurants; others were butchers, barbers, carpenters, and plumbers. Women migrants cleaned, cooked, cared for children, worked in beauty salons, and sewed custom-made dresses and gowns. Unemployed or underemployed in their countries of origin, and often impoverished, these men and women sought only the opportunity to earn

wages and thus improve the economic situation for themselves and their families. Unaware of their rights, or afraid to complain for fear of losing their jobs, the majority of these workers simply endured gross labor exploitation.

Children trafficked to the Gulf states in the Middle East are forced to race camels for the entertainment of the elite. These children were training under the shadow of Dubai's skyline in early 2005.



Rajila's Story

Rajila, age 23, left her home in India to work in Saudi Arabia based on promises of a good salary and free housing from a company that supplies laborers for hospitals. But what seemed like a dream opportunity turned out to be a nightmare. Rajila, together with other foreign women, was forced to work 12-hour shifts, six days a week. She was never paid. The "free" housing was excruciatingly confining, and, when the women returned from work, they were locked in their rooms. Once a week they were escorted to the local market to purchase groceries and other necessities. She and other Muslim laborers from India were not allowed to practice their faith in local mosques. Rajila left Saudi Arabia taking with her no accumulated salary from three and a half years of uninterrupted work.

Fatima's Story

Fatima, a twenty-six-year-old Muslim woman from Mindanao province in the Philippines, had a fifth-grade education and was married at fourteen years old in a union that her family arranged. When she traveled to USA in February 2003 on a two-year contract as a domestic worker, she left behind her husband and four children, aged two to nine years old.

A manpower agency in Manila placed Fatima with an American family at a monthly salary of \$280. She said that her responsibilities in the house were "all around," the English phrase that some Filipinas use to describe a wide variety of domestic chores. Fatima's work day began at 5:30 in the morning and continued until 6:30 p.m., when she was allowed a thirty-minute break. She then worked for another two hours, until nine in the evening. She told us that she was fed one meal a day, typically rice and chicken, and any additional food was her own financial responsibility.

Fatima was not allowed to leave the house. Her male employer demanded her passport when he met her at the airport, and she was never provided with the official residence permit that would have allowed her the freedom to move freely without the fear of arrest.

Fatima told Human Rights Watch that her employers said it was forbidden for her to talk to the family's Indian driver. She relied on the driver to obtain food and other items while respecting the instructions that prohibited any personal contact with him. Her solution was this: "I wrote a list and threw it out the window on a stone with the money. The driver figured out that he had to bring it to Filipino shopkeepers who could read my writing." The system worked. The driver tossed the purchases on the roof of the house and Fatima retrieved them.

In addition to her long days of work, Fatima endured the shock and humiliation of three serious incidents of sexual harassment and one beating from her male employer. She told Human Rights Watch that twice he exposed himself to her and offered to pay her if she masturbated him. "I refused. I told him that I want money in the right way. I told him I am not a prostitute, but a married woman and a Muslim," she said. After these rejections, "he held a knife to my neck and threatened to kill me if I told the madame [his wife]." Fatima provided details about the last and most traumatic incident, on a day etched in her memory: June 8, 2003:

I was mopping the floor in the salon. He came in and asked for water. When I gave it to him, he dropped it on the floor and told me to clean it up. Then he took off his *thobe* and said to me, "Take this." It was his penis. He told me, "It's good, I want to marry you, I love you, I want to support your children."

