

Selling Hope and Stealing Dreams:

Trafficking in Women and the **Exploitation of Domestic Workers**

lylvia's descent into the dark world of trafficking began when a neighbour told the then 19-year-old he could help her find a good job as a sales girl in Moscow. Unemployed, broke, with a baby daughter and no husband or employment prospects in her hometown of Ungheni, Sylvia (not her real name) decided to journey to the Moldovan capital of Chisinau where she was to meet two men who would arrange for her travel to Russia. What followed was a nightmare of beatings, rape, privation and sickness. Sylvia had fallen into the hands of traffickers and was eventually smuggled with 11 others to Moscow—and straight into the murky underworld of globalized sexual servitude.

Although the exception rather than the rule, Sylvia's ordeal is one that hundreds of thousands of women and girls undergo every year. While migration can be an empowering experience for millions of people worldwide, when it "goes bad", migrants can find themselves trapped in situations of extreme exploitation and abuse. Trafficked women and domestic workers are two groups that are particularly susceptible to major human rights violations and slave-like conditions.

Sylvia is one of the "lucky" ones. The anguish of her daily exploitation has finally drawn to a close. Today, more than a year after she was first trafficked, Sylvia has been reunited with her child and is living at an undisclosed location in an International Organization for Migration (IOM) and UNFPA-sponsored "safe house". There, she is receiving counselling and health care as she waits to testify at the trial of her tormentors. She still suffers the effects of post-traumatic disorder: a condition that has destroyed her capacity for sleep and sends her into bouts of sudden and inexplicable tremors. Whether she will ever be able to live a "normal" life is still an unanswered question that hovers around her like the memories of all that she has had to endure.

Why does Sylvia want her story told? "At first I thought all the stories about trafficked girls were fake, a scare tactic," she says. "But now I know better, and I

A 16-year-old trafficking victim in Cambodia. © Mikkel Ostergaard/Panos Pictures

want to help others understand that it is real and can happen to anyone."

Trafficking

Because of its underground nature, experts caution that trafficking data is rough and hard to gauge. The International Labour Organization (ILO) estimates that at least 2.45 million trafficking victims are currently toiling in exploitative conditions, and that another 1.2 million are trafficked annually, both across and within national borders. The US Department of State numbers are similar: between 600,000 and 800,000 women, men and children are trafficked across international borders each year—most for the purposes of commercial sexual exploitation. Of these, the majority—up to 80 per cent—are women and girls. Up to 50 per cent are children.

Trafficked women are usually forced into prostitution and sex tourism, commercial marriages and other "female" occupations such as domestic work, agricultural and sweatshop labour. Human trafficking³ is the third most lucrative illicit business in the world after arms and drug trafficking and is a major source of organized crime revenue. The industry generates an estimated US\$7 to \$12 billion annually—although real numbers are difficult to come by.⁴ These numbers, however, reflect profits only from the *initial* sale of persons. The ILO estimates that once victims are in the destination country, traffickers net an additional US\$32 billion a year—half generated in industrialized countries and almost one third in Asia.⁵

Trafficking constitutes the dark "underside" of globalization. The opening-up of national borders and international markets has led not only to increased international flows of capital, goods and labour, but also to the globalization of organized crime. Improved information technologies and transportation allow transnational syndicates to operate as never before. The majority of victims are migrants in search of a better life who are usually lured by the false promise of a decent job. Increasingly restrictive immigration policies limit the possibility of legal entry, which is in turn driving more and more would-be migrants to unwittingly entrust themselves to traffickers.

Although trafficking differs from other types of migration, there is considerable overlap with both regular and irregular migration where it involves violence, confinement, coercion, deception and exploitation.' A mail-order bride, for example, may enter the country legally but subsequently be forced into labour; a domestic worker can end up trafficked for purposes of sexual exploitation. Trafficking also intersects with smuggling. Unlike the latter, however, trafficking contains an

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MODERN-DAY SLAVERY

Slavery was condemned even before the landmark 1815 Declaration Relative to the Universal Abolition of the Slave Trade.¹ Slavery is a crime against humanity that includes forced labour, serfdom (forced labour on another's land),² debt bondage,³ trafficking, forced prostitution, sexual slavery, forced marriage, the sale of wives and child servitude. Forced labour⁴—that which is carried out involuntarily and under threats of penalty—is present in some form on all continents, and includes bonded labour in South Asia and in Latin America (mainly indigenous people are its victims), and traditional forms of slavery in parts of Africa.⁵

