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**LAGHOUAT**

**Department of English**



**Modern-Day Slavery: Exploring the Women Trafficking Issue  
in the USA**

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**Presented by**

Fatima Zohra Lebtar

**Supervised by**

Mr. Mohamed Naoumi

**Board of the jury**

**Chaireperson:** Mrs. Aicha Hocin

**Examiner:** Mr. Ahmed Mihobi

**Supervisor:** Mr. Mohamed Naoumi

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## **Abstract**

Modern-day slavery and human trafficking have become a widespread issue across the world today. Practices including forced labor, debt bondage, child labor, forced marriage, and human trafficking and more are occurring in every country, including the United States. The following thesis aims to explore the forces and the conditions contributing to the phenomenon of modern-day slavery and women trafficking in the USA. The dissertation proves that modern-day slavery and women trafficking exist worldwide and in the United States. This dissertation begins by providing a relevant historical background to chattel slavery leading up to the present-day slavery. By speaking of modern-day slavery definitions, its forms has been provided, in addition to the main causes that led to this phenomenon and showing the harm occurring to the victims of this enslavement. From the many forms, we focused more on human trafficking and forms, and causes in addition to the global efforts to combat it. Finally, another focus was made on women trafficking in the United States by referring to specific cases of victims from different nationalities to clarify and offer a detailed insight into this phenomenon.

## الملخص

أصبحت العبودية الحديثة والاتجار بالبشر قضية واسعة الانتشار في جميع أنحاء العالم اليوم. إن الممارسات التي تشمل العمل القسري ، واستعباد الدين ، وعمالة الأطفال ، والزواج القسري ، والاتجار بالبشر وغيرها تحدث في كل بلد ، بما في ذلك الولايات المتحدة الأمريكية. تهدف الرسالة التالية إلى استكشاف القوى والظروف التي تساهم في انتشار ظاهرة العبودية الحديثة والاتجار بالنساء في الولايات المتحدة الأمريكية. إن هذه الأطروحة تثبت أن الرق المعاصر والاتجار بالنساء موجودان في جميع أنحاء العالم وفي الولايات المتحدة الأمريكية كذلك. تم اثبات الفكرة المطروحة من خلال توفير خلفية تاريخية ذات صلة للعبودية والتي قد أدت إلى العبودية الحالية. من خلال الحديث عن تعريف العبودية المعاصرة تم ذكر أشكالها بالإضافة إلى الأسباب الرئيسية التي أدت إلى هذه الظاهرة وإظهار الضرر الذي يحدث لضحايا هذا الاستعباد. من الأشكال العديدة للعبودية المعاصرة قد ركزنا أكثر على الاتجار بالبشر وأشكاله ، بالإضافة إلى الجهود العالمية لمكافحته. وفي الأخير تم التركيز بشكل أكبر على الاتجار بالنساء في الولايات المتحدة الأمريكية من خلال الإشارة إلى حالات محددة للنساء ضحايا الاتجار من جنسيات مختلفة لتوضيح هذه الظاهرة وتقديم معلومات مفصلة عنها.

## **Dedication**

I would like to start by praising Allah Almighty without whose approval nothing is possible. I would like to honor my family and my parents that I wish Allah would bless them with good and healthy life, my siblings that it would be impossible to name all of them that stand for me in every moment in my life and my fiancé of the great support and encouragement. A thank given also to my friends who helped me when I have been struggling to find inspiration to write.

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**List of Abbreviations:**

CATW	Coalition Against Trafficking in Women
EUROPOL	European Law Enforcement Organization
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labor Organization
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migration
OSCE	Organization for Security and Co-operation in Europe
PITF	President's Interagency Task Force
SPOG	Senior Policy Operating Group
TVPA	Trafficking Victims Protection Act
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Program
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
UNODCCP	United Nations Office for Drug Control and Crime Prevention

# **General Introduction**

Modern-day slavery and women trafficking is a new issue that circles the world even in the United States. Although slavery was abolished during the 19th century it seems that it has not ended yet. Slavery continues today and harms people around the world especially women. Modern-day slavery includes many forms of forced labor, debt bondage, forced marriage, trafficking and human trafficking. Despite the increase of awareness of this latter but the problem has not been solved yet.

This dissertation aims to investigate this kind of slavery with a special focus on women because women are more vulnerable to exploitation. Women are constantly forced into prostitution and forced labor. Modern-day slavery occurs in every country including the United States. This research attempts to examine a real life-problem which is considered as a crime against humanity.

Hence, the rationale behind this thesis is my interest in equality and human rights. That's why this dissertation tries to highlight the quest for women's rights under the phenomenon of women trafficking circumstances.

The choice of this topic stems from my interest in the American history, exactly from the feminist theory and women's strive for gender equality. Though the hard work for women to be equal, they are still enslaved and treated badly. Women are trafficked and sold as if they are a commodity. The decision of tackling this topic become firstly because I am a woman and a feminist and secondly to raise social awareness on modern-day slavery, exactly on women trafficking. I am referring to the United States specifically because women in this country fought for their rights and they were the roots of women's rights in our days. This research is due to the reason that women are the most affected of this modern slavery.

The present research will attempt to answer the following problematic: Does modern-day slavery and human trafficking, especially women trafficking, really exist in the

USA or not? And why enslavement of people still exists though it was abolished? Why is human trafficking, exactly women trafficking, so prevalent in the world today? What efforts did the United States do to fight Women trafficking?

What can be hypothesized at this level is that the business market needs cheap labor that's why slavery still exists. In addition that enslavement of people is the easiest way to earn easy money for greedy individuals. Trafficking women is easier than trafficking men. Another hypothesis is that the American society see women as inferior to men.

The research importance is to draw attention to the phenomenon of modern slavery and women's trafficking. Therefore the readers will understand the attempts to combat modern slavery and human trafficking. It will also make them understand the concept of modern-day slavery and its various forms and to show the efforts of the new abolitionists. Also, it is to entreat people and society to raise awareness of feminists and call for women's rights.

Several works have tackled the issue of Modern-day slavery and women trafficking. Modern slavery as debatable issue and a serious problem, led many politicians, activists, and writers to raise awareness through speeches, and organizations that call for the rights of women, and through books as well. In this vein among which: Julia O'Connell Davidson's book *Modern Slavery: the Margins of Freedom* (2015), discussing the transatlantic slavery and showing the illegal sector labor, child labor, migration, debt, prisoners, and sex work in the contemporary world unveil popular and policy discourse on modern slavery.

Jean Allain's *The Legal Understanding of Slavery: From the Historical to the Contemporary* (2012) on the other hand is a collection of the work of seventeen scholars that focused on the legal definition of slavery. The work has relied on the 1926

definition of slavery as a center point, the book chapters drove a background from the Roman law through the abolitionist era to focus on the context in which the 1926 definition emerges, and finally to slavery today.

Finally, Julietta Hua 's *Trafficking Women's Human Rights*(2011) shows the ways in which government, media and scholarship have seen sex trafficking for U.S. consumption. The author guides us through laws like the Victims of Trafficking and Violence Protection Act to political speeches, literary and media images. Accordingly, she unveiled the dark assumptions about race, difference, and the world views about the United States often promoting such images. The framing itself, exploiting dichotomies of victim/agent, rescued/rescuer, trafficked/smuggled, illustrates the limits of universalism in addressing human rights.

The best methodology that can be suitable to this work the qualitative research. It is qualitative because it is exploratory and it provides insights into the problem through presenting facts and real cases of women survived the trafficking.

This dissertation consists of three chapters. The first one is build up by starting with some background information and a clear insight about the issue of modern slavery through defining slavery in general then moving on to the definition of modern-day slavery and showing its major forms and causes by illustrating with some definitions about each. The second chapter will provide a discussion on the background of human trafficking, with an overview of different forms, the scope of the problem and basic definitions in addition to the main factors supporting human trafficking, with reference to human rights seeing human trafficking as a violation to it. The third chapter, then, discusses women trafficking in the United States by providing more vision of women victims of trafficking through the individual stories, and their physical and mental suffering. It, also, provides the US efforts to fight human trafficking.

**Chapter One:**  
**Modern-Day Slavery**

## I. Introduction:

The meaning of slavery has changed compared to the past. With the development of the world today, the greed has been increased. People enslaved other people. Though slavery was abolished long ago, new kinds of slavery exist today.

This chapter is built up by starting with some background information and a clear insight about the issue of modern slavery through defining slavery in general then moving to the definition of modern-day slavery and showing its major forms and causes by illustrating with some definitions about each.

### I.1 Enslavement Definition:

Slavery is prohibited under the *1948 Universal Declaration of Human Rights*<sup>1</sup>, which states in Article 4: “*No one shall be held in slavery or servitude: slavery and the slave trade shall be prohibited in all their forms*”<sup>2</sup>

A considerable number of people believe that slavery ended long ago, or if it still exists, it only takes place within the poor countries. But in fact, it happens mostly in every country in the world, even in the developing world. In *1926 slavery convention to suppress the slave trade and slavery*<sup>3</sup>, in Article (1) slavery was defined as: “*The status*

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<sup>1</sup> (UDHR) is an important document in the history of human rights. Composed by representatives with different legal and cultural backgrounds from all areas of the world, the Declaration was declared by the United Nations General Assembly in Paris on 10 December 1948 as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. Universal Declaration of Human Rights (1948). It can be found on [http://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

<sup>2</sup> *Universal Declaration of Human Rights (1948)*. It can be found on [http://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

<sup>3</sup> *Slavery convention to suppress the slave trade and slavery*:” Signed at Geneva on 25 September 1926. Entry into force: 9 March 1927, in accordance with article 12”. It can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SlaveryConvention.aspx>

*or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”<sup>4</sup>*

Slavery indicates the case in which individuals are possessed by others, who control their life and livelihood. Slavery is taking away the person's free will. The dominance over slaves means violence, cruelty, and harshness.

## **I.2 Slavery Now and Then:**

Today around the world there are at least twenty-seven million slaves<sup>5</sup>. Generally it has been assumed that in the twentieth century in the modern world, slavery no more exists. However, this prediction is far from reality. Unfortunately, slaves are extremely recommended today due to characteristics that set them as cheap and available. Several different types of slavery exist, such as forced labor, sex slavery, and the practice of debt bondage<sup>6</sup>. To be able to go further in this subject we must go back and have a look on the past of slavery as said in *Cornel West Quotes* "You can't really move forward until you look back"<sup>7</sup>.

All the way through the 19th century, the transatlantic slavery, also known as chattel slavery has been abolished by many colonial countries. A great dependence was on the slaves in doing the work; thus, with the emancipation; there was a crucial need for continued labor. In a lot of areas in the world, slavery persisted, masked as regular

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<sup>4</sup> 1926 slavery convention to suppress the slave trade and slavery can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SlaveryConvention.aspx>

<sup>5</sup> E. Benjamin Skinner, *A Crime So Monstrous: Face-to-Face with Modern-Day Slavery* (New York: Free Press, 2008) xv.

<sup>6</sup> Michelle Kuhl, *University Modern-Day Slavery and Human Trafficking: An Overlooked Issue* (Salve Regina, 2011) 07.

<sup>7</sup> *Cornel West Quotes*, GOODREADS, [http://www.goodreads.com/author/quotes/6176.Cornel\\_West](http://www.goodreads.com/author/quotes/6176.Cornel_West)

labor. Moreover, as the colonial powers started occupying parts of Africa, new forms of slavery has developed, which were often worse than the chattel slavery<sup>8</sup>.

