

Dissertation sample – is it possible to reduce the harm caused by human traffickingi...

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Abstract

This paper reviews the practice and extent of human trafficking across the globe in order to assess the harm which is inflicted upon victims. This paper utilises case studies and academic research from the USA and Northern Ireland in order to find that regardless of the activity or the experiences of victims, all experiences psychological trauma. However this paper finds that there is also an informational black hole which can potentially impact upon the treatment of victims following a period in captivity,

Introduction

The phenomenon of human trafficking has increased as a problematic national international issue in recent years. Both state in non-state actors have attempted to combat this industry, however the focus upon the experiences of harm which victims experiences remains part of a subjective construct. This paper assesses what harm victims experience but in doing so seeks to address the extent and scale of human trafficking as a local and global issue. This paper utilises academic research and state policies from the USA and the Northern Irish Province of the UK in order to make findings in relation to the harm which human trafficking causes. This paper concludes that all victims of human trafficking experience psychological harm regardless of the role which they were expected to undertake. In essence, victims are reduced to being defined as being vulnerable as a result of their experiences.

What is Human Trafficking

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It is estimated that human trafficking earns criminal syndicates around \$32 billion per annum (Haken 2011). The human trafficking networks which exist across the globe impact upon. It is a system that can be evidenced in almost all countries and of people who reside in those states (United Nations Office on Drugs and Crime (UNDOC), 2011). The natural conclusion to any research on the subject of human trafficking tends to conform to an idea that it concerns the transportation of a large number of vulnerable people from the periphery to the core (UNODC, 2011). A number of centres of gravity have been established where trafficking gangs tend to concentrate their efforts. These areas include, but are not limited to, Western Europe, Dubai and the USA. However, other markets also exist in countries such as India where there is a market in both the internal relocation of victims, in this case predominately children, of trafficking, and externally to the aforementioned locations (Finnegan 2008).

Global approaches to human trafficking are overseen by the United Nations (UN) which defines the practice as being 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 the consent of a person having control over another person, for the purpose of exploitation' (UNODC 2000: n. p.). The UN working definition has been commuted in to the legal frameworks of domestic jurisdictions which, despite being semantically different they are, for all intent purpose, they possess the same underlying meaning as that of the UN's. In the USA for example, the practice of human trafficking is legally

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defined as being ‘ 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’ (US Dept of State, 2014: n. p.). In the UK, In the UK, the racquets which organise human trafficking are defined as being ‘ those involved, normally working with others, in continuing serious criminal activities for substantial profit, whether based in the UK or elsewhere” (SOCA, 2013: n. p.).

A number of international bodies also are incorporated into the fight against human trafficking. The World Bank, for example, possesses its own definition human trafficking as ‘ the abuse of public power for private benefit’ (United Nations Office on Drugs and Crime 2011: 5). Other organisation which are active in the fight against human trafficking includes the International Labour Organisation (2013: n. p.) which supports a perspective that women make up just over half of all trafficked people, with males and children making up the remainder. In essence, the issue and prevalence of human trafficking is considered to be an important issue on global as well as domestic terms and incorporates state and non-state activity (United Nations Office on Drugs and Crime, 2011: 4). In the USA, the local perspective considers that human trafficking is akin to a form of modern slavery (US Dept of State, 2014: n. p.).

Modern Slavery Discourse

With human trafficking being considered as akin to modern slavery is a label which is highly relevant to this subject area. Figures regarding trafficking to the USA are wide. For example Baldwin, Eisenman, Sayles, Ryan & Chuang
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(2011: 1) suggest that eighteen thousand are trafficked there annually, whilst Hughes (2001: 9) presented estimated of over one hundred thousand per annum. In this instance it is arguable that both may be correct. Recent years have seen US border controls and immigration fall within the remit of Homeland Security (Dept for Homeland Security, 2014).