In 2004, the Parliamentary Assembly of the Council of Europe lamented the fact that, today, in the 21st century, slavery continues to exist in Europe. Among its findings: "slaves are predominantly female and usually work in private households, starting out as migrant domestic workers, au pairs or 'mail-order brides'". It urges all member states to criminalize and prosecute those responsible for any form of slavery, and to "at least" consider extending abused domestic workers temporary residency permits and enable them to file charges against abusive husbands or employers. It also calls for a domestic worker charter of rights.6 The ILO also reports that women labour migrants are often deceived into accepting jobs as domestic workers and are then trapped into debt-bondage or sexually trafficked. Some migrate under the façade of marriage or under au pair programmes that were originally set up for cultural exchange.7

There are two categories of forced labour: forced economic exploitation and commercial sexual exploitation. Of the 12.3 million people forced into labour worldwide, the ILO contends that women and girls form the majority: 56 per cent of those in forced economic exploitation, and 98 per cent of those in forced commercial sexual exploitation.8

element of coercion or deception while the relationship between migrants and smugglers is based on consent and usually ends upon arrival at the destination. In actual practice, however, distinctions can be fuzzy, and there are cases that contain elements of both.10

A GLOBAL PHENOMENON

Human trafficking is a global phenomenon that is driven by demand and fuelled by poverty and unemployment. Many trafficking victims typically apply for advertised jobs as babysitters, models, hairdressers, dancers and waitresses—with friends, and sometimes even relatives, acting as recruiters. According to research in Serbia and Montenegro, 64 per cent of recruiters are acquaintances." Criminal networks, often working in collaboration with corrupt customs officials, will process travel documents and seize victims' passports upon arrival. Most women are forced into prostitution in order to pay off their "debt". Traffickers will often rape, isolate and/or drug victims in order to "break" their spirit and ensure compliance. Women and girls are often sold and resold and then re-trafficked to other destinations.12

South-East Asia and South Asia are home to the largest numbers of internationally trafficked persons, at an estimated 225,000 and 150,000 respectively. The US Department of State estimates that more than 100,000 persons are trafficked from the former Soviet Union and 75,000 from Eastern Europe each year, while Africans account for an additional 50,000. The Department also maintains that approximately 100,000 persons are trafficked out of Latin America and the Caribbean.13

In Asia, the largest numbers of women trafficked are said to be within or from the region.¹⁴ The Greater Mekong¹⁵ and Indonesia are major trafficking areas. Thailand, in addition to being a destination country, serves as a source and transit hub for other Asian countries, Australia, the United States and Western Europe.16 India and Pakistan are major countries of destination for trafficked women and girls and are also transit points into the Middle East." In South Asia, child trafficking is of particular concern: "an extension of a serious child labour problem", which includes the exploitation of girls for domestic work.18

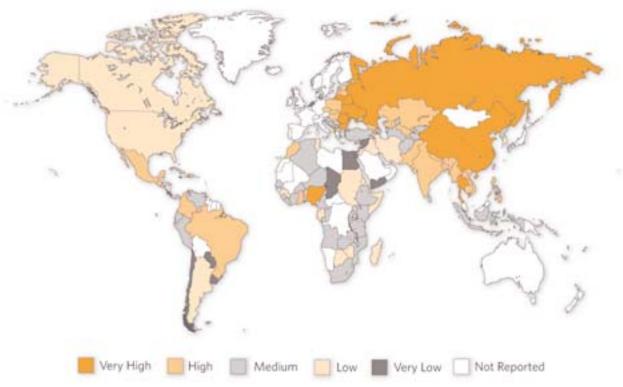
Although trafficking victims come from all over the world, in Europe most now circulate from Eastern Europe, and numbers appear to be rising." Since Lithuania joined the EU in 2004, researchers report that the number of women being trafficked outside the country has risen markedly. The IOM estimates that approximately 2,000 Lithuanian women and girls, mostly from poorer, less educated backgrounds, are illegally taken out of the country each year and forced into the sex trade.20 In Germany and the Netherlands, the number of victims registered has also increased in recent years.21

According to the IOM, Turkey has become one of the "largest markets" for women trafficked from nearby former Soviet states, with crime syndicates there pocketing up to \$3.6 billion in 2005. Of the number of sex trafficking victims identified in 2005, 60 per cent came from Moldova and Ukraine, and more than half were between the ages of 18 and 24. In response, the government of Turkey is stepping up measures to prevent and crack down on trafficking.22

In South-Eastern Europe, on the other hand, trafficking appears to be declining—or has become less visible. Bosnia-Herzegovina exemplifies some of the emerging trends and difficulties inherent in putting a stop to the trade. The United Nations Special Rapporteur on Trafficking in Persons, Especially Women and Children noted during the 2005 mission that trafficking has "changed in magnitude and nature". Traffickers have adapted their modus operandi to the anti-trafficking strategy adopted by the Government.23 Following large-scale government raids, traffickers have gone further underground—away from nightclubs and into private homes. Fewer women are coming forward, but whether this can be attributed to reduced trafficking is difficult to assess. Some fear deportation and others are reluctant to speak to the police, who have sometimes themselves been accused of soliciting their services.