A chattel slave was owned but not owning. This slave could be bought, sold, or transferred at the will of his or her owner. Such slaves had no free will take control over their lives or families. The domination on the slaves was complete, lifelong, and hereditary. This type of slavery had existed since old centuries and legal in much of the glob until the late 19th century. However, chattel slaves were regarded as commodities, their worldly status and lifestyles varied considerably. Many were agricultural laborers or domestic servants, often harshly treated, but some were respectful workers, trusted soldiers, and even, particularly in the Muslim world, high officials of state<sup>9</sup>. In many societies, masters used their slaves for different kinds of work as working in the new estates or even in industries, or, more commonly, serving in households and other domestic settings, and, more rarely, for specific military or religious purposes<sup>10</sup>.

Chattel slavery was undesirable and became under growing attack in the Western world during the 18<sup>th</sup> century and was gradually removed in many European countries, the United States of America, Latin America, and various other areas in the 19th century. The last Western country to outlaw it was Brazil in 1888<sup>11</sup>.

As long as there was a demand for slaves, slavery sudden attacks, the slave trade, and the export of slaves, particularly from Africa, continued. They were slowly reduced as the colonial powers controlled the coastal areas during the late 19th and early 20th centuries and later occupied most of the interior. However, slave trafficking

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<sup>8</sup> Lasse Thomassen. *Contemporary Slavery Back Then: International efforts to combat traffic in persons, slavery and forced labor 1937-57*(MA Thesis in History:University of Oslo: Department of Archaeology, Conservation and History, 2015)17.

<sup>9</sup> Junius P. Rodriguez, *Slavery in the Modern World: A HISTORY OF POLITICAL, SOCIAL, AND ECONOMIC OPPRESSION* (Santa Barbara, California: ABC-CLIO, 2011)01.

<sup>10</sup> Enrico dal lago And Constantina katsari, *Slave Systems: Ancient and Modern* (New York: Cambridge UP, 2008)03.

<sup>11</sup> Ibid.03.

continued across the Red Sea and Indian Ocean as an illegal smuggling trade from the East African coast, parts of India, Baluchistan, Southeast Asia, and even China. Muslim pilgrims on their way to Mecca from all over the world, traveling overland or by sea, were also often enslaved on their way to or in Arabia itself<sup>12</sup>.

Emancipation may be the result of a willing agreement between slave owners at a time when slavery has become unprofitable and slaves are not able to provide any increase in the economics of the country. Historically, there are a little few such cases at least in modern times<sup>13</sup>.

In the United States historical context, the emancipation paved the way to the abolishment of slavery totally. It was a great decision to be made. Freeing slaves was not an easy process, however, this important decision to end slavery were made during the American Civil War, the most tumultuous and violent period in the history of the United States<sup>14</sup>.

In the United States, the importation of slaves was prohibited by the US Congress in 1808. The President of America Abraham Lincoln declared in 1863 when issuing the emancipation proclamation<sup>15</sup>: “all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free”<sup>16</sup>. It means all persons who were held into slavery are free.

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<sup>12</sup>Ibid.04.

<sup>13</sup>Ibid.266.

<sup>14</sup>Emancipation of Slaves: Definition, Law & Proclamation Summary can be found in <https://study.com/academy/lesson/emancipation-of-slavery-definition-law-proclamation-summary.html>

<sup>15</sup> “The Emancipation Proclamation, or Proclamation 95, was a presidential proclamation and executive order issued by President Abraham Lincoln on January 1, 1863. It changed the federal legal status of more than 3 million enslaved people in the designated areas of the South from slave to free». can be found on [https://en.wikiquote.org/wiki/Emancipation\\_Proclamation](https://en.wikiquote.org/wiki/Emancipation_Proclamation)

<sup>16</sup>Prohibition of slavery – an international law perspective can be found in <http://www.open.edu/openlearn/people-politics-law/the-law/modern-slavery/content-section-1.1.1>

In 1865 and after the end of the Civil War ,the 13th Amendment of the United States Constitution abolished slavery and involuntary servitude in the United States. The 13th Amendment stated that “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction”, effectively rendering slavery illegal in the United States<sup>17</sup>.

Following this period, a number of international treaties were implemented to prevent slavery including the U.N.’s *Universal Declaration of Human Rights in 1948* which outlaws slavery<sup>18</sup>.

The enslavement of people for economic and sexual exploitation have been occurring for thousands of years. After all the contributions to end and outlaw the practice of slavery the enslavement continues today with modern Slavery. Human trafficking has become a widespread problem across the globe today. Practices including debt bondage, forced labor, sexual slavery, and more are occurring in every country, including the United States. Events to abolish slavery and human trafficking have continued until the present day<sup>19</sup>.

### **I.3 Modern-Day Slavery Definition:**

The word ‘slavery’ today includes different human rights violation. In addition to traditional slavery and the slave trade, these abuses include the domestic servitude, forced labor, bonded labor, child labor, forced marriage and human trafficking. The victims of slavery are generally from the poorest and most vulnerable social groups. Fear and the need to survive do not encourage them to speak out.

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

In 1956 *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*<sup>20</sup>, Article 1 says:

Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on 25 September 1926:

(a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(b) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labor on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;

(c) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

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<sup>20</sup> “Arranged by a Conference of Plenipotentiaries assembled by Economic and Social Council resolution 608(XXI) of 30 April 1956 and signed at Geneva on 7 September 1956 started to be effective in 30 April 1957, in accordance with article”. *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*(1956) can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>

(iii) A woman on the death of her husband is liable to be inherited by another person;

(d) Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labor<sup>21</sup>.

According to the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery the Debt bondage, serfdom, forced marriage and the delivery of a child for the exploitation of that child is all slavery-like practices and requires criminalization and abolishment.

## **I.4 Forms of Modern-Day Slavery:**

Slavery has many forms. In a way, each relationship of slavery between the slave and the master might be disparate, but there are types in these relationships. There are several forms of slavery common enough to have their own names<sup>22</sup>. The main types given here represent the experience of most modern slaves:

### **4.1. Forced Labor:**

The first modern form of slavery to be mentioned is forced labor. To define forced labor a number of the more prominent definitions of forced labor will be presented, which we will come across to frame the problem of forced labor. As stated by the 1930 Forced Labor Convention, the forced labor is “*all work or service which is*

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<sup>21</sup> *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* (1956). It can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>

<sup>22</sup> Kevin Bales, *New Slavery: a Reference Handbook* (Santa Barbara, California: ABC-CLIO.2004)15.

*exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”<sup>23</sup>.*

According to this definition, forced labor, is implicated when a person uses his power and force or physical menace, psychological coercion, abuse of the legal process and laws, deception and cheating, or other coercive means to oblige someone to do the work. Forced labor is where people are involuntarily into work, usually with no payment, through violence or intimidation and threats.

Migrants are the most susceptible to this form of slavery; many find themselves trapped, into a foreign country with no papers, and unable to leave. But individuals also may be forced into labor in their own countries. Female victims of forced labor are often sexually abused or exploited as well<sup>24</sup>.

#### **4.2. Domestic Servitude:**

The second modern form of slavery is domestic servitude. At the first sight domestic servitude seems as a direct help for people who want to work, but unfortunately domestic servitude is used as cover for the exploitation and control of someone, usually migrants.

In 2011 the *ILO*<sup>25</sup> has adopted a convention concerning domestic workers, namely *the Convention Concerning Decent Work for Domestic Workers*<sup>26</sup>. This

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<sup>23</sup> The full title of which is the *Convention Concerning Forced or Compulsory Labor, 1930 (No.29)*, Its object and purpose is to suppress the use of forced labor in all its forms .The Convention was adopted in Geneva 28 June 1930 and came into force on 1 May 1932.

<sup>24</sup> Modern-day slavery: an explainer can be found on <https://www.theguardian.com/global-development/2013/apr/03/modern-day-slavery-explainer>

<sup>25</sup> *The International Labor Organization* is a United Nations agency dealing with labor problems, particularly international labor standards, social protection, and work opportunities for all. The text can be found on [https://en.wikipedia.org/wiki/International\\_Labor\\_Organization](https://en.wikipedia.org/wiki/International_Labor_Organization)

<sup>26</sup> *Convention concerning decent work for domestic workers* (Entry into force: 05 Sep 2013) Adoption: Geneva, 100th ILC session (16 Jun 2011) - Status: Up-to-date instrument (Technical Convention). Convention may be denounced: 05 Sep 2023 - 05 Sep 2024. you can find it on [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C189](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C189)

convention covers decent work conditions for domestic workers. Article 1 first defines domestic work and then what a domestic worker is:

- (a) The term domestic work means work performed in or for a household or households;
- (b) The term domestic worker means any person engaged in domestic work within an employment relationship;
- (c) A person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.<sup>27</sup>

Domestic servitude can be a form of forced labor and is another type of slavery when the domestic worker is not free to leave his or her employment and is abused and underpaid, if paid at all. The moment that becomes against their free will to leave the job, this becomes a case of enslavement. The victims of this kind of slavery are nannies and servants.

Those victims are vulnerable to be exploited any kind of exploitation, many forms of abuse, harassment, including sexual and gender-based violence especially against women. Because of the circumstances of working in a private residence their ability to move freely is often limited, the employment in private homes increases their isolation and vulnerability. Moreover Labor officials generally do not have the authority to inspect employment conditions in private homes as easily as they can formal workplaces<sup>28</sup>.

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<sup>27</sup> G.J. (Sabine) van Leussen. *Definition of slavery: Research about the application of the slavery definition from the Slavery Convention of 1926 concerning the modern types of slavery* (Master thesis. Netherlands: Tilburg University: Faculty of Law, 2012).p.16.

<sup>28</sup> What is Modern Slavery? Can be found on <https://www.state.gov/j/tip/what/>

The UN gives a definition in *the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Family*<sup>29</sup>. Article 2 says: “The term “migrant worker” refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national”<sup>30</sup>.

Domestic servitude can also be a form of bonded labor. When migrant workers arrive to another country, and they incurred a debt for their travel and a recruitment taxes. The recruiter adds an additional cost that can never be repaid, like housing or food, and then the process has transitioned into a form of slavery. This problem is compounded when employers or recruiters neglect legal documentation or confiscate it because migrant domestic workers are often afraid of reporting the abuse for fear of legal consequences<sup>31</sup>.

### **4.3. Bonded Labor or debt bondage:**

The third modern form of slavery that will be discussed is debt bondage. For the definition we must have a look in *the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. Debt bondage is seen as a practice similar to slavery. You can find it in section 1 titled “*Institutions and practices similar to slavery*”. Article 1 of *the Supplementary Convention* says:

“(a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as

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<sup>29</sup> International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>.

<sup>30</sup> *Ibid.*

<sup>31</sup> Beate Andrees, et al, *Regulating labour recruitment to prevent human trafficking and to foster fair migration: Models, challenges and opportunities* can be found on [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/declaration/documents/publication/wcms\\_377813.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/declaration/documents/publication/wcms_377813.pdf)

security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined”<sup>32</sup>.

Debt bondage cannot be distinguished from traditional slavery because it forbids the victim from leaving the work or the land he/she works in until his/here debts are repaid<sup>33</sup>. After a part of time and after all the efforts to repay the debts a situation of bondage grown up. The debtor cannot pay the debt on him, that’s why the debt will inherit by his/here children and the family members<sup>34</sup>.