In their article, Hepburn and Simon (2010: 1) note that legislative definitions of human trafficking are similar. The reason for this is that all states take their leads from the UN policy. The UN definition, therefore, can be considered as being all encompassing and constitutes a policy which the majority of, if not all, states agree upon. Indeed a number of third party non-governmental organisations also have policies and working definitions in this area. One country of focus for the USA in its fight against human trafficking is Moldova which the USA sees as being a main country of origin for those trafficked to its shores. Additionally the US government argues that ‘ women and children (are) trafficked for the purpose of sexual exploitation to the Balkans; other European countries; and the Middle East’ (Embassy for the United States: Moldova 2013: n. p.). One factor for the discrepancy for the difficulty in calculating the numbers of victims of trafficking is the nature of the activity. Since it incorporates criminal actions which seeks to secrete victims into a host nation, the possibility of creating accurate figures is an extremely challenging task. Indeed this is a reality which the UK government realised when attempting to evaluate the extent of the practice in that country as well as the wider European Union space (HM Parliament, 2009: 9).

At this point it is to be noted that there is a clear difference between the transportation of people by illegal or criminal organisations via human trafficking and the international migrant trade. In the latter of these, willing participants pay syndicates to move to another country. Finnegan (2008) notes that human trafficking routinely involves further criminal offences including fraud, deception and coercion, and can result in the employment of people in, for example, forced labour and prostitution. In the vast majority of cases it can be assessed that those victims who are trafficked are aiming to escape from social deprivations, conflict, violence and poverty (Finnegan, 2008). Similarly there tends to be a level of state involvement through corrupt practices by individual state agents (Finnegan 2008). UNODC (2013) argues that trafficking for the purposes of prostitution and sexual exploitation comprises the vast majority of cases. This narrative provides a greater insight into the phenomenon of human trafficking in affected countries however on a personal scale the impact upon the victims can be considered to be more devastating.

Harm caused by Human Trafficking

It is noted that in the UK, the devolved Northern Irish authority argues that there must be three components for human trafficking to occur. These components are the act, the means and the purpose (Public Prosecution Service for Northern Ireland, 2012). Each of these components must be in place for the offence of human trafficking to be considered as a crime. The referred to act concerns the recruitment of people; the means brings into play coercion, threats or intimidation; whilst the threats or force in order to

coerce people whilst the purpose equates to the role being carried out, for example, prostitution, forced labour et al (Public Prosecution Service for Northern Ireland 2012: 4). Where all three of these elements have been confirmed, the possibility for prosecution is increased. Similarly a support network for victims is initiated.

In the USA victims of human trafficking are predominately considered as being an issue for healthcare providers (Baldwin et al., 2011: 2). This policy is based upon statistical research which argues that over a quarter of all people who have been trafficked are in need of medical care whilst under the control of their captors (Baldwin et al., 2011: 2). These findings have placed the US healthcare system at the forefront of the fight in identifying victims and, by implication, the controlling criminal racket. However Baldwin et al. (2011: 2) highlight the fact that information regarding the impact of trafficking on victims remains scant and argue that this finding is based upon a lack of data from state organisations such as law enforcement agencies, health care providers and human rights groups. Baldwin et al. (2011: 1-3) reach this outcome despite the widespread practice which they argue can be found across the USA in over ninety cities and in thirty states. However the scant information which has been reflected thus far in this paper, in terms of state led assessments and academic research also suggests that the extent of human trafficking remains part of a subjective narrative. The US based National Human Trafficking Response Centre (2014: n. p.) notes the extent of trafficking is almost half of that which was argued by Baldwin et al. (2011) and is also different from that discussed by Coonan (2004). These outcomes impact upon the policy responses to issues related to harm which is

experienced by people who have been trafficked, particularly where there are a number of medical or psychological interventions needed to assist victims in recovering from their experiences.