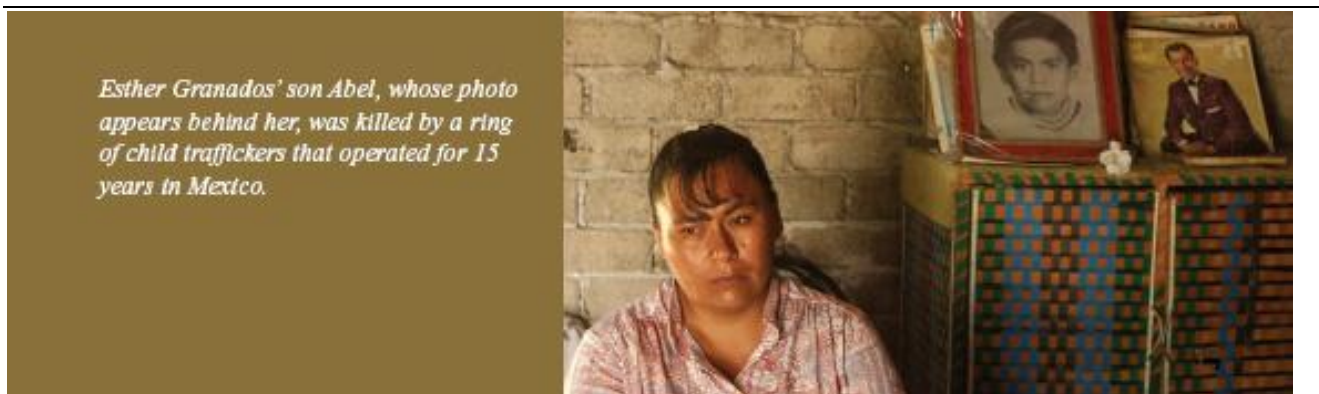
I said no. I said I'm a Muslim and it is *haram*. I left and ran upstairs. He came after me, saying it was not *haram*. He closed all the doors and punched and beat me. He said: "Don't push me to do something bad."

He locked the door to her bedroom before he left the house. Fatima sought shelter in her bathroom and locked the door. "I was praying, and crying, and stayed there all night," she said.

He left the house at six the next morning and Fatima had an opportunity to escape about ninety minutes later: "The Indians were making repairs on the house and left the gate open. I ran out, not even wearing my shoes."

(....)

Back in the Philippines, Fatima's husband was not sympathetic to her situation. She telephoned him from the airport in Manila and explained everything that had happened to her. He did not provide the "moral support" that Fatima had anticipated: "He told me that it was stupid of me to return home, and that he hated me." At the time of her interview with Human Rights Watch, she was still in Manila, pressing a compensation claim against the manpower agency that recruited her. She said that she was unable to speak to her two youngest children because her husband denied her any form of communication with them. Fatima was clearly uncertain about her future but firm in her conviction that she did the right thing. "Until now, I cannot forget what happened to me. But I have pride and I was fighting for my dignity as a Filipina," she says.



Lebanon: Silvia was a young, single, Sri Lankan mother seeking a better life for herself and her three-year-old son when she answered an advertisement for a housekeeping job in Lebanon. In the Beirut job agency, her passport was taken and she was hired by a Lebanese woman who subsequently confined her and restricted her access to food and communications. Treated like a prisoner and beaten daily, Silvia was determined to escape. She jumped from a window to the street below, landing with such force that she is permanently paralyzed. She is now back in Sri Lanka. Today, she travels around the country telling her story so that others do not suffer a similar fate.

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A rescued Nepalese trafficking victim is reunited with her father who came searching for her in India (left). The victim's friend was not as fortunate; the girl's mother is still searching for her daughter.



INDIA: Shadir, a boy of 15 years, was offered a job that included good clothes and an education; he accepted. Instead of being given a job, Shadir was sold to a slave trader who took him to a remote village in India to produce hand-woven carpets. He was frequently beaten. He worked 12 to 14 hours a day and he was poorly fed. One day, Shadir was rescued by a NGO working to combat slavery. It took several days for him to realize he was no longer enslaved. He returned to his village, was reunited with his mother, and resumed his schooling. Now Shadir warns fellow village children about the risks of becoming a child slave.



Under the guise of offering boys an apprenticeship in a trade, child trafficking victims are confined and forced to work in small factories or workshops under harsh conditions such as these Indian boys in a "Zari" (beadwork sewing) shop.

Cambodia: Proch is a street child who lives by begging in the Poipet area in Cambodia, on the border with Thailand. When he was 8, he left his hometown with his mother to beg in Thailand. After his mother died from taking drugs given to her from the criminal organization in Thailand, he continued to live and beg in Thailand. He told us [the ARCPPT gender researchers] that:



"They beat me a lot because I'm not a good beggar. They injected me with some kind of medicine. After I received the injection, I could beg a whole day and night, with no appetite or sleep. Most of my friends received the injection too. My friend and I tried to escape many times, but it didn't work. One day I was caught by the Thai police, who put us in detention and deported us to Cambodia. I don't want return to Thailand, I can beg in Poipet. I am afraid that they will beat me if I can't achieve the requirements."