Others fall victim to traffickers or recruiters who illegally exploit an initial fake debt. Traffickers, labor agencies, recruiters, and employers in both the country of origin and the destination country can contribute to debt bondage by charging workers recruitment fees and exorbitant interest rates, making it very hard and difficult, if not impossible, to pay off the debt. Such circumstances may occur in the context of employment-based temporary work programs in which a worker’s legal status in the destination country is tied to the employer so workers fear seeking redress.

#### **4.4. Child labor:**

The fourth form to be mentioned is child labor. This is a problem which has existed for many years. Children worked on farms or as servants. Throughout the industrial age during the eighteenth and nineteenth centuries, many factories have emerged. A lot of children worked in those factories under horrible circumstances. In

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<sup>32</sup>Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>

<sup>33</sup> Farkhanda Zia Mansoor. *Tackling Child Trafficking & Bonded Labour in Human and Labour Rights Parameters*. Hertfordshire Law Journal 4(2), 48-62

<sup>34</sup>Bonded Labor can be found on <https://www.endslaverynow.org/learn/slavery-today/bonded-labor>

the nineteenth century there appeared a few laws, like the Factory Acts in Britain, trying to reduce child labor, but the most and better efforts are much more recent. In the last decades child labor has become a very important issue internationally. Many charities and groups have made child labor their issue and it is a must to defend children. They are campaigning that we need to do something about it<sup>35</sup>.

There are many children –may be millions- all around the world are doing an extreme hazardous work. Child labor harms children by putting their health, education, personal and social development, and even their lives at risk and danger. They work on the lands ,in households as domestic workers,in factories making products,on the street, even in outdoor industries : brick kilns, mines, construction ,in bars, restaurants and tourist establishments,in sexual exploitation and ss soldiers as well<sup>36</sup>.

Working Children may face hard conditions: as full time work at a very early age, dangerous workplaces, excessive working hours, Subjection to psychological, verbal, physical and sexual abuse, Obligated to work by circumstances or individuals, limited or no pay, work and life on the streets in bad conditions, inability to escape from the poverty cycle and no access to education<sup>37</sup>.that's why the United Nations Secretary-General Kofi Annan said:

"Child labor has serious consequences that stay with the individual and with society for far longer than the years of childhood. Young workers not only face dangerous working conditions. They face long term

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<sup>35</sup> Ibid.13.

<sup>36</sup> *Children in hazardous work:What we know What we need to do*(International Labour Organization: International Programme on the Elimination of Child Labour (IPEC),2011)04

<sup>37</sup> *Child Labor and Child Abuse in Developing Countries* can be found on <http://www.uniteforsight.org/gender-power/module4>

physical, intellectual and emotional stress. They face an adulthood of unemployment and illiteracy."<sup>38</sup>

We often ask the question: why children have to work? This question has many answers according to the circumstances .Not every working child is abused because some children help in their houses and within the family businesses in order to build their personality. But most children work because their families are poor and their labor is necessary for their survival. Discrimination on grounds including gender, race or religion also plays its part in why some children work. They are often employed and exploited because, compared to adults, they are more vulnerable, cheaper to hire and are less likely to demand higher wages or better working conditions. Some employers falsely argue that children are particularly suited to certain types of work because of their small size and "nimble fingers"<sup>39</sup>.

For most working children cannot have education or go to school because it is expensive for them .In addition, their parents think education is irrelevant to the reality of their everyday lives and future ,the reality of poverty.those parents think that their children must supplement the family economy ; thus, sometimes they push their children to a forced marriage .

#### **4.5. Forced Marriage:**

The fifth modern form of slavery that will be discussed is forced marriage. Firstly marriage is defined as a formal union; marriage is a social and legal contract between two individuals that unites their lives legally, economically, and emotionally.

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<sup>38</sup> *Slavery today* (Bicentenary of the Abolition of the Slave TradeTeaching Ideas – fact sheets11)

<sup>39</sup> *Child Labor & Child Slavery* can be found on <http://www.skeptically.org/ehum/id9.html>

The contractual marriage agreement usually implies that the couple has legal obligations to each other throughout their lives or until they decide to divorce<sup>40</sup>. According to *the universal declaration of human rights* in article 16 “(2) Marriage shall be entered into only with the free and full consent of the intending spouses”.

Forced marriage encompasses child marriage because minors are considered unable of giving their opinion, and is recognized as an abuse and violation of human rights in a number of UN treaties and other international instruments. However, different instruments employ different definitions of the term ‘forced marriage’. *The 2005 Council of Europe study Forced Marriages in Council of Europe Member States* uses a broad definition according to which forced marriage constitutes an;

umbrella term covering marriage as slavery, arranged marriage, traditional marriage, marriage for reasons of custom, expediency or perceived respectability, child marriage, early marriage, fictitious, bogus or shame marriage, marriage of convenience, unconsummated marriage, putative marriage, marriage to acquire nationality and undesirable marriage – in all of which the concept of consent to marriage is at issue[.]<sup>41</sup> .

In other words and according to the definition found in the *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*<sup>42</sup> forced marriage can be:

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<sup>40</sup> Definition of Marriage can be found on <https://www.thespruce.com/definition-of-marriage-2303011>

<sup>41</sup> AISHA K GILL and SUNDARI ANITHA, *Forced Marriage: Introducing a Social Justice and Human Rights Perspective* (London and New York: Zed Books, 2011)05.

<sup>42</sup> *Ibid.*

(c) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

(iii) A woman on the death of her husband is liable to be inherited by another person;

A forced marriage is a marriage, which takes place against the will of person; or a marriage that could be agreed upon, but the person did not really have a choice. Some families force their children to marry because they think it's an important part of religion or culture or because they are worried about the family's reputation and honor. Some other families want all of the family's money to stay together or in many cases they want to marry their children off in exchange for money. Others don't approve of their child being gay, lesbian, bisexual or transgender while others don't want their children to have relationships or sex. Some families feel pressured by the community or other family members to follow traditions and they want to keep family values and honor.<sup>43</sup>

Freedom founder Aneeta Prem welcomed the new legislation. She said: "*In the most tragic cases, people forced into marriage become domestic slaves by day and sexual slaves by night*".<sup>44</sup>

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<sup>43</sup>*Being Forced to Marry*. <https://www.childline.org.uk/info-advice/bullying-abuse-safety/crime-law/forced-marriage/>

<sup>44</sup> *New law against forced marriage takes effect* <https://www.independent.co.uk/news/uk/home-news/new-law-against-forced-marriage-takes-effect-9539097.html>

Forcing someone into marriage will carry a maximum seven-year jail term under the 2014 Anti-Social Behavior, Crime and Policing Act, and is a distinct criminal offence in the whole world. Forced marriage is outlawed in many countries in the world; in EU states, including Austria, Cyprus and Germany. Since July 2006, under Austrian criminal law, forcing somebody to marry has constituted severe coercion. In Germany, the law has been changed in order to introduce a specific forced marriage offence. Forced marriage is also a specific crime in a number of non-EU states, including Norway, Serbia and Albania. In Macedonia, forced marriage is categorized as a crime under specific circumstances. Looking further afield, Australia has adopted an innovative approach to offense forced marriage: through focusing on child victims of forced marriage, Australia has defined forced marriage as akin to the existing crime of human trafficking.<sup>45</sup>

#### **4.6. Human Trafficking:**

The last modern form of slavery that will be discussed is human trafficking which is a huge problem worldwide. In 2000 the UN added a *protocol to the Convention against Transnational Organized Crime*<sup>46</sup>. This Protocol is called: *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, but is usually referred to as *the Trafficking Protocol*. This international legal agreement gives the definition of what trafficking is in article 3:

“(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of

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<sup>45</sup>. AISHA K GILL and SUNDARI ANITHA, *Forced Marriage: Introducing a Social Justice and Human Rights Perspective* (London and New York: Zed Books, 2011)18.

<sup>46</sup> *the Convention against Transnational Organized Crime* is one of the three Palermo Protocols since it was adopted by the UN in Palermo, Italy on 12-15 December 2000 and entered into force on 29 September 2003.

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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”

According to this definition, human trafficking is a multi-dimensional threat because it deprives people of their human rights .This phenomenon has a devastating impact on individual victims, who often suffer physical and emotional abuse, rape, threats against self and family, passport theft, and even death. Impact of human trafficking goes beyond individual victims; it undermines the safety and security of all nations it touches. The definition of trafficking in persons makes clear that the real abuses involved with trafficking are the crimes of forced labor, slavery and practices similar to slavery.

## **I.5 Root Causes of Modern-Day Slavery:**

Since modern-day slavery has many forms it is for sure have many causes .Here is some of the main causes that may lead to this phenomenon.

### **5.1 Population Boom:**

After World War II the world increases in population. Since 1945 the world population has become almost three times much more, increasing from about 2 billion people to more than 5-7 billion. Poverty grew with the population boom and fewer

chances to find a work. In addition to the minimized resources which increased the sense of fear, people became desperate and life becomes cheap. In areas where slavery had persisted or it was part of their history the population dramatically increased the supply of potential slaves and drove down their price<sup>47</sup>.

## 5.2 Absence of the Rule of Law:

Anna W. Shavers, in her thesis *Human Trafficking, the Rule of Law, and Corporate Social Responsibility* defined The Rule of law as:

Equality before the law; laws that are applied consistently (socially, economically, and politically); laws that spell out consequences for illegal activity; laws that serve a conception of order and regulation; laws that serve and inform institutions of society that preserve order and “fairness.”<sup>48</sup>

Government corruption is a factor that supports this new form of slavery. Just having large numbers of susceptible people doesn't mechanically make them slaves. In order to transform vulnerable people into slaves on any scale, physical force must be involved. One of the basic ideas about democratic government is that it should have an exclusive control on the means of violence. The armed forces military and the police are in most cases the only ones who can use weapons and commit violence legally, doing so to protect citizens from crime. But if anyone in a society can use violence for then they can force others into slavery. To do that on any scale need for a particular government

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<sup>47</sup> Kevin bales, *Disposal People: New Slavery in the Global Economy* (university of California press: Berkely and Los Angelas, California.1999)13.

<sup>48</sup> Ibid.3.

corruption, and especially armed forces corruption. In some countries, the police act as slave catchers, pursuing and punishing runaway slaves. Often police require that people owning slaves pay them weekly for police “protection.” For many slave owners that are rich or businesspeople, payments to the police are just a normal part of making a living. When laws against kidnapping are not compulsorily applied, the armed forces can harvest slaves because of their authority to use violence<sup>49</sup>.

### **5.3 Lack of Education:**

Lack of education is not only linked to slavery but also to social status and migration. When migrants reach their destination are often threatened of physical and psychological abuse. This has a certain impact on illiterate individuals. Without education a slave cannot gain his/her rightful freedom<sup>50</sup>.

### **5.4. Poverty:**

In this developing world poor people still exist and are living with us. Most live outside towns and cities. Living the same way as in ancient times with the hard work as if we are not in the technological century. They exist the same way that was the rule for most of human history. To be a poor means always hungry; working hard just to gain a little food for the children and family. The access to medical care and education for your children is pretty much expensive. To be poor means the basic needs of life are not available: clean water, a roof above the head to keep safe, adequate clothing, or even a pair of shoes<sup>51</sup>.

This type of deep poverty means everyday is about survival. Primary concerns are getting food for the children with a little left over for themselves. The issue is that this opens them up for exploitation. The landowners, factory owners, etc. can easily

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<sup>49</sup>Kevin Bales, *NEW SLAVERY: A Reference Handbook* (Santa Barbara, California: ABC-CLIO.2004)08.