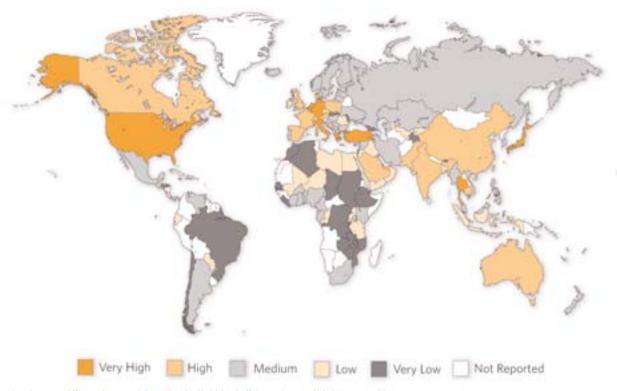
The Southern Africa region is host to a wide range of activities. These include the trafficking of women and children from Eastern Europe, China, Malawi, Mozambique, and Thailand into South Africa. A 2005 inquiry conducted by the IOM in South Africa reveals that women continue to be brought in from the rural

Figure 6: Countries of Origin, as measured by the extent of reporting of trafficking



Source: United Nations Office on Drugs and Crime (UNODC). 2006. Trafficking in Persons: Global Patterns, p. 38.

Figure 7: Countries of Destination, as measured by the extent of reporting of trafficking



Source: United Nations Office on Drugs and Crime (UNODC). 2006. Trafficking in Persons: Global Patterns, p. 39.

areas of Mozambique and Maputo to be sold to gold miners for "use as sex partners and domestic servants without remuneration".24 In West Africa, most trafficking involves girls who are then sold into domestic work although the ILO notes that armed groups also engage in child trafficking.25 In Ethiopia, traffickers tend to operate small businesses, such as travel agencies and importexport companies—activities that require frequent travel to the Middle East.26

In Latin America and the Caribbean, most women are trafficked from Brazil, Colombia, the Dominican Republic, Guatemala and Mexico and are taken for the purposes of sexual exploitation to North America, Western Europe and other countries in the region."

Up to 70,000 Brazilians, mostly trafficked women, are estimated to be working as prostitutes in other South American countries and in places as distant as Spain and Japan.28 Children from the region are also trafficked into the sex and drugs trade or exploited as domestic workers.29

Trafficking victims to the United States come from no less than 50 countries and

are often forced to toil in garment shops on the outskirts of Los Angeles, brothels in San Francisco, bars in New Jersey and slave-labour farm camps in Florida.30 United States officials note that 14,500 to 17,500 people are brought into the country for purposes of exploitation every year.31

TRAFFICKING: A VIOLATION OF HUMAN RIGHTS

Under international law, rights to life, security, liberty, not to be sold in marriage, and prohibitions on slavery, torture, inhumane or degrading treatment, and on forced and child labour, among others, apply to all individuals within a country's borders—regardless of their legal status or national origin. Numerous international and regional conventions and agreements prohibit trafficking and the enslavement of fellow human beings. But trafficking in persons has also prompted the evolution of its own specific set of human rights treaties and principles.

The 2003 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, is the leading international instrument and is a supplement to the United Nations Convention Against Transnational Organized Crime.32 It goes beyond trafficking for the purposes of forced prostitution and takes into account new forms, such as forced domestic work and commercial marriage. Its main purposes are "to prevent and combat trafficking in persons, paying particular attention to women and children"; protect and assist victims; punish perpetrators; and foster intergovernmental collaboration. All States Party (97) to the UN Trafficking Protocol are required to establish trafficking as a criminal offence.33 At the regional level, the most recently adopted treaty is the

> 2005 Council of Europe Convention on Action Against Trafficking in Human Beings.34 It covers all forms of trafficking, including that which occurs internally, and establishes a monitoring system that includes ministerial representatives and independent experts responsible for assessing implementation and recommending improvements.35

Since the 1980s and throughout the 1990s, international trafficking policy has gained momentum, including through various UN Conferences, human rights mechanisms and reports.36 More recently, the commitment to end trafficking has been reflected at government gatherings at the highest levels—including at the 2004 meeting of the African Union37 and the 2005 World Summit of Heads of State and Government.38

PROSECUTION AND REPATRIATION

"I had heard stories about women being

bought and sold like merchandise but I

didn't believe them—and I never dreamt

it would happen to me."