*These case studies are extracted verbatim from **Gender, Human Trafficking, and the Criminal Justice System** in Cambodia published by The Asia Regional Cooperation to Prevent People Trafficking (ARCPPT).*

Bosnia&Herzegovina: Operation "Beggar", By Merima Spahic

Jasmina is 10 and does not know that the Interior Ministry of the Western Herzegovina canton has launched Operation Beggar, a campaign that aims to clamp down on panhandling and vagrancy. Her life, which consists of harsh physical abuse at home and begging in the streets of Sarajevo, will, however, be affected by the initiative.

The Roma child approaches a car waiting for the traffic lights to change and does what she has been forced to do many hundreds of times each day. She says: "Give me half a marka," or 25 euro cents. When she is offered more than that and realizes that somebody wants to talk to her, her routine gives way to a desire to run away from the world she lives in.



"Are you a police officer, please?" she asks, not hiding the fact that she would like the answer to be yes, and it becomes clear in my conversation with her why that is. Jasmina is not distraught to hear that I am a reporter and after learning that we can help to her get help, she agrees to give us some personal information.



In Sarajevo, child beggars are rarely willing participants in conversation, which is what makes Jasmina strikingly different from her "co-workers" in the streets and parking lots of the Bosnian capital. Most of the youngsters are trained not to talk to strangers and, if pressed, they give a false name or nickname. Individuals wanting to know why the child is begging, where the money will end up, and who is forcing him or her to solicit money will encounter a brick wall.

Jasmina lives with her father and his second wife in a village near Kakanj in Bosnia-Herzegovina. Every morning they take her to Sarajevo and compel her to beg. After "work" she returns home on the same train. She does not want the miserable life that her father and stepmother have set up for her and her courage is still intact. As she talks to us she forgets about her stepmother, who is standing at a nearby tram stop and waiting for Jasmina to bring her money.

"My mother left my father because he does drugs. Father has a new wife who beats me all the time and so does he. I cannot take it any more. Please, can you help me? See the police officer standing there? I asked him today to help me, but he said that he is not a real police officer and that he is just wearing a police officer's uniform," says Jasmina, tears streaming down her cheeks.

"My name is Jasmina and my father is called Nasid. My stepmother's name is Halima. Everybody knows us. Look at these scratches on my arms. My stepmother beat me this morning because a man gave me this sweat suit as a gift. She said I had sold myself to a man for a sweat suit, but this is not true," the girl continues, glancing every once in a while at her stepmother.

The police officer is a hundred meters away, directing traffic. "Do not meddle in the affairs of gypsies. The girl is here today, she will be here tomorrow, and she will be here in a year. That is how they live. We sometimes take these kids to an orphanage but the law states that as long as their parents or guardians are alive and unwilling to give them up, they can simply go there and pick them up," says the officer, explaining why he did not help.

Given the policeman's reactions, he does not appear to have heard about Operation Beggar either. This only confirms that there is a vast divide between decisions made by senior officials and the situation on the ground.

Roma representatives say that constitutional discrimination is one of the reasons why Roma children often end up begging. Roma are not listed as one of the constituent nations in the country. Sejdic says that Bosnia 's authorities are not interested in dealing with Roma problems and that there are not any welfare programs aimed at reducing poverty and employing individuals who fall into vulnerable categories.

Even though we contacted them several times, officials at the Bosnia- Herzegovina Security Ministry were unwilling to give us any answers related to trafficking in Roma children and begging. Sejdic appears to have a good picture of the actual state of affairs.

On the other hand, Assistant Human Rights and Refugee Minister Slobodan Nagradic says that trafficking of Roma children is the dominant form of human trafficking in Bosnia-Herzegovina and that this is an even bigger problem than prostitution. Nagradic says that it is impossible to determine just how many Roma are victims of the trade, although women and children are at the highest risk.

"Trafficking in Roma people is definitely the most widespread form of human trafficking in Bosnia-Herzegovina. In addition to organized groups that have turned this into a business, the families of many of the victims are also participants in this trade. That is probably why it is hard to uncover the real organizers of trafficking and begging," he adds.