<sup>50</sup> *The Causes of Modern Slavery* can be found on <https://fr.slideshare.net/kalyviatrieste/modern-slavery-1barbi> (26 Apr. 2015).

<sup>51</sup> Kevin Bales, *Ending Slavery: How We Free Today's Slaves* (University of California Press: Berkeley and Los Angeles, California.2007)15.

take advantage of these people; pay them close to nothing while taking advantage of their lack of education to distort the amounts. Many are given only one piece of clothing and many are not allowed to wear real clothes at all. They are made to feel like they owe and thus they must do whatever is asked of them.<sup>52</sup>

### **5.5 .Modernization and Globalization:**

Although modernization has had good effects, bringing amelioration in health care and improvement in the education system. The controlling and possessing of land by elite's hands to produce crops that have a commercial value for export rather than for use have made the poor more vulnerable. Because the political elites in the developing world focus on economic growth, which brings not only wealth for them but also provides and secures the necessities of life for the majority. So while rich have grown richer, the poor have grown poorer with fewer chances<sup>53</sup>.

Globalization has given a share in increasing the practices of modern-day slavery and human trafficking. Globalization has been defined as the act of spreading practices, values, technology and other human products and all that is important in life throughout the globe. Enslavement has transformed human beings into commodities. People have become products which can be traded, bought, sold, and exploited. Globalization is making the world smaller in a sense, making commodities easier to be obtained by people and companies around the world.<sup>54</sup>

### **5.6 Marginalized Group, Natural Disasters, War and Conflict:**

Marginalized groups are Groups of people who are isolated in the society that face the unjust or prejudicial treatment of different categories of including ethnic and

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<sup>52</sup>*Foundational Issues & Root Causes for Modern Day Slavery* can be found on <http://www.freedomchild.net/more-on-root-causes>

<sup>53</sup> Ibid.14.

<sup>54</sup> Michelle Kuhl, *Modern-Day Slavery and Human Trafficking: An Overlooked Issue* (SALVE REGINA UNIVERSITY: The Faculty of the International Studies Major, 2011)15.

religious minorities, women and children, and migrants and refugees who has been forced to leave their country in order to escape war, persecution, or natural disasters. Those groups are vulnerable to enslavement.

Weather patterns and climate catastrophes are sometimes not able to be predicted, such as monsoons and earthquakes especially in the regions of South and Southeast Asia, have become more common. Extreme weather, as well as resulting pandemic disease, can severely damage and have destructive effects on country's physical infrastructure, displace communities, and increase a state of despair and hopelessness that already exists within marginalized groups<sup>55</sup>. Increasing and more severe natural disasters, possibly as a result of global warming, have also left millions displaced, homeless, and impoverished. Assistance programs to aid disaster victims have often been insufficient, and needed aid too often has been diverted by corrupt officials. Deprived of their land and without increased opportunities in nonagricultural sectors, these desperate people are often going to be exploited<sup>56</sup>.

## **I.6. Harm to the Victims:**

The trauma experienced by victims varies from one individual to the other and may be influenced by the age of the victim upon being trafficked, the nature of the exploitation, the length of time the victim is exploited, and the degree of violence and manipulation to which the victim is exposed. Victims of both sexual exploitation and forced labor are often left with little or no resources to rebuild their lives. Victims of forced prostitution are often stigmatized by their families and communities, making it virtually impossible to return home and receive support. Victims suffer from depression

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<sup>55</sup> <https://www.cfr.org/interactives/modern-slavery/#!/section1/item-1>

<sup>56</sup> Louise Shelley, *Human Trafficking: A Global Perspective* (New York: CAMBRIDGE UP, 2010)38.

and that suicidal thoughts are common. Victims' mental states include withdrawal, disassociation, and feelings of helplessness and self-blame<sup>57</sup>.

### **1.7. Conclusion:**

As can be seen by the preceding information, slavery comes in many forms and can be found in virtually all countries even in the small countries where slavery cannot exist have slaves inside their borders. Altogether, slaves constitute a vast workforce that supports the world economy we all share<sup>58</sup>.

Though it is clear ,then, that slavery does still exist even into the twenty-first century ,it is appropriate that most of us are hesitant to use the world slavery loosely .but we must call this contemporary violation against humans “slavery” because that is precisely what it is.

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<sup>57</sup> Alexis A. Aronowitz, *Human trafficking, human misery: the global trade in human beings*. (US A: Praeger Publishers, 2009)47.

<sup>58</sup> Kevin bales, *NEW SLAVERY: a Reference Handbook* (Santa Barbara, California: ABC-CLIO.2004)18.

**Chapter Two:**  
**Universal Human Trafficking**

## II. Introduction:

Trafficking is a worldwide problem. It has an effect on every continent and the greatest amount of countries. Slavery and human trafficking is regarded at the present time the third massive source of revenue for organized crime, after drug and weapons smuggling<sup>59</sup>. It is a phenomenon that knows no borders and that speaks no particular language, except that of exploitation, money and greed.

This chapter will provide a discussion on the background of human trafficking, with an overview of different forms, the scope of the problem and basic definitions in addition to the main factors supporting human trafficking, with reference to human rights seeing human trafficking as a violation to it.

### II.1. Overview of Human Trafficking:

Two centuries after the repealing of the transatlantic slave trade or chattel slavery and more six decades after *the General Assembly of the United Nations (UN)* announce officially that “*slavery and the slave trade shall be prohibited in all their forms*”<sup>60</sup>. However, human trafficking is a worldwide unwelcomed situation, which takes place in all societies. It has been a highly difficult issue need much effort to be defined; the continual changes of how this crime is carried out have left policymakers and law application unsuccessful at systematically preventing it. Globally, in which fortune and riches are still centered in the hands of the few, a certain section of the population is particularly at risk of becoming the objects and targets of others’ individual gain. The main splitting allows one person to take advantage of another are typically a relative economic damage, minority situation (ethnic, gender) and/or a disturbance access to trustworthy social networks (i.e. through migration). The

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<sup>59</sup> Kevin Bales, et al, *Modern Slavery: the Secret World of 27 Million People* (England: Oneworld Publications, 2009)38.

<sup>60</sup> Cullen-DuPont, Kathryn, *Human trafficking* (New York: Facts On File ,2009)03

imbalance of wealth and power, the difference in the distribution of personal rights, and at first the desire of people to trade in human distress misery, have to lead to cruel human exploitation on a universal level. Human trafficking is one of the most horrible signs of humanity's failure to leave possible individual gains so that to prohibit the need for another person. Traffickers of human beings show a complete underestimation for the honor and disrespect of the rights of their victims. They basically sell these to ready persons who make a personal profit<sup>61</sup>.

Victims of human trafficking, as modern-day slavery is officially termed, can be deprived of their freedom when they are illegally, and frequently unwillingly, transported across or within their countries' borders. Human traffickers often take the official documents of the victims such as passports and identity cards when they are trafficked to another country, leaving them without evidence of identity or the ability to travel back to their origin country. The victims of human trafficking are then caught in circumstances comparable to those imposed on slaves two hundred years ago. They do not have choices to works they will perform, their salary is low or near nothing, if they paid at all, and keep restricted under the menace of violence or even death<sup>62</sup>.

## **2.1. Human Trafficking Definition:**

During the mid-20th century, the term trafficking was first used to describe "white slave traffic" and "the trafficking in women and children" to indicate women and children who are brought into prostitution by force and coercion. By the late nineties, human trafficking definition has had to be enlarged to reflect exactly the reality of modern-day slavery and a very broad and accurate definition would need to be<sup>63</sup>.

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<sup>61</sup> Christal Morehouse, *Combating Human Trafficking: Policy Gaps and Hidden Political Agendas in the USA and Germany* (Germany: VS Verlag, 2009)17.

<sup>62</sup> Ibid.03.

<sup>63</sup> Ibid.08.

In 2000, the General Assembly, as part of its *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, adopted its own detailed and broad definition of human trafficking. It is the one most frequently cited today:

“(a) “Trafficking in persons” shall mean 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, 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. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph(a) of this article.

(d) “Child” shall mean any person under 18 years of age.”<sup>64</sup>

The definition of human trafficking, which appears in the protocol put a special emphasis and importance on the trafficking of women and children, clearly signals a continued concern for the sexual exploitation aspects of human trafficking. By

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<sup>64</sup> United Nations. “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime” Can be found on <http://www.ohchr.org/English/law/protocoltraffic.html>.

specifying “forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs,” however, *the UN Protocol* clearly admits that human trafficking would no longer be defined exclusively by coercive contribution in the sex businesses<sup>65</sup>.

Human Trafficking is a crime and a human rights violation. Three recognizably different things for a case to be one of trafficking must be accomplished, the first is the act, the second is the means, and the third one is the purpose. The act of recruitment, transportation, transfer, harboring or receipt of persons must be done by a means such as the use of force compulsion, especially with the use of menace or violence, or other forms of coercion, kidnapping, fraud, deception, using one's position of power in an abusive way or of susceptibility and vulnerability of some people to be harmed or the giving or be given payments and it must be for the purpose of exploitation i.e. sexual exploitation, exploitation at work or organ removal<sup>66</sup>.

## **2.2. Factors Supporting Human Trafficking:**

Trafficking in human beings has existed since the onset of civilization at the very beginning stage of human social development and organization. However lately in recent years the trafficking spread as a plague, or what called in society by modern-day slavery. This type of slavery has drastically grown due to globalization, the magnitude of poverty, organized crime, government corruption, and its relation to the growth of the global commercial sex industry. These push factors are paralleled with the withdrawal circumstance of demand for employers, the chances of a greater extent scale of living, and the assumption of the majority of poor people that better opportunities can be found in the big cities or in foreign countries. This presumption has existed long ago<sup>67</sup>.

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<sup>65</sup> Ibid.09

<sup>66</sup> *What is Human Trafficking?* Can be found on <http://www.blueblindfold.gov.ie/website/bbf/bbfweb.nsf/page/humantrafficking-overview-en>

<sup>67</sup> Louise Shelley, *Human Trafficking: A Global Perspective* (New York: CAMBRIDGE UP, 2010)37.

### 2.2.1. Globalization:

Globalization helped make present- day slaves easy to procure, easy to transport, and easy to exploit in an increasing number of industries<sup>68</sup>. Human Trafficking has heightened dramatically with globalization, the rise of illegal trade, and the end of the Cold War. Free markets, free trade, greater economic competition, and a gradual lowering in nation interference in the economy have been hallmarks of the globalizing process. Globalization is also characterized by the easiness to move goods and people and fast communications. Outlying countries of the world are now incorporated into the global economy. However, dominance on the entrance even to the richest countries creates obstacles for those who attempt to migrate. This is highly criminal behavior because of the borders on labor clash with the demands of a global economy. Many seek illegal ways to enter countries where there is demand for labor<sup>69</sup>.

### 2.2.2. Magnitude of Poverty:

Poverty may contribute to the availability of risky situations to a person making decisions seeking employment, which can then become trafficking<sup>70</sup>. Numerous victims of trafficking start their journey by consenting to be smuggled out of a country to another one. Whereas others are kidnapped and carried out against their wish, numerous others, fascinated by economic opportunities that make it possible to work. They pay smugglers to take them across borders but after that they find themselves traded and exchanged for money to a factory or workshop, especially in the clothing industry, where manual workers are employed at very low wages for long hours and under poor conditions and sold to prostitution or into domestic servitude to pay for their traffic. The

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<sup>68</sup> Siddharth Ashok Kara, *Sex trafficking: inside the business of modern slavery* (USA: Columbia UP, 2009) 24.

