



HUMAN TRAFFICKING AS AN EPIDEMIC: INTERNATIONAL PERSPECTIVE

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ABSTRACT

This article examines the widespread problem of human trafficking from a worldwide perspective, acknowledging it as a dire global pandemic. Human trafficking, which involves the forced exploitation and trafficking of people for a variety of reasons, has grown to be a serious problem in many nations and areas. This essay explores the issue's several facets, including its underlying roots, social repercussions, and legal solutions. The paper emphasises important patterns and trends in human trafficking while highlighting how interrelated nations are to the facilitation of this illegal activity. It also offers light on the root causes of the emergence of human trafficking, including deficient governance structures, inequality, and poverty. The paper also provides a summary of worldwide initiatives and partnerships that fight this contemporary form of slavery. This article aims to increase awareness of the problem and encourage a coordinated worldwide response to successfully combat and abolish human trafficking via a thorough examination of the subject.

Keywords: Human trafficking, Epidemic, International perspective, Global response etc.

HUMAN TRAFFICKING

Human trafficking is a global epidemic affecting millions of people across the world. “It is a serious human rights violation that involves the recruitment, transportation, transfer, harbouring or receipt of people by means of threat, use of force or other forms of coercion, deception or the abuse of power.”¹ “This practise can involve the use of force, trickery, or dishonesty. This crime, which happens in every part of the globe, can affect people of any age, gender, or ethnicity and can

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¹ “M. LEE, HUMAN TRAFFICKING (WILLAN 2007).”

happen to children, adolescents, or adults of any background.” “When attempting to deceive and compel their captives, human traffickers frequently resort to violent means, as well as counterfeit employment organisations and false assurances of educational and employment possibilities.” The aim of this dissertation is to explore the issue of human trafficking as an epidemic, examining the relevant laws, their implementation and the way forward in addressing this issue.

Despite the lack of agreement on the precise scope of human trafficking worldwide, experts claim that the crime is spreading. Conferences begin with passionate remarks on the rise of human trafficking, which is now frequently referred to as a type of “modern-day slavery.”² Heart-breaking examples that serve as illustrations of abuse and exploitation are meant to strengthen the obligations of governments, donors, and civil society. The movement of people—“both voluntarily and forcibly—is increasing as industries become more globalised and borders are opened”, which has led to an extraordinary rise in human trafficking. “Millions of underprivileged people are encouraged” to move internationally and “domestically by rising levels of inequality on both the global and national levels. Some migrants who seek out greater economic prospects outside of their native countries wind up working under duress or under threat of violence.” Although the exact number of people who are trafficked is unknown, “it is estimated that at least 700,000 people are victims of trafficking each year.”³

There are victims in the child care industry, the senior care industry, the drug trade, massage parlours, manicure and hair studios, restaurants, motels, workplaces, and fields. These victims can be found in both legitimate and criminal labour industries. In certain instances, captives are forced into household employment in a home while being kept concealed behind walls. Others are exposed to the public eye, have regular contact with people, and are compelled to work under deplorable conditions in places such as restaurants, workplaces, or nightclubs that feature erotic dancing. “In numerous settings, including on the street, in illegal massage parlours, cantinas, prostitutes, or through escort services and online advertising, victims can be manipulated for the purpose of engaging in sexual activity for financial gain.”

“There are a variety of manifestations of human exploitation. These include working as household labourers or being married off against their will, as well as being exploited in the sex, entertainment, and hospitality industries.” “The victims are coerced into working in sweatshops, on construction

² “M. M. Dempsey, C. Hoyle and M. Bosworth, *Defining Sex Trafficking in International and Domestic Law: Mind the Gaps*. 26 EILR 137 -162 (2012).”

³ “United States Department of State, *Trafficking in Persons Report*, (June 26, 2014) <https://www.state.gov/j/tip/rls/2014/index.html>.”

sites, or in the agricultural sector for little to no pay or an insufficient wage, all while living in constant dread of being assaulted and frequently in deplorable circumstances.” “Some victims are forced or duped into allowing their organs to be extracted from their bodies. Children are coerced into serving as warriors or into committing offences for the advantage of those who are responsible for their enslavement.”

It is evident that both locally and globally, human trafficking is an issue. Despite being acknowledged as a significant problem in the fight against trafficking, little is known about what entails thorough precautionary actions. Those who have first-hand experience with trafficked individuals quickly attest to the truth of such reports of human agony.⁴

As tremendous motivators to keep up the good fight, many activists cling to vivid recollections of emotionally and physically abused people as irreplaceable reminders of the truth of their cause. Yet, not only must the public's hearts be won, but also the minds of donors and officials. A sound policy requires accurate and trustworthy data. Authorities have so far unable to provide concrete explanations of what an increase in human trafficking means.⁵

INTERNATIONAL LEGAL FRAMEWORK

Trafficking of persons is a worldwide issue that has an impact on the lives of millions of individuals all over the globe. “People are forced or coerced into different sorts of labour or exploitation in what amounts to a form of modern-day slavery known as forced labour.” In order to address this problem and assist minimise or bring under control the practise of human trafficking, international frameworks have been formed. When it comes to taking action against human trafficking, these frameworks serve as a source of direction and assistance for governments, organizations, and people alike.