— A Romanian survivor of sex trafficking

Trafficked persons are often fearful of reprisals if they cooperate with authorities. Among government measures instituted is a "reflection period", or short-term residence permit, that enables victims to recover and consider options. The UN Trafficking Protocol recommends that governments allow victims to remain in the destination country, temporarily or permanently. It also calls on States Party to ensure the safety of victims and protect their privacy and identity and to "consider" providing:

housing; legal information and counselling in a language that victims understand; medical services; and assistance with education, employment and training.³⁹ It also recommends that governments establish legal measures to allow victims compensation for damage suffered. For example, in one case, a woman was awarded over US\$400,000 in compensatory damages and over US\$300,000 in punitive damages in a lawsuit against an international marriage broker. The marriage broker had failed to inform her of a law that would enable her to escape her abusive marriage without fear of automatic deportation.⁴⁰

The United Nations High Commissioner for Human Rights' Recommended Principles and Guidelines on Human Rights and Trafficking in Persons also emphasizes the protection of victims. According to this document, support and care should not be made conditional upon the capacity, or willingness, of trafficked women to cooperate in legal proceedings. Trafficked persons require protection from further exploitation and access to medical and psychological care, including voluntary and confidential counselling and HIV testing.

Since 2000, US law has provided a so-called "T-visa" for trafficking victims willing to assist prosecutors. This allows them to stay in the country for up to three years and then apply for permanent residency. 43 The Council of Europe Convention has introduced an obligatory recovery and reflection period for a minimum of 30 days for undocumented victims. Countries in the region have followed suit, with variations in the duration and conditions under which permits are granted. This allows victims time to escape the influence of traffickers and recuperate while they decide whether to cooperate with law-enforcement authorities.44 However, some experts and human rights groups have criticized these measures for their emphasis on criminal proceedings, rather than on protection.45 According to Anti-Slavery International, countries that have introduced reflection periods or short-term residence permits—which are not conditional on cooperation have been "extremely effective in prosecuting traffickers".46 Italy offers one such model. 47 Such a system confirms that there is no contradiction between protecting and assisting victims, and effectively prosecuting traffickers.

After the expiry of the reflection period or the short-term residence permit, the trafficked victim is usually returned to her country of nationality or permanent residence. According to the *United Nations Trafficking Protocol*, repatriation should *preferably* be voluntary and take into account the victim's safety. Refugee law can be of assistance to trafficked persons if there is a well-founded fear of persecution: In the 2000 *Dzhygun* case in the United Kingdom, for example, the Immigration Appeal Tribunal found that a woman was entitled to protection as a member of a particular social group, namely "women in the Ukraine who are forced into prostitution against their will".48

Another issue that deters victims from cooperating with law enforcement officials is that of corruption. Women are often reluctant to come forward because they fear law enforcement authorities. Traffickers sometimes claim that they control the police—an assertion that may seem plausible, in particular if victims have witnessed the complicity of border and other state officials when trafficked out of their country of origin.⁴⁹

Today, most countries are stepping up efforts to crack down on trafficking. Nevertheless challenges remain. These include inadequate data, underdeveloped or nonexistent government programmes, corruption, and the resilience of the criminal syndicates that frequently change tactics and utilize legal businesses and mechanisms as fronts. The 2005 US Department of State Trafficking in Persons Report tracks and reports on new prosecutions, convictions and new or amended legislation by region.⁵⁰ Countries that do not make reasonable efforts to comply with the minimum standards set by the US Trafficking Victims Protection Act may face non-humanitarian, nontrade related sanctions. These may include US opposition to assistance from international financial institutions such as the International Monetary Fund.⁵¹ Reports of the Secretary-General to the UN General Assembly also chronicle government efforts to prosecute trafficking.

PROTECTION, CARE AND REINTEGRATION

Trafficking victims need safety, support and care while undergoing social and economic reintegration once their ordeal has ended. Not only do they have to deal with the



🔺 Teenage girls at a 'boarding school' or orphanage for abandoned children in Moldova. These children are seen as being the most vulnerable to traffickers. © Andrew Testa/Panos Pictures

depression that often ensues, but also social stigma especially in cases of sexual exploitation.