<sup>69</sup> Ibid.37.

<sup>70</sup> *Push and Pull: The Intersections of Poverty, Health Disparities, and Human Trafficking* can be found on <https://www.cancerincytes.org/push-and-pull-the-intersections-of-pove>

victims can be controlled after their arrival to the destination country because they must be collaborative to successfully sail and pass borders and immigration security controls. Throughout the way, their documents that provide information or evidence or that serves as an official record to their identity are taken away and the transit house where they stay temporarily at night is locked. They gave them little food, and the “boss” keeps them awake most of the night. Within a few days, lack of sleep, starvation, and isolation take their strength, so they start to be confused and dependent on the traffickers<sup>71</sup>

### 2.2.3. Organized Crime:

The exploitation of human beings is a highly produces a great deal of profitable business for organized criminal groups<sup>72</sup>. Crime groups, particularly human smugglers and traffickers have taken hold of suddenly and forcibly the opportunities created by the universal economy. They have enlarged and grown their activities across borders and to new areas of the world; illegal trade has been changed and has formed extensive damage effects<sup>73</sup>. The famous reason for which human trafficking takes a place is for the purpose of sexual exploitation, many victims are also trafficked for forced labor, domestic servitude, child begging or the removal of their organs. The major diverse forms of human trafficking mean that there is no single, typical victim profile. Cases of human trafficking are perceived in all areas of the globe and victims are targeted regardless of gender, age or background. Children, for example, might be trafficked from Eastern to Western Europe for the purpose of begging or as pickpockets; while young girls from Africa could be deceived with promises of modeling or of pair jobs

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<sup>71</sup> Kevin Bales, et al, *Modern Slavery: The Secret World of 27 Million People* (England: Oneworld Publications, 2009)39.

<sup>72</sup> *Human trafficking: organized crime and the multibillion dollar sale of people* can be found on [http://www.unodc.org/unodc/fr/frontpage/2012/July/human-trafficking\\_-organized-crime-and-the-multibillion-dollar-sale-of-people.html](http://www.unodc.org/unodc/fr/frontpage/2012/July/human-trafficking_-organized-crime-and-the-multibillion-dollar-sale-of-people.html)

<sup>73</sup> Ibid.38.

only to find themselves moving downward for a world of sexual and pornographic exploitation. By the mid-nineties, at that time the illegal economy constitutes about 6 percent of the world's economy, and its part has risen thereafter because illicit money continued not subjecting to taxation and illicit businesses as human trafficking has been expanded<sup>74</sup>

#### **2.2.4. Government Corruption:**

lack of confidence and insecurity in the Political and economic fields, which may be caused by miss-controlling, nepotism<sup>75</sup> or political corruption, conflict, environmental disaster, or constitutional modulation policies resulting in the increase in the prices of living, increase the unemployment rate and a deficiency of public services<sup>76</sup>. Political corruption is able to transfer insufficient resources from poor and needy destitute people to the personal interest. This is most prevalent in countries where democratic organizations are weak or not present<sup>77</sup>

#### **2.2.5. The Growth of the Global Commercial Sex Industry:**

Trafficking is a sort of economic activity. The taking part foundations purpose is to create a financial gain so that Migration, smuggling, and trafficking are regarded as forms of business. Trafficking can be seen as a secondary product made of migration, from which organizations profit from the movement of people. Researchers cite evidence to support trafficking to be studied as a business that mediates the universal

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<sup>74</sup> Ibid.38.

<sup>75</sup> Nepotism: is based on favor granted to relatives in various fields, including business, politics, entertainment, sports, religion and other activities.

<sup>76</sup> Alexis A. Aronowitz, Human Trafficking, Human Misery: The Global Trade in Human Beings (USA: Praeger Publishers, 2009)11.

<sup>77</sup> Politics and Government can be found on [https://www.transparency.org/topic/detail/politics\\_and\\_government](https://www.transparency.org/topic/detail/politics_and_government)

mobility between origin and destination countries. As a result, trafficking networks can be viewed as business institutions<sup>78</sup>.

Several people, usually women, are pressured to migrate to do sexual jobs or other kinds of unofficial or uncontrolled labor. It is hard to count the current numeral of people selling sex but there are a lot of records of a common growing in numbers of sex workers. This perfect chance to provide sex workers appears to be matched by the higher demand in many parts of the world<sup>79</sup>

There are numerous ideological impacts on the sex industry and these differ by nation and culture, but the increasing of sex as a commodity is reflected in the higher use of sexual pictures in advertising, the fast development of the mature entertainment industry, realistic, and the common availability of pornography on the internet. This increase in sex markets continues despite many governmental efforts, beliefs, and religion, and social movements attempt to control or abolish this act. It seems that emphasizing the holiness of sexual relations into marriage does not comply with the activity or profession of producing advertisements for commercial of business.<sup>80</sup>

#### **2.2.6. Gender and Ethnic Discrimination:**

In spite of the fact that minority status is often tied to the demographic change, population number is not always the reason. In fact, a great number of individuals possibly may experiment systemic discrimination based on features or qualities belonging to ethnicity, religion, and gender. Minorities' situation and experiences also have a hand based on location, with gender being the perfect example. Gender has an effect on women to a different extent depending on the country they live in, and in

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<sup>78</sup> Ibid.24

<sup>79</sup> Globalisation, the sex industry, and health can be found on <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2563848/>

<sup>80</sup> Ibid, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2563848/>

several cases, women can be subjected to discrimination like that of minorities. By expanding the expression “minority” to include any number of people that suffer discrimination or marginalization, we further improve our capacity to recognize persons vulnerable to trafficking<sup>81</sup>. In addition, Discrimination of ethnic, gender, or group excluding certain persons from the employment sector; and dismissal of the family may be because of the result of being affected by Contagious disease or HIV/AIDS, the death of one or both parents which may force or oblige the remaining family members either to migrate or send their children away in order to work and help support the family’s income<sup>82</sup>.

### **II.3. Forms of Human Trafficking:**

Investigations about the Phenomenon of human trafficking revealed of many forms and that the victims are from all age groups and both genders that mean either being a child or an adult, man or woman it does not matter the traffickers. This has resulted in a hard position for researchers and policymakers because human trafficking contains plenty of forms and affects a great number of individuals. For this reason, it is needs much effort to know where to begin. After having many pieces of research human trafficking include the following forms<sup>83</sup>:

#### **3.1. Smuggling of Human Beings:**

People smuggling means the obtaining of funding or financial gain from the illicit entrance of people into a state in which they are neither a citizen nor a permanent inhabitant. The offenders of this crime are difficult to be traced as they are usually

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<sup>81</sup> Heidi Box ,Human Trafficking and Minorities: Vulnerability Compounded by Discrimination can be found on <https://www.du.edu/korbel/hrhw/researchdigest/minority/Trafficking.pdf>

<sup>82</sup> Ibid.11

<sup>83</sup>Sa!a Pou"ki, The Quest for Root Causes of Human Trafficking: A Study on the Experience of Marginalized Groups, with a focus on the Republic of Serbia(Newark, New Jersey :The State University of New Jersey :the degree of Doctor of Philosophy,2012)56,57.

obscure to the smuggled people because they use rented vehicles and change their phones and phone numbers orderly<sup>84</sup>.in other words Smuggling is the transportation of people to other states without having visas or required official document or entry permits in order to earn financial and other benefits. The business deal happens generally with an agreement from the smuggled person or with his/her permission. People smuggling is a crime, against the state in the first place.<sup>85</sup>

### **3.2. Migration of Workers:**

Means the willingly traveling of people to other regions of the same country or other states seeking jobs and the essential necessities of life. Although it does not in itself involve the unjustified utilization of coercion or the effect on migrants or the striving toward financial gains. The necessity or wish for migration can encourage the rapid spread of human trafficking interests and bring into being a market for people smuggling. Human beings often begin to be the raw material for smuggling process while moving abroad in search of work<sup>86</sup>.

### **3.3. Forced Labor:**

It is the work that being accomplished under obligation and authority and sanctions. Victims of human trafficking are often in a compulsory way in opposition to their will to do various types of work, in households or in farming, where their rights and movement are restricted<sup>87</sup>. Forced labour is an outcome of trafficking because

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<sup>84</sup>People smuggling can be found on <https://www.interpol.int/Crime-areas/Trafficking-in-human-beings/People-smuggling>

<sup>85</sup>Stuart Shield ,Poverty and Trafficking in Human Beings: A strategy for combating trafficking in human beings through Swedish international development cooperation(Department for Global Development,2003)10

<sup>86</sup> Ibid. 10

<sup>87</sup> Ibid. 10

people trafficked for forced commercial sexual exploitation or to be Domestic worker, Or to work in agriculture or construction<sup>88</sup>.

### 3.4. Child Labor:

Children cannot give informed consent, so it is not necessary to show that they were forced, coerced or deceived into being exploited<sup>89</sup>. Child labor indicates to the making use of children in dangerous or hurtful jobs that's means the work itself may causes physical or mental damage or it possibly take their childhood and prevent them from their right to have an appropriate education or development in general<sup>90</sup>.

### 3.5. Sexual Exploitation:

Exactly prostitution is one of the prevailing forms of exploitation for which human beings are trafficked. The demand for sexual services is thus one of the most important causes of this type of trafficking<sup>91</sup>. Human trafficking is one of the fastest growing criminal industries in the world, fueled in large part by the lucrative business of trafficking women and girls for commercial sexual exploitation .criminal organizations are increasingly involved in the international sex trafficking of women and girls, many victims are trafficked locally or within limited geographic regions by “unorganized” pimps or semi-organized criminal networks<sup>92</sup>.

### 3.6. Domestic Servitude:

Domestic servitude is a form of trafficking in human beings which is extremely difficult to detect because the work is performed in private residences and it takes place

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<sup>88</sup> *Forced Labour & Indigenous Peoples* can be found on <http://pro169.org/res/materials/en/pp/Forced%20Labour.ppt>

<sup>89</sup> Jennifer Hall ,*Modern Slavery* Can be found on <https://www.middevon.gov.uk/media/205806/modern-slavery-presentation.pdf>

<sup>90</sup> Ibid. 10.

<sup>91</sup> Ibid. 10

<sup>92</sup> *Trafficking and Commercial Sexual Exploitation* can be found on [http://www.stopvaw.org/trafficking\\_and\\_commercial\\_sex\\_work](http://www.stopvaw.org/trafficking_and_commercial_sex_work)

out of sight, thereby isolating the workers. Trafficking for domestic servitude covers a range of situations, all of which share certain features: subjugation, intimidation and an obligation to provide work for a private individual, excessively low or no salary, few or no days off, psychological and/or physical violence, limited or restricted freedom of movement, denial of a minimum level of privacy and health care. Living in the household of the employer, the domestic worker may constantly be required to be available to work day and night, often in living conditions that are unacceptable and subject to abuse, humiliation, discriminatory behavior and punishment<sup>93</sup>.

#### **II.4. The international Human Rights:**

Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups<sup>94</sup>.