“One of the most important ways in which international frameworks contribute to the reduction of or control over human trafficking is by encouraging better collaboration between nations.” Because human trafficking is often a transnational crime, collaboration of this kind is very necessary. “A legal framework that allows nations to cooperate in the fight against human trafficking is provided by international frameworks such as the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (commonly

⁴ “C. Friesendorf, *Strategies Against Human Trafficking: The Role of the Security Sector*, Study Group Information, 1-514 (2009).”

⁵ “Interim Report, *The National Inquiry into Missing and Murdered Indigenous Women and Girls: “Our Women and Girls are Sacred”* 31 (2017).”

known as the Palermo Protocol).” This protocol provides a legal foundation for countries to work together.⁶

These frameworks further provide advice on preventative measures, protective measures, and legal actions. The core causes of human trafficking, such as poverty, a lack of education, and social inequity, are the focus of prevention initiatives that try to address these issues. The development of preventative programmes that address these underlying problems may be guided by international frameworks, which give direction in this area. The provision of emotional and practical support and help to victims of human trafficking is the primary emphasis of protection initiatives.⁷ “The international frameworks give guidelines on how to identify and aid victims, as well as how to provide them with the required support services such as a safe haven, medical treatment, and legal assistance.”

INTERNATIONAL LAWS ON HUMAN TRAFFICKING

International frameworks are an extremely important factor in the reduction and control of human trafficking. They encourage international collaboration, focus on prevention, protection, and prosecution activities, and provide direction and assistance to governments, organizations, and people that are working to combat human trafficking. These measures are very necessary if we are going to put a stop to the trafficking of humans and safeguard the human rights of every single person. The following are important international frameworks for human trafficking:

- **United Nations Convention against Transnational Organized Crime (UNTOC)**

“The United Nations Convention against Transnational Organized Crime, which was enacted by the General Assembly in Resolution 55/25 on November 15, 2000, is the most important international tool in the battle against transnational organized crime.” “The Convention represents a major step forward in the fight against transnational organized crime and signifies the recognition by Member States of the seriousness of the problems posed by it, as well as the need to foster and enhance close international cooperation in order to tackle those problems.”⁸ “States that ratify this instrument commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group,

⁶ A Lautensach, *Transnational Crime- Human Security in World Affairs* (2020).

⁷ “C Schwarz , E Unruh & K Cronin , *Human Trafficking Identification and Service Provision in the Medical and Social Service Sectors*, 18(1) *Health Hum Rights* 181-192 (2016).”

⁸ “André Standing, *Transnational Organized Crime and the Palermo Convention: A Reality Check*, International Peace Institute (2010).”

money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.”

The United Nations Convention against Transnational Organized Crime (UNTOC) and its three supplementary protocols are comprehensive global instruments in the fight against transnational organized crime, through promotion of international cooperation to effectively prevent and combat transnational organized crime.⁹ The Central Bureau of Investigation, Government of India, has been designated as the Nodal Authority to receive and respond to all requests for assistance as a single point of contact and to act as liaison between the Ministry of External Affairs and other State parties on matters relating to the Convention as well as the Protocols.

- **The United Nations Global Plan of Action to Combat Trafficking in Persons:**

“On July 30, the General Assembly approved the United Nations Global Plan of Action to Combat Trafficking in Persons, which calls on governments all around the globe to take concerted action to attempt to end the epidemic.” “The Plan urges incorporating the battle against trafficking in people into larger UN initiatives to promote global development and increase security. Additionally, it proposes for the establishment of a United Nations voluntary trust fund for trafficking victims, particularly for women and children.”

In order to offer a thorough framework for tackling the problem of human trafficking, the United Nations General Assembly established the Global Plan of Action to Combat Trafficking in Persons (GPA) in 2010. Four pillars make up the strategy: cooperation, prosecution, protection, and prevention. The tactics put up under each pillar to prevent human trafficking will be examined in this article. The GPA's first pillar, prevention, aims to lessen vulnerability by addressing the underlying causes of trafficking. Raising awareness, encouraging education, tackling discrimination and gender inequalities, and increasing economic possibilities are some of the initiatives suggested under this pillar. The GPA also understands how crucial it is to interact with vulnerable populations including immigrants, refugees, and kids. The goal is to enable people and communities to see the warning signs of trafficking and take action to stop it.¹⁰ The market for trafficked people is another area where prevention efforts are concentrated. To address this, buyers

⁹ *Ibid.*

¹⁰ “J. Todres, *Taking prevention seriously: Developing a comprehensive response to child trafficking and sexual exploitation*, 43(1) *Vand J Transnat'l L.* (2010).”

and traffickers are prosecuted, and outreach campaigns about the consequences of human trafficking are launched.