According to the Report of the Secretary-General on Trafficking in Women and Girls (2004), various countries are taking measures to support victims. Belgium and the United States, for example, provide some financial assistance. Telephone hotlines are available in some countries, including Bangladesh, Denmark, Italy, Lithuania, Turkey, the US and Uzbekistan. China, Indonesia, Portugal and the United States, among others, also offer access to legal services. Various countries provide social programmes, including psychological and medical care, and have established shelters and crisis centres—although these fall short of need and tend to be underfunded. One UNFPAsupported shelter run by the IOM in Bosnia-Herzegovina, for example, delivers reproductive health services to trafficked women and girls.52

Owing to fears of corrupt police and possible arrest and deportation, trafficked women often prefer to approach NGOs rather than state-based agencies. In the Philippines, the NGO Visayan Forum Foundation is a private/public partnership that operates shelters for trafficked persons and works with the police, shipping companies and the port authority to identify traffickers.⁵³ In Colombia, the Medellin-based Espacios de Mujer provides psychological, social and health services as well as educational and income-generating opportunities. Medellin serves as one of the key transit points for women trafficked in and out of Colombia.54

In the Mae Sai border district in Chiang Rai province in northern Thailand, a Japanese social worker helped set up the Self-Empowerment Program for Migrant Women (SEPOM). It is designed to empower former sex workers trafficked into Japan and help them towards self-sufficiency.

Through self-help groups, women share their stories in a non-judgemental environment and rebuild self-confidence and self-worth. In 2000, another self-empowerment initiative was launched in the Philippines. The Survivors' Networks of Filipino Women brings trafficking victims together to discuss issues around financial and social empowerment.

PREVENTING TRAFFICKING IN WOMEN AND GIRLS

According to the *Special Rapporteur on Violence Against Women*, "the lack of rights afforded to women serves as the primary causative factor at the root of both women's migration and trafficking". "To fight trafficking effectively, underlying causes such as poverty and the lack of equal opportunities need to be addressed. Women who lack economic security are easy prey if they are willing to leave their country in search of work elsewhere. The elimination of discrimination against women is thus not only a human rights priority, but also key to putting an end to trafficking.

Effective prevention requires a comprehensive approach. This involves education and includes

awareness-raising campaigns, community involvement, poverty reduction initiatives and the creation of livelihood opportunities. It also involves more equitable income distribution and the rebuilding of societies following conflict.⁵⁹ Legal reforms that allow equal rights to own and control property and land will help cut the risks associated with the trafficking of women in rural communities.⁶⁰

There are many examples of development programmes aimed at reducing the vulnerability of poorer communities. The Asian Development Bank regards trafficking in women and children as a major challenge to its mission of poverty reduction. It provides emergency loans, assistance for post-conflict reconstruction and social protection to those most at risk. In Myanmar, the Government offers poor women and girls vocational training and loans to jump-start mini entrepreneurial ventures, while in Kyrgyzstan, authorities are assisting unemployed nationals residing in small towns and rural areas. In 2005, the Government of Nepal reported that it was establishing a National Rapporteur on Trafficking in the offices of the National Human Rights Commission.

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OUT-OF-REACH AND OUT-OF-DANGER: UNFPA KEEPING GIRLS SAFE FROM TRAFFICKERS IN NEPAL

Every year an estimated 12,000 Nepalese women and girls are trafficked into India. The Asian Development Bank estimates that 100,000 to 200,000 Nepalese women and girls are held against their will in Indian brothels, with roughly 25 per cent under the age of 18 years. Traffickers typically lure impoverished girls with promises of jobs in urban areas or abroad. Some families knowingly send their daughters to brothels because they consider them a burden. Many of the women and girls are illiterate and are not even aware that they have been taken across the border. The Government of Nepal has identified 26 districts from which women and girls have disappeared.

In response, the Reproductive Health Initiative for Youth in Asia (RHIYA), a partnership of the European Union and UNFPA working in collaboration with NGOs, is focusing on 19 "high-risk" impoverished districts. The programme educates parents, community leaders, district health officials, and young people about the dangers of trafficking. It also provides girls and young women with training and empowerment opportunities. Trafficking survivors are reintegrated into their communities through efforts designed to reduce stigmatization and are referred to social and legal services for additional assistance.