The UN founded and recorded in the written form the fundamentals of human rights that would work for all people and all nations as well. The procedure of recording these official papers takes place in UN assemblies, where official delegates of the governments of all the UN's belonging countries place their perspectives and discuss terms of the acceptable wording. At the final part of this process, the UN determine whether or not to officially take in the script into consideration, what is meant is that it then set foot in international law. This was achieved by all the voting of UN member

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<sup>93</sup> How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers(OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 2014)13

<sup>94</sup> What are human rights? Can be found on <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

countries in *the UN's General Assembly*. The headmost considerable accomplishment of the UN in the domain of human rights was the adoption by the General Assembly of *the Universal Declaration of Human Rights* in 1948. The leading aim of *the Universal Declaration* was to produce a globally acceptable features plan of human rights. To preserve the memory of the adoption of *the Universal Declaration of Human Rights*, December 10 is regarded as International Human Rights Day<sup>95</sup>.

## **II.5. The Relationship Between Human Rights and Human Trafficking:**

The relationship between human rights and the fight in opposition to trafficking have been in existence for a long time. From its beginning till nowadays, human rights law has declared with certainty the basis of immoral behavior and illegitimacy of owning the lawful identity, labor or the humanity of another person. Human rights law has forbidden the unjust treatment on the viewpoint of race and sex; it has to ask authoritatively equivalent or at the minimum confirmed essential rights for non-inhabitant; it has condemned and illegalized the unfair imprisonment, forced labor, debt bondage, forced marriage, and the sexual exploitation of children and women; and it has advocated independence of movement and the right to leave and go back to one's mother country. Various human rights will be closely connected at separate points in the trafficking sequence several will be particularly to the point causes of trafficking (for instance, the right to an acceptable appropriate life); others to the real situation of trafficking (for example, the right to be freedom from been a slave); and others to the reply to trafficking yet (for example, the right of the convict with a crime in a fair trial). Some rights are in general can be applied to each of these sides<sup>96</sup>.

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<sup>95</sup> *The international human rights system* can be found on <https://www.humanrights.gov.au/education/students/get-informed/international-human-rights-system>

<sup>96</sup> *Human Rights and Human Trafficking* (New York and Geneva: United Nations: Fact Sheet No. 36, 2014)004, 05.

### 5.1. Trafficking as a Violation of Human Rights:

Many of the practices associated with modern-day trafficking is clearly prohibited under international human rights law. For instance, human rights law forbids debt bondage, forced labor, servitude, child sexual exploitation, forced marriage, servile forms of marriage, child marriage, enforced prostitution and the exploitation of prostitution trafficking-related practices that are prohibited under international human rights law. Over the past decade a general agreement has emerged within the international community that trafficking itself is a serious violation of human rights. For example, both the Council of Europe's Convention on Action against Trafficking in Human Beings and the European Union Directive on preventing and combating trafficking in human beings and protecting its victims identify trafficking as a violation of human rights. *The United Nations General Assembly* and the *Human Rights Council* have over and over asserted that trafficking violates and weaken main human rights, as have a considerable number of the international human rights mechanisms<sup>97</sup>.

In order to reach a level of protection against human rights violations, it stands to reason that people need to know their rights and what it means to have human rights. In simple terms, human rights can be understood by following *UNDR*. *UNDR*'s article one, states that "*all human beings are born free and equal in dignity and rights*" and article 3 builds on this by saying, "*everyone has the right to life, liberty and security of person.*" Article 4 is closest in relation to rights pertaining to human trafficking, as it explicitly stated in *The Universal Declaration of Human Rights, 1948* that "*no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms*".<sup>98</sup>

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<sup>97</sup> Ibid.05.

<sup>98</sup> Ibid.76.

## 5.2 .The Human Rights of Trafficked People:

Both the Charter of *the United Nations* and *the Universal Declaration of Human Rights* assert that rights are international: they conform to everybody, regardless of their race, sex, ethnic origin or other differences .Trafficked individuals have the full domain of human rights. Though they are outside their habitation country, international law is frank when it comes to them and they cannot be differentiated against just because they are non-citizens<sup>99</sup>. Women, children, migrants and migrant workers, refugees and asylum seekers, internally displaced persons, and persons with disabilities are the targeted group members for trafficking. Those victims suffer from rape, forced marriage, unwanted or forced pregnancy, forced termination of pregnancy, and sexually transmitted diseases, including HIV/AIDS<sup>100</sup>.

Individuals belonging to particular category who are subject to trafficking may be in a situation to claim distinct or extra rights. Victims of trafficking are given the same protection and security as native citizens in all cases, including those concerning the protection of their privacy and physical and psychological integrity.<sup>101</sup>

## II.5.International Efforts to End Human Trafficking:

One of the most important issues all over the world is how to combat trafficking in persons? .Although human trafficking is a complex issue, but are some international efforts in order to end it .The main international agreements and organizations to stop human trafficking are as follows:

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<sup>99</sup> Ibid.06.

<sup>100</sup> Ibid.08.

<sup>101</sup> Ibid.08.

## 5.1. International Agreements:

It has long been recognized that human trafficking is not just a domestic issue, but rather, is an international phenomenon. As a distinctly transnational issue, international law plays an essential role in shaping conceptualizations of, and responses to, trafficking in persons by international agreements:

### 5.5.1.1. The Palermo Protocol, a Supplement to the UN Convention Against Transnational Organized Crime (2000):

Adopted by *General Assembly resolution 55/25* of 15 November 2000, is the main international instrument in the fight against transnational organized crime. It opened for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003. The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime: *the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition*. Countries must become parties to the Convention itself before they can become parties to any of the Protocols.<sup>102</sup>

### 5.5.1. 2.The Slavery Convention (1926):

The Convention was adjusted by the Protocol Held at the Headquarters of the United Nations, New York, on 7 December 1953; the adjusted Convention take effect on 7 July 1955, the date on which the amendments, set forth in the annex to the Protocol of 7 December 1953, come into force in conformity with article 03 of the Protocol. While the signatories of *the General Act of the Brussels Conference of 1889-90*

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<sup>102</sup> *United Nations Convention against Transnational Organized Crime and the Protocols Thereto* can be found on <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>.

proclaimed that they were equally continuing with a high-spirits intending on putting an end to the traffic in African slaves. Afterward, it was asserted their intention of securing the complete suppression of slavery in all its forms and of the slave trade by land and sea, considering that it is obligatory to prevent forced labor from evolving into conditions similar to slavery<sup>103</sup>

### **5.5.1.3. The UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949):**

Approved by *General Assembly* resolution on 2 December 1949, its entrance into force on 25 July 1951, in accordance with article 24<sup>104</sup>. The Convention replaced a number of earlier conventions that Deals with some aspects of forced prostitution. The parties that have signed are charged with three duties under the 1949 Convention: prohibition of trafficking, specific administrative and enforcement measures, and social measures aimed at trafficked persons. The 1949 Convention offers two changes in the viewpoint of the trafficking problem in that it views prostitutes as victims of the procurers, and in that it avoids the terms "white slave traffic" and "women", using for the first time race- and gender-neutral language. To fall under the provisions of the 1949 Convention, the trafficking need not cross international lines<sup>105</sup>

### **5.5.1.4. The International Covenant on Civil and Political Rights (ICCPR):**

*The United Nations International Covenant of Civil and Political Rights (ICCPR)* attempts to ensure the protection of civil and political rights. It was legally taken by *the United Nations' General Assembly* on December 19, 1966, and it came into

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<sup>103</sup> Slavery Convention can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SlaveryConvention.aspx>

<sup>104</sup> Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others can be found on <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TrafficInPersons.aspx>.

<sup>105</sup> The UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949) can be found on [https://en.wikipedia.org/wiki/Convention\\_for\\_the\\_Suppression\\_of\\_the\\_Traffic\\_in\\_Persons\\_and\\_of\\_the\\_Exploitation\\_of\\_the\\_Prostitution\\_of\\_Others](https://en.wikipedia.org/wiki/Convention_for_the_Suppression_of_the_Traffic_in_Persons_and_of_the_Exploitation_of_the_Prostitution_of_Others) .

force on March 23, 1976. *The International Covenant on Economic Social and Cultural Rights, the Universal Declaration of Human Rights, and the ICCPR* and its two Optional Protocols, are collectively known as *the International Bill of Rights*. *The ICCPR* admits the essential human dignity and promises to elevate services within states to allow the enjoyment of civil and political rights. Countries that have approved the agreement are bounded “*to keep safe and maintain fundamental human rights to lay hold of administrative, judicial, and legislative measures in order to protect the rights provided in the treaty and to come up with an effective solution*”.<sup>106</sup>

## **5.2 International Organizations:**

After drugs and arms trafficking, the trafficking of human beings is the third most lucrative project for transnational organized criminal groups. Combating the trafficking of human beings is a problem that no country can do on itself. International cooperation is something important. As luck would have it there exists a number of international organizations that provide the platform for which countries can work together to take on this global scourge<sup>107</sup>.

### **5.5.2.1. United Nations Development Program (UNDP):**

*UNDP* is active in close to one hundred seventy countries and territories, helping to reach the elimination of poverty and the decreasing of injustice and exclusion. It assists countries to improve policies, leadership skills, partnering abilities, institutional capabilities and build flexibility in order to strengthen development results. *UNDP* is working to support new frameworks for development, disaster risk lowering, and climate change. It supports countries' efforts to achieve the new Sustainable

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<sup>106</sup>The International Covenant on Civil and Political Rights (ICCPR) can be found on <https://ccla.org/summary-international-covenant-on-civil-and-political-rights-iccpr/October 27, 2015>

<sup>107</sup>How International Organizations Combat Human Trafficking can be found on <https://www.undispatch.com/how-international-organizations-combat-human-trafficking/>

Development Goals, which will guide global development priorities for the next fifteen years. *UNDP* focuses on helping countries build and share solutions in three main areas: firstly Sustainable development, secondly Democratic governance and peace building thirdly Climate and disaster resilience. In all its activities, *UNDP* encourages the protection of human rights and the empowerment of women, minorities and the poorest and most vulnerable<sup>108</sup>.

#### **5.5.2.2. United Nations Children’s Fund (UNICEF):**

*UNICEF* is charged by *the UN General Assembly* to defend and protect children’s rights, to assist in meeting their principal necessities and to increase their chances to reach their full possibility. *UNICEF* is guided by *the Convention on the Rights of the Child* and makes great efforts to establish children’s rights as enduring ethical principles and international standards of behavior towards children. *UNICEF* mobilizes political will and material resources to help countries, particularly developing countries, ensure a “first call for children” and to build their capacity to form appropriate policies and deliver services for children and their families. *UNICEF* is committed to ensuring special protection for the most disadvantaged children – victims of war, disasters, extreme poverty, all forms of violence and exploitation and those with disabilities. *UNICEF* responds in emergencies to protect the rights of children<sup>109</sup>.

#### **5.5.2.3. United Nations Development Fund for Women (UNIFEM):**

Works to make sure women take part in all levels of development planning and practice. It acts as a motivation inside the UN system; give assistance efforts that

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<sup>108</sup> *United Nations Development Program (UNDP)* can be found on <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/extrabudgetary-projects-on-freedom-of-expression/development-partners/united-nations-development-programme-undp/>

<sup>109</sup> *United Nations Children’s Fund (UNICEF)* can be found on <http://in.one.un.org/who-we-are/unicef-in/>

connect the needs and concerns of women to all critical problems on the national, regional and global agendas<sup>110</sup>.