The GPA's second pillar, protection, is to guarantee that victims of trafficking get proper help and encouragement. This pillar's suggested solutions include providing both short-term support, like food, housing, and legal help, as well as longer-term support, such as rehabilitation, schooling, and reinstatement into society. The GPA also acknowledges the need of safeguarding the security and confidentiality of trafficked individuals as well as respecting their human rights. Access to justice, safety from retaliation, and meeting the needs of weaker groups like women and children are all part of this.

In order to guarantee that smugglers will be brought to justice as well as that victims are safeguarded throughout the legal process, prosecution is the third pillar of the GPA. The tactics suggested under this component include enhancing domestic and global legal frameworks, educating judges and law enforcement personnel, and enhancing the judicial system's capability to deal with situations of human trafficking. The GPA also acknowledges the need for successful prosecution of both smugglers and purchasers, as well as the significance of international collaboration in the fight against cross-border trafficking.

The fourth pillar of the GPA is collaboration, which acknowledges that the fight against human trafficking requires cooperation between the public and business sectors. Working with non-governmental organizations, corporations, and other stakeholders to create and execute anti-trafficking efforts is one of the techniques suggested under this pillar.¹¹ The GPA also acknowledges the significance of international coordination and collaboration, including the exchange of knowledge and best practices, as well as the need of efficient anti-trafficking activities monitoring and assessment. With an emphasis on prevention, protection, prosecution, and collaboration, the GPA offers a thorough framework for tackling the problem of human trafficking. The tactics suggested under each pillar take into account the complexity of trafficking and the need for a multipronged strategy to tackle it. The GPA also acknowledges that in order to successfully tackle this widespread issue, governments, public society, and the commercial sector must work together to address the core causes of trafficking.

¹¹ “The White House, The National Action Plan to Combat Human Trafficking (2021), <https://www.whitehouse.gov/wp-content/uploads/2021/12/National-Action-Plan-to-Combat-Human-Trafficking.pdf>.”

- **The European Union Anti-Trafficking Directive**

Aiming to prevent and fight human trafficking while also safeguarding its victims, the European Union (EU) Anti-Trafficking Directive, also known as Directive 2011/36/EU, was approved in April 2011. The Directive aims to develop a thorough framework for tackling the problem of human trafficking and to harmonise national laws throughout the EU.¹²

According to the Directive, human trafficking is the "recruitment, transportation, transfer, harbouring or receipt of persons by threat or use of force or other forms of coercion, by abduction, by fraud, by deception, by abuse of power or of a position of vulnerability, or by 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."

Despite the Directive's benefits, some detractors contend that it has not been successful in stopping trafficking and safeguarding victims. They highlight the persistence of trafficking in Europe as well as the low numbers of cases that are prosecuted and convicted for trafficking offences.

The absence of funding for anti-trafficking initiatives in certain member states has been one obstacle to the Directive's implementation. Some nations have struggled to create efficient law enforcement and preventive programmes as well as proper victim assistance. The intricacy of trafficking cases and the difficulties in locating and convicting offenders have been another obstacle. Because trafficking networks sometimes span numerous countries and are well structured, it is challenging for law enforcement authorities to acquire evidence and develop cases.

The EU Anti-Trafficking Directive, in conclusion, is a significant milestone in the battle against human trafficking in Europe. It creates a thorough framework for stopping trafficking, safeguarding victims, and holding offenders accountable. However, the member states' willingness to provide funding and put the Directive's recommendations into action will determine how successful it is. In order to combat the problems of trafficking, guarantee the rights of victims, and ensure that offenders are brought to justice, the EU and its member states must continue to collaborate.

¹² "DIRECTIVE 2011/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, Off. Jour. Of EU (2011), <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:en:PDF>."

CONCLUSION

In conclusion, the international community has to pay immediate attention to and coordinate efforts to stop the worldwide scourge of human trafficking. This article has highlighted the issue's multifarious character, illuminating its astounding prevalence and the intricate network of variables that contribute to it. Human trafficking continues to proliferate in the shadows of our society for a variety of reasons, including the exploitation of vulnerable people, the collusion of corrupt authorities, and the sneaky participation of organised criminal networks. Governments, non-governmental organisations, and people must work together to prevent human trafficking since it is seen as a serious violation of human rights. International cooperation is essential since the nature of the crime necessitates comprehensive tactics that go across state boundaries and legal systems. To successfully destroy trafficking networks and bring the offenders to justice, more collaboration in information sharing, law enforcement activities, victim care, and policy coordination is essential.