The initiative is proving effective. In the district of Prasauni VDC, a RHIYA peer educator was able to rescue three adolescent girls the very same day they were scheduled to depart. She had learned that the young men who had promised the girls work were, in fact,

traffickers. After the peer educator raised the alarm, villagers caught the traffickers and handed them over to the police. They soon admitted their guilt. In Rupandehi District, a young woman was asked by her brother-in-law to accompany him on a one-day shopping trip to Gorakhpur, just across the border. But when she arrived at the crossing, her brother-in-law introduced her to two other girls and asked her to accompany them into India, claiming that he would join them later after taking care of some personal business. She became alarmed, recalling the RHIYA educational sessions on trafficking, and realized that her brother-in-law must be a trafficker. She immediately sought help from the border NGO Maaiti Nepal and all the girls were returned safely to their homes.1

Many governments, NGOs and UN organizations have embarked on community awareness-raising efforts—including those that target poor rural areas where girls and women are most likely to be recruited (see Box 13). In Brazil, the government launched a campaign, including through the radio and signs posted at airports, to alert women departing from states where the risks of trafficking are particularly high.4 A one-month campaign in Bangladesh sought to educate community members about trafficking and related crimes against women, and to sensitize them on issues related to the reintegration of victims. In Cambodia, UNICEF supports community-based networks with volunteers conducting outreach in order to raise awareness of how traffickers operate and how to intervene." In Indonesia, the Asia Foundation has supported the Fahmina Institute to provide anti-trafficking training materials to Islamic boarding schools (pesantren), which have a high concentration of female students from impoverished areas. After a meeting of school leaders, 32 schools in East Java formed the Pesantren-based Alliance for Eliminating Trafficking in Persons.⁶⁷ In India, with the collaboration of the UN Development Fund for Women (UNIFEM), the Inter-Faith Religious Leaders Forum of Bihar brought together Islamic, Hindu, Buddhist and Christian religious leaders to educate their followers on violence against women. The Forum's A Fact Book on Human Trafficking contains messages derived from religious teachings to mobilize their respective communities as a religious obligation. The initiative is now expanding to other states within India and into Bangladesh and Nepal.⁴⁸ In Nigeria, the Girls' Power Initiative (GPI) educates both girls and their parents on the necessity of empowering girls and preventing trafficking."

Toil and Tears: The Exploitation of Domestic Workers

Most adult domestic workers⁷⁰ fall into the category of voluntary economic migrant workers. For millions of women, the global demand for their labour has resulted in a better standard of living, greater opportunities for their children and, in some cases, escape from bad or abusive marriages. But many domestic workers toil in intolerable conditions, are exploited, held in virtual captivity and physically and psychologically abused.

Reports of abuse and exploitation come from all over the world. Current demand for domestic labour indicates that it will continue to grow in tandem with international migration. This only serves to underscore the urgency of extending human and labour rights protections to domestic workers.

Asian domestic workers primarily migrate to the Middle East, North America, Western Europe and to wealthier East Asian countries. The Philippines alone has sent approximately 1.5 million overseas foreign workers throughout the Asian region—the majority of whom are female domestic workers.71 In the 1990s, 84 per cent of all migrants from Sri Lanka to the Middle East were women, most of whom were domestic workers.72 The ILO estimates that in 2003 there were 200,000 foreign domestic workers in Hong Kong (SAR) and 155,000 in Malaysia.73 Saudi Arabia hosts at least one million women working in low-level occupations who come from Indonesia, the Philippines and Sri Lanka—the great majority domestic workers.74 In 2003, the United Arab Emirates (UAE) granted an average of 300 visas every day—mostly for women travelling from South and South-East Asiawith an average of three domestic workers per UAE household.75 In Singapore, one in every seven households employs a live-in migrant worker.76

In Latin America, women from poorer countries (Bolivia, Paraguay and Peru) often go to work in the homes of families living in better-off neighbouring countries (such as Argentina and Chile). Domestic workers represent up to 60 per cent of all internal and international migrants from Latin America—with many bound for Europe and North America." In Spain, 70 per cent of working migrant women—mostly from South America arrive to fill domestic and caretaking positions.78 Women from sub-Saharan Africa have also entered this global market: These include Ethiopians bound for Lebanon and Cape Verdeans and Ethiopians headed for Italy."

HIDDEN AT HOME, LACKING PROTECTION

As the ILO states, "domestic workers experience a degree of vulnerability that is unparalleled to that of other workers". 80 The fact that domestic work takes place in the private sphere is what makes workers especially vulnerable