#### **5.5.2.4. United Nations Fund for Population Activities (UNFPA):**

*UNFPA, the United Nations Population Fund*, is an international development agency that advocates the right of each woman, man, and child to take pleasure in a life of health and equal opportunity. *UNFPA* helps countries in using specific population's information for policies and programs to lower poverty and to confirm that every pregnancy is wanted, every birth is secure, every young person is free of HIV and every girl and woman is treated with dignity and respect<sup>111</sup>

#### **5.5.2.5. International Labor Organization (ILO):**

The only tripartite U.N. agency, since 1919 the *ILO* brings together governments, employers, and workers of 187 member States, to set labor standards, develop policies and devise programs promoting decent work for all women and men<sup>112</sup>.

#### **5.5.2.6. United Nations Office for Drug Control and Crime Prevention (UNODCCP):**

*UNODC* is a worldwide chief in the fight against illegal drugs and international crime. Founded in 1997 out of a combination between *the United Nations Drug Control Program and the Centre for International Crime Prevention*, *UNODC* runs in all areas of the world through an inclusive network of field offices. *UNODC* relies on Donations, mostly from Governments, for 90 percent of its budget.

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<sup>110</sup> *United Nations Development Fund for Women (UNIFEM)* can be found on <http://www.un.org/popin/programmes/unifem.html>

<sup>111</sup> *United Nations Fund for Population Activities (UNFPA)* can be found on <https://www.wikigender.org/wiki/united-nations-population-fund-unfpa/>

<sup>112</sup> *International Labor Organization (ILO)* can be found on <http://www.ilo.org/global/about-the-ilo/lang-en/index.htm>

*UNODC* is charged to help the Member States in their struggle against illicit drugs, crime, and terrorism. In the Millennium Declaration, Member States also resolved to intensify efforts to fight transnational crime in all its dimensions, to redouble the efforts to implement the commitment to counter the world drug problem and to take concerted action against international terrorism<sup>113</sup>.

#### **5.5.2.7. International Organization for Migration (IOM):**

*IOM* was founded in 1951, is the chief inter-governmental organization in the domain of migration and works very close to governmental, intergovernmental and non-governmental partners. With 169 member states, *IOM* is devoted to help people and organized migration for everybody sake. It does so by supplying a public need and advice to governments and migrants. It contributes in managing migration by ensuring the orders. further by elevating international collaboration on migration problems, to help in finding feasible solutions to migration question and to come up with humane assistance to migrants in need, including refugees and internally displaced people<sup>114</sup>.

#### **5.5.2.8. Organization for Security and Co-operation in Europe (OSCE):**

*The Organization for Security and Co-operation in Europe (OSCE)* was called before *The Conference on Security and Co-operation in Europe (CSCE)*.it has been founded in Helsinki, Finland, in 1975 .it new name has been officially used since 1 January 1995. Nowadays, *OSCE* is the world's largest security-oriented intergovernmental organization. Its main focus is to promote common trust between states and nations, democratic reforms, the establishment of new institutions and civil

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<sup>113</sup> *United Nations Office for Drug Control and Crime Prevention (UNODCCP)* can be found on <https://www.unodc.org/unodc/en/about-unodc/index.html>

<sup>114</sup> *International Organization for Migration (IOM)* can be found on <https://www.iom.int/about-iom>

society, voting observation. The major objectives of the organization are full security, stopping conflicts from happening and post-conflict regulation<sup>115</sup>.

#### **5.5.2.9. The Stability Pact for South Eastern Europe:**

*The Stability Pact* was established in 1999 at the initiative of *the European Union* with the aim of establishing and reinforcing peace and security in South-Eastern Europe and involved countries and international organizations as partners. *The Stability Pact* has been superseded by *the Regional Co-operation Council* in 2008, which now oversees regional co-operation in South Eastern Europe and supports the European and Euro-Atlantic integration of the region<sup>116</sup>.

#### **5.5.2.10. International Criminal Police Organization (INTERPOL):**

*INTERPOL* is the world's largest international police organization, with 192 countries. Their role is to enable police all over the globe to work together to make the world a secure place. Our high-tech organizational structures of technical and operational helping hand to meet the growing challenges of combating crime in the 21st century<sup>117</sup>

#### **5.5.2.11. European Law Enforcement Organization (EUROPOL):**

*Europol* is an organization to enforce the European law. It aims at ameliorating the efficiency and combined efforts of the expert authorities in the Member States in preventing and combating organized crime and terrorism. Totally functioning since 1999 in The Hague in the Netherlands, the organization employs some 900 workers to

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<sup>115</sup> *Organization for Security and Co-operation in Europe (OSCE)* can be found on <https://www.urm.lt/default/en/foreign-policy/lithuania-in-the-region-and-the-world/international-organizations/organization-for-security-and-co-operation-in-europe>

<sup>116</sup> *Stability Pact for South-Eastern Europe* can be found on [https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/stability-pact\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/glossary/terms/stability-pact_en)

<sup>117</sup> *International Criminal Police Organization (INTERPOL)* can be found on <https://www.interpol.int/About-INTERPOL/Overview>

support national law-enforcement agencies in their daily work, including efforts to tackle illicit drug production and trafficking, money laundering, cyber-crime, terrorism<sup>118</sup>.

## **II.6. Consequences and the Re-victimization of the Victims Instead of Protection:**

The victims in the chain of trafficking in humans are treated badly and utilized in particular conditions, which may have effects in short or long term and serious psychological and physical harm, infections, especially sexually transmitted diseases or HIV viruses and every so often this can proceed to the maximum limits and results unexpectedly to permanent disability and death. Any symptoms such as anxiety, depression, alienation, disorientation, aggression, and difficulties in concentration are straight results of the long-term and repeated traumatic experiences that victims experienced during the process of trafficking in persons. That is going to last for a long period after leaving the situation of exploitation, particularly when there is no appropriate support or rehabilitation and counseling provided. The rights of victims often continue to be violated, even after they have left the situation of exploitation and trafficking which means in many situations they are faced with re-victimization. That is to say, in the majority of the countries, the protection provided to trafficked persons is still directly conditioned by their willingness to collaborate with the expert authorities. Whereas such a conditional protection is contrasted to the whole access and protection of human rights since every exploited victim is guaranteed unconditional support and

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<sup>118</sup> *European Law Enforcement Organization (EUROPOL)* can be found on <http://www.emcdda.europa.eu/about/partners/europol>

respect for his or her rights and the use of trafficked persons just as a tool in the criminal proceedings are not allowed<sup>119</sup>.

## **II.7. Conclusion:**

Ensuring the safe return of trafficked persons and preventing their re-victimization is, moreover, a key component in the fight against trafficking. As such, it requires the co-ordinate response of state actors, law enforcement agencies and civil society organizations of the countries concerned, as well as the co-operation of international actors and organizations<sup>120</sup>.

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<sup>119</sup> *Reasons and consequences of human trafficking* can be found on [http://www.lastrada.org.mk/index.php/welcome\\_en/priciniiposledici](http://www.lastrada.org.mk/index.php/welcome_en/priciniiposledici)

<sup>120</sup> *Guiding Principles on Human Rights in the Return of Trafficked Persons* (Poland: OSCE/ODIHR, 2014)11.

**Chapter Three:**  
**Contemporary Cases of Women**  
**Trafficked into the USA**

### III. Introduction:

Every minute of every day, the most vulnerable women are trafficked into the United States for profit, get raped and exploited with impunity. This chapter tackles the issue of Women trafficking in the United States and provides a deep vision of women victims of trafficking through their physical and mental suffering. It provides also the US efforts to fight human trafficking.

#### III.1. Women Trafficking in the United States:

Several years ago, stories of human trafficking that appeared in the press focused on the suffering of the victim or the detention that was delayed. Those stories still appear. But there is a shift underway. Today, reports on trafficking in persons are about not just the crimes that have been exposed, but also the numerous things that people are doing in their communities to completely eliminate modern slavery. Modern slavery is the main subject of new, public-private partnerships and has become a focus for faith-based communities<sup>121</sup>.

Ample studies focus on women shows that 173 or 79 percent of all journal articles deal with women. Females have been the focus of research on trafficking for sexual exploitation and domestic servitude as well as studies on matchmaking and arranged marriages. Very little is known about the trafficking of men and boys, either for sexual exploitation or bonded labor<sup>122</sup>.

Despite the varying estimates of the total number of persons trafficked to the United States, there is general agreement as to the composite profile of the victims. *The United Nations Office on Drugs and Crime UNODC* analysis of North American

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<sup>121</sup> *Trafficking in Persons Report* (United States of America: Department of States 2012)07.

<sup>122</sup> Goździak Elżbieta M, and Micah N. *Bump Data and Research on Human Trafficking: Bibliography of Research-Based Literature*. (Washington DC : Georgetown University ,2008)33.

trafficking victims suggests that, in keeping with overall global patterns, adult women are most frequently trafficked, followed by minors<sup>123</sup>.

### **III.2. Exploitation of Trafficked Women in the United States:**

Here are some cases of women victims that through it we will discover how women are trafficked and get exploited with no humanity.

#### **2.1. Yesenia Escaping Domestic Servitude:**

Yesenia M., a young woman from Mexico, was brought to the United States at age 17 to work as a babysitter for Mr. Sanchez who is a Mexican furniture businessman that used to live in the United States. This businessman travelled to Mexico and met Yesenia when she was working for her family business selling groceries. He complimented her on her professionalism and offered her a job taking care of his two young children in the United States. He discussed the opportunity with her family, and they all agreed to work as a nanny for the family.

Mr. Sanchez arranged for her travel, and she arrived in the United States soon after. Her tasks included cooking, cleaning, bathing the children, laundry, and yard work. Yesenia did not have her own room and seldom had a moment's rest. She was not paid for her work and was not allowed to speak to anyone outside the family. Yesenia also endured three incidents of sexual abuse and rape by Mr. Sanchez, who drugged her and took advantage of her. Desperate to leave her miserable situation, Yesenia befriended a woman at church who helped her escape from her trafficker<sup>124</sup>. Once Yesenia escaped, she was determined to bring her trafficker to justice by contacting the appropriate authorities and cooperating in the investigation. Mr. Sanchez

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<sup>123</sup> Cullen-DuPont, Kathryn, *Human trafficking* (New York: Facts On File ,2009)44.

<sup>124</sup> *ibid*

was arrested and prosecuted for rape and human trafficking. He received a prison sentence, had to forfeit property, and will be deported upon finishing his sentence. Yesenia now has a T visa, a nonimmigrant status visa for victims of human trafficking, and is attending college<sup>125</sup>.

The Case of Yesenia is about domestic servitude. According to Yesenia's story; she is a young woman domestic servant who got trapped with Mr. Sanchez's words. What could be deduced from her case is that domestic servants are often the least visible of all trafficked victims because they live within their employers' households and provide services such as cooking, cleaning, and caretaking for children.

Yesenia, like many other female domestic workers, is subjected to exploitive conditions. Their wages are withheld, they are underpaid, and they are emotionally, psychologically, and physically abused and isolated. Yesenia reported being sexually assaulted as well as for all female domestic workers that are beaten and abused by male members of the family.

The victim's belongings are searched and their contact with those outside of the family as well as their personal freedom is often limited. Most of the victims of domestic servitude cannot get help because they are unknown due to the fact that the responsible authorities of working cannot get access to the households, in addition that domestic servitude is not really recognized as an official work. They can be helped only if someone told the authorities. In the case of Yesenia, she gets help from her friend that works in the church.

Yesenia could bring her trafficker into justice where he had his share. The government gave Yesenia a T visa, and she is attending college, i.e. that she could bring her life back.