The study conducted by Coonan's (2004) utilised a number of victims of human trafficking, many of whom had originated from Mexico (Coonan, 2005: 208). All, bar one, had been employed in the sex trade with the latter being used for domestic servitude. All of these participants showed symptoms of mental health issues which related to a strong desire for physical security. However it is to be noted that Coonan (2004) failed to question victims on the rationale for this desire. As such, this area too remains part of a subjective concept and represents an inherent weakness in Coonan's (2004) The need for physical security could potentially relate to a psychological fear of being taken and forced back into the activity which they were previously undertaking, or it could provide evidence of a need for safety from physical beating. Either way the strong desire for physical security is indicative of mental strain and evidence of trauma. As a further failing in Coonan's (2004) paper it is to be noted that he did not discuss the experiences of being caught up in the human trafficking trade. This is a missed opportunity to gain a greater insight into the harm done by experiences. A further study by Hepburn and Simon (2010) provides details of the experiences of victims and, as a result, provides a greater insight into the harm done during time in captivity.

Hepburn and Simon (2010: 6) state that women who were trafficked to join the US sex trade had to have sex over six hundred times simply to pay off

their debts. Added to this were accommodation and food bills, resulting in a continual captive state. In this particular instance these women had to live in a condemned building, had no choice but to drink contaminated water and trap pigeons in order to eat. As such, in this case, long term physical illness cannot be ruled out. Similarly the exposure to regular sexual activity means that sexually transmitted disease cannot be ruled out (Hepburn and Simon, (2010: 6-7). One area where Hepburn and Simon were successful in their study was to concretise the need for physical security, where here, it can be evidenced that a fear of being recaptured was an overriding factor in the low mental health status of victims. Hepburn and Simon (2010: 8) also highlighted that women had been, in part, exposed to domestic US life, resulting in additional mental stress and trauma

Harm Reduction Programmes

The United Nations Office on Drugs and Crime (2009: 9) notes the psychological impact of trafficking upon victims and argues that the experiences of people are akin to a state of Stockholm syndrome. Here, captives are psychologically attached to their captors and are subsequently mentally aligned to their captors (Graham, (1994: xvi). In essence the experiences of trafficked people is not dissimilar to the psychological experiences of those who have been taken hostage, cult members or long term prisoners of war (Graham, 1994: xvi). This is a factor which the Northern Irish authorities have recognised and people who have been liberated from trafficking are subsequently placed in a secure accommodation setting for six weeks in order that they can reflect upon their

experiences whilst in captivity (Public Prosecution Service, 2012: 15). The process also helps victims to come to terms with a number of other areas of their experiences, obtain medical assessments and access the relevant treatments. The main overriding factor which affects all people is the psychological issue. This occurs regardless of the role which was undertaken. A further benefit of this approach is that it allows victims to open up about their experiences and can help law enforcement agencies gather information in order to improve their intelligence assessments of the extent and practices which occur within their jurisdiction. However the overriding factor in the approach which the Northern Irish authorities utilise is based upon recognition that victims are vulnerable. It is this recognition that informs subsequent intervention processes from a plethora of state organisations. In essence, victims in Northern Ireland experience a multi agency response which is highly individualised and may include health specialists, social services, mental health services, law enforcement and immigration services. One further factor to note is that victims in this Province are also granted an immigration one year stay of execution in order that the relevant authorities can oversee their integration back in to civil society prior to being returned to their homeland and families (Public Prosecution Service, 2012: 13-22).

Conclusions

In conclusion, information regarding the harm caused by human trafficking is still evolving. Where information is available it is evident that all victims experience mental trauma as a result of their experiences. In achieving this finding this paper has assessed the scale and extent of the practice and has

considered academic and state led research and practices. The mental harm experienced is indicative of a psychological state which is akin to Stockholm syndrome; as a result victims can be classed as being vulnerable and are in need of individualised levels of care. Knowledge of this outcome has the potential to reduce the harm caused by human trafficking however the evident lack of complete information is hampering the ability of institutions and state agencies to limit the harm done. As an issue of best practice the Northern Irish system can be seen as being the best approach to limiting harm and to promote a successful recovery.

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