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<sup>125</sup>Examples of Human Trafficking can be found on <http://www1.nyc.gov/site/endhumantrafficking/about/example-of-human-trafficking.page>

## 2.2. Alena Facing Reality in a Case of Debt Bondage:

Alena P. was a dancer and performer in Russia. She came to the United States on a visa for cultural performances to work in a theater troupe. When she arrived, she was taken to an apartment in New Jersey and told that she was to work as a stripper to pay off the debt that she accrued from coming to the United States. She was physically threatened and her passport was confiscated.

She worked for almost a year, only receiving about \$50 a week that she had to use to pay for meals. Every day, her traffickers picked her up from an apartment, which she shared with other young women who also worked at the strip club, and brought her directly to work. She was not told how long she had to work there to pay off her debt. The total amount that she owed was not clear either because her traffickers deducted rent, transportation, and costume fees from her income.

One day, one of her roommates ran away, escaping from the apartment through a window, and went to the police. Her traffickers were arrested. Alena cooperated in the investigation of her traffickers, who were successfully prosecuted. She now has a T visa, is married, and is the mother of a young son<sup>126</sup>.

Alena fell as a victim by international traffickers that are more likely to be a part of organized crime rings rather than individual operations. The traffickers took Alena's identity papers as they do with other victims, in addition to the physical threat.

The length of time that women are forced to work as trafficked victims depends on a number of factors, perhaps most important, the nationality of the woman and her trafficker, and whether or not the woman has repaid her debt. Alena's nationality is Russian and it is common for Russian girls to be attractive and beautiful and that what is needed in stripper's work.

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<sup>126</sup> Ibid

Creation of debt is one of the main mechanisms used by traffickers to maintain control over victims. Debt can be incurred as a result of the cost of the trip of having been smuggled into the destination country for example from Russia to the United States. The victim continued to be financially exploited because traffickers deducted rent, transportation, and costume fees from her income. In other cases of debt bondage the victims have to pay for food, rent, and other services, often at exorbitant prices. The traffickers of Alena did not pay her but they only give her a little money to buy a little food that keeps her alive.

Alena has a T visa now and she is a mother, this was done when her roommate has had the courage to escape and inform the police, as a result, the traffickers were arrested and prosecuted.

### **2.3. Alex Struggling in Forced Prostitution:**

Alex was 15 years old and living in a group home in Queens and frustrated with her life when she met her boyfriend David, 31 year old. He showered her with love and attention. When he offered that she could move in with him Alex didn't think twice. At first Alex loved living with David but soon their relationship grew violent and he began pressuring her to contribute financially. She wanted to help out but she didn't feel comfortable with his suggestion that she sleep with men for money. He argued that plenty of women do this and it would be a sign of her love for him. He said they needed the money in order to continue to be able to stay together in his apartment. If they lost the apartment she would have to go back to foster care, and he told her that they would place her in a locked facility because she had previously run away.

Alex agreed to enter into prostitution and eventually wound up working on a well-known prostitution stroll. Alex often thought about running away from David, especially after he beat her up. But where would she go? She didn't want to go back to

foster care because she feared they would lock her up. She couldn't return to her old neighborhood in Queens, because David often told her what he would do to her if she ever left him, and he would know to find her there. Alex could not think of a safe place to run, and so she stayed. One time the condom pack that the outreach workers handed her had a card in it that described a drop-in center she could go to where she could get help. When she did decide to leave David she went to the drop-in center and was able to describe her situation to an intake worker.

When Alex first arrived at the drop-in center she was 19 years old. The intake counselor was able to help her enter a domestic violence shelter. Alex continued to come into the drop-in center to meet with her counselor and receive support. Today she is working in retail and is a devoted mother to her two young children<sup>127</sup>.

Alex was involved in a case of prostitution because of her boyfriend. In such cases, the boyfriend trafficker first becomes involved in an intimate relationship with the girl or young woman and establishes a “love” relationship. The trafficker establishes trust, and psychologically and physically bonds with the victim through a web of deceit and lies, securing her allegiance as it happened in Alex’s case.

The boyfriend may buy her clothes, take her out to restaurants, provide love and affection, and seem to take care of her. His goal is to fill any missing holes in the girl’s life. Sometimes this hole includes basic needs like shelter, and clothing, and other times this includes fulfilling an emotional need due to lack of parental support. Alex was frustrated with her life in the group home, so David exploits this to his benefits and showered her with love in order to hide his devil intentions. Teens as Alex driven into prostitution by their boyfriends who are often older men as David by romancing them.

After getting what he intended to get the boyfriend trafficker often engages in acts of coercive control, including violence and threats of harm, but in ways that revolve

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<sup>127</sup> *ibid*

around psychological manipulation and emotional abuses. David played with Alex's emotional side by saying "they needed the money in order to continue to be able to stay together in his apartment and it is a sign of love to him".

When their relation started to be violent and started beating Alex, she could not stand it and thought of escaping. Alex found a card in the working tools that described a drop-in center, she went there and they were able to help her enter a domestic violence shelter. Alex is no more a teen and today she is working in retail and is a devoted mother to her two young children

### **III.4.U.S. Efforts to End Human Trafficking:**

#### **4.1. The Coalition Against Trafficking in Women (CATW):**

*CATW* is a non-governmental organization that works to end human trafficking and the commercial sexual exploitation of women and children worldwide. *CATW* is the world's first organization to fight human trafficking internationally and is the world's leading abolitionist organization. A unique strength of *CATW* is that we engage in advocacy, education, victim services and prevention programs for victims of trafficking and prostitution in Asia, Africa, Latin America, Europe, and North America, including in the United States<sup>128</sup>.

#### **4.2. Trafficking Victims Protection Act (TVPA):**

*The Trafficking Victims Protection Act of 2000*, as amended provides the tools to combat trafficking in persons both worldwide and domestically. The Act authorized the establishment of *the State Department's Office to Monitor and Combat Trafficking in Persons* and *the President's Interagency Task Force to Monitor and Combat Trafficking in Persons* to assist in the coordination of anti-trafficking efforts<sup>129</sup>.

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<sup>128</sup> Who We Are can be found on <http://www.catwinternational.org/WhoWeAre>

<sup>129</sup> U.S. Laws on Trafficking in Persons can be found on <https://www.state.gov/j/tip/laws/>

### 4.3. The President’s Interagency Task Force (PITF):

*The President’s Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF)* is a cabinet-level entity created by *the Trafficking Victims Protection Act (TVPA) of 2000*, which consists of some 15 agencies across the federal government responsible for coordinating U.S. government-wide efforts to combat trafficking in persons. At each annual meeting, agencies report on progress made in various priority areas – victim services, rule of law, procurement and supply chains, and public awareness and outreach. The agencies of *the PITF* include the following<sup>130</sup>:

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|---|---|
| <ol style="list-style-type: none"> <li>1. <i>Department of State (DOS)</i></li> <li>2. <i>Department of the Treasury (Treasury)</i></li> <li>3. <i>Department of Defense (DOD)</i></li> <li>4. <i>Department of Justice (DOJ)</i></li> <li>5. <i>Department of the Interior (DOI)</i></li> <li>6. <i>Department of Agriculture (USDA)</i></li> <li>7. <i>Department of Labor (DOL)</i></li> <li>8. <i>Department of Health and Human Services (HHS)</i></li> <li>9. <i>Department of Transportation (DOT)</i></li> <li>10. <i>Department of Education (ED)</i></li> </ol> | <ol style="list-style-type: none"> <li>11. <i>Department of Homeland Security (DHS)</i></li> <li>12. <i>Domestic Policy Council (DPC)</i></li> <li>13. <i>National Security Council (NSC)</i></li> <li>14. <i>Office of Management and Budget (OMB)</i></li> <li>15. <i>Office of the Director of National Intelligence (ODNI)</i></li> <li>16. <i>Office of the United States Trade Representative (USTR)</i></li> <li>17. <i>Federal Bureau of Investigation (FBI)</i></li> <li>18. <i>U.S. Agency for International Development (USAID)</i></li> <li>19. <i>U.S. Equal Employment Opportunity Commission (EEOC)</i></li> </ol> |
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### 4.4. The Senior Policy Operating Group (SPOG)

*The TVPA*, as amended in 2003, established *the Senior Policy Operating Group (SPOG)*, which consists of senior officials designated as representatives of *the PITF* agencies. *The SPOG* brings together federal agencies that address all aspects of human

<sup>130</sup> *President’s Interagency Task Force to Monitor and Combat Trafficking in Persons* can be found on <https://www.state.gov/j/tip/response/usg/>

trafficking. Five standing committees meet regularly to advance substantive areas of the SPOG's work: Research & Data, Grant making, Public Awareness & Outreach, Victims Services, and Procurement & Supply Chains<sup>131</sup>.

### **III.5.Conclusion:**

Though the USA government tried to eliminate the phenomenon of trafficking in persons and providing protection to the trafficked women by creating organizations and giving the "T" visa to the victims, but the issue is still cannot be resolved because traffickers always find a way.

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<sup>131</sup> Ibid.

# **General Conclusion**

As previously pointed out, instances of what is known today as modern-day slavery has existed in a variety of shapes and forms. A closer look reveals characteristics from the past are quite similar to those. Trafficking in human beings existed in its contemporary global scope.

In the history of the United States male slaves were brought to work in plantation and in lands, however, in modern days women are trafficked into the United States to work in several forced labor, though slavery has been prohibited long ago. Slaves are people who are often coerced and exploited, beaten and degraded, stripped of their freedom at the hands of and for the profit of others.

This dissertation made up of three chapters. The first one was a theoretical chapter .It dealt with the issue of modern–day slavery in general. Definition, forms, and causes additionally to the harm that can occur to the victims took a place in this chapter. This chapter proves that modern-day slavery exists globally

The second chapter provided a discussion on the background and overview of human trafficking. It gave a scope on the problem with basic definitions, in addition to the main factors supporting this phenomenon to exist. By referring to human rights we could see that human trafficking is a violation to it.

The third chapter was a practical chapter that discussed the issue of women trafficking in the United States by providing an insight about women victims of trafficking .The mentioned cases show physical and mental suffering of the victims and how they got helped. This chapter also provided the US efforts to fight women trafficking.

The main findings of this dissertation reveal that modern-day slavery and women trafficking exist globally .The United states with all its cultural development,

has its share of this phenomenon. The majority of human trafficking victims in the United States are women with foreign nationalities in addition to local citizens too. Women victims of all ages are trapped in forced labor and involuntary servitude, and prostitution. The jobs they are forced to do vary, but they share one thing in common which is exploitation. All types of exploitation involve serious human rights abuses. Several factors led them to be exploited: such as, poverty, lack of economic alternatives, illiteracy or minimal education, physical or sexual abuse, family dissolution, and homelessness, gender discrimination, and objectification of women.

The problem of modern-day slavery and women trafficking cannot be solved neither globally nor in the United States. To fight this issue it is recommended that:

- To increase media attention to raise social awareness about this issue.
- To coordinate organizations internationally and support them. Also to help the nongovernmental organizations because are underfunded.
- To enforce the laws by fighting corruption, discrimination, and the inequality that are some of the reasons behind women trafficking.
- To provide labor in order to eliminate poverty.
- To make investigations about the worker (man/ woman) in order to know if he/she is forced to do the job.
- To support the victims and help them bringing their life back by providing them with physical and psychological care and help them with appropriate jobs.
- To call the authorities if there is any suspicions.

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