

Human Trafficking: A Gender Human Rights Issue

Student's Name

Institutional Affiliation

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Introduction

Human trafficking is a growing area of concern for human rights activists and organisations that engage in the protection of human rights. According to a report by the United Nations Human Rights office of the high commissioner, human trafficking is the process of placing or maintaining an individual in an exploitative situation for economic gain¹. Although human trafficking is considered to occur in international boundaries, it occurs even within countries and regions targeting both men and women, young and old. The major factors perpetrating trafficking include labour reasons, sexual exploitation, and forced marriages. In the recent past, a new reason for trafficking has emerged where individuals are targeted for organ removal. The United Nations through the office of the High commissioner state that there is no accurate data on the number of individuals trafficked². However, a report by the Walk Free Foundation and ILO Global estimates that 25 million people were trafficked in 2016. A 2016 report by the UNODC shows that 51% of the trafficking victims were women, 21% were men, 20% girls, and 8% boys. This shows that the number of females trafficked is very high at 71% making women a recurring target of victimization in the trafficking business. In particular, this data is crucial given that 45% of trafficked victims are traded for sexual exploitation³. With a majority of the trafficked individuals being women and girls, this essay explores the prevalence of the human right issue in a gender perspective and examines the effectiveness of international organisations in addressing the issues as well as the input of state governments around the world.

Prevalence of Human Trafficking

1. See Amnesty International, *Egypt/Sudan: Refugees and Asylum Seekers Face Brutal Treatment, Kidnapping For Ransom, And Human Trafficking* (Amnesty International Publications, 2013)

2. Ibid

3. Ibid

Human trafficking is a gender issue given that the majority of the victims are women and girls. Besides, the factors that influence trafficking are gender-based as illustrated by the UN report⁴. According to the United Nations Office of the High Commissioner, factors that make individual or groups vulnerable to trafficking include discrimination related to denial of economic and social rights, poverty, economic deprivation and inequalities, and gender-based discriminations. Some cultural beliefs and gender issues that discriminate against women increase their exploitation. Culture is a major factor that denies women the right to enjoy human rights and propagates their victimization and sexual exploitation.

The link between human rights and trafficking is clear as the act is a violation of various human rights as provided by the United Nations Declaration on Human Rights of 1948. According to Article 25 of the UNDHR, victims of trafficking are entitled to a range of human rights. Trafficking denies the victims the right to enjoy the privileges provided in Articles 3, 4, 5, 6, 7, 13, 15, 22, 23, and 25 among others⁶. In a report by Napoliton following a campaign by the Laboratory to Combat Human Trafficking, the organisation noted that “Violations of human rights are both a cause and a consequence of trafficking in persons⁷.” The report highlights some of the human rights that are relevant to human trafficking (Appendix 1). The origin of human trafficking in places where there is an increased deprivation of human rights with major causes being poverty, structural and interpersonal violence, gender identity, economic inequality, homelessness, and conflicts.

4. UN News, "Human Trafficking Cases Hit A 13-Year Record High, New UN Report Shows", *UN News* (Webpage, 2019) <<https://news.un.org/en/story/2019/01/1031552>>

5. United Nations, "Universal Declaration of Human Rights", *Un.Org* (Webpage, 2019) <<https://www.un.org/en/universal-declaration-human-rights/>>

6. Ibid

7. Napolitano, Kara, "Human Trafficking: A Human Rights Violation", *Laboratory To Combat Human Trafficking* (Webpage, 2018) <<https://combathumantrafficking.org/2018/12/human-trafficking-human-rights-violation/>>

A majority of human trafficking cases revolves around labour and sexual exploitation. Most of the labour-related cases are prevalent in the Middle East in countries such as Kuwait, Lebanon, Jordan, and Saudi Arabia with the victims being Indians, Africans, and Philippines. A report by the United Nations shows that cases of sexual exploitation are prevalent in the Americas, Europe and Asia as indicated in the map in Appendix 29. The increased cases of trafficking targeting female victims invite an inquiry on the role of international institutions in combating the abuse.

Effectiveness of International Institutions in Combating Human Trafficking

International organisations and institutions are in the fore-front in addressing human trafficking. The United Nations assume the centre-spot in driving the fight against human traffic. The UN has various agencies facilitating the fight against trafficking. Through its human rights office, UN promotes a rights-based approach to trafficking by developing the Recommended Principles and Guidelines on Human Rights and Human Trafficking to help individuals and organisations involved in anti-trafficking efforts to integrate human rights in their responses¹⁰. The UN advocate the integration of human rights in areas related to prevention, protection and assistance, as well as crimination, punishment and redress. In 2000, the UN adopted the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, especially women and children to marking a milestone in the fight against human trafficking. The UN-established treaties and other instruments related to trafficking are provided in Appendix 3.

International institutions such as the UN and its agencies work with governments, non-governmental organisations, and the private sector to fight against trafficking through the

8. Migrant Rights. (2018). 10 Case Studies in Human Trafficking - Global Investigative Journalism Network. Retrieved from <https://gijn.org/2018/02/28/10-case-studies-human-trafficking/>

9. UN News, "Human Trafficking Cases Hit A 13-Year Record High, New UN Report Shows", *UN News* (Webpage, 2019) <<https://news.un.org/en/story/2019/01/1031552>>

10. United Nations, *Human Rights and Human Trafficking* (2014)

prevention, protection, and prosecution of traffickers. International Organization for Migration (IOM) is an inter-governmental organisation established in 1951 with 173 member states dedicated to counter human trafficking. Specializing in forced migration issues, the organisation is in the fore-front of addressing trafficking crimes¹¹. The organisation has protected and assisted over 100, 000 victims trafficked for various reasons including slavery, servitude, sexual and labour exploitation, organ removal, and commercial sexual exploitation among others. The IOM is effective in its intervention to support, protect, and prevent human trafficking. The organisation has adopted various measures such as information campaigns and outreach, medical support, and social support.

Through capacity building, the organisation has supported governments, civil society, and international organisations to strengthen their policies and procedures to protect victims of trafficking. The organisation has achieved this through improvement of anti-trafficking legislation and regulations as well as provision of advisory service to various entities. The organisation has played a significant role in addressing the root cause of vulnerability. It further assists victims by providing safe accommodation as well as psychological and medical support. In Moldova, the organisation has helped victims of sexual trafficking and labour exploitation. Between 2000 and 2017, the organisation implemented a comprehensive Prevention and Protection Programme with 15,190 beneficiaries¹². In Ghana, the organisation runs different programmes aimed at supporting trafficked children. Some of its activities include community outreach, rescue, rehabilitation, reintegration, and capacity building (IOM, 2019). Indeed, this is an effective approach that safeguards human rights and aiding the country in drafting the 2005

11. IOM, *Investigating Human Trafficking Cases Using A Victim-Centred Approach: A Trainer'S Manual On Combating Trafficking In Persons For Capacity-Building Of Law Enforcement Officers In Antigua And Barbuda, Belize, Jamaica, And Trinidad And Tobago* (International Organization for Migration, 2019)

12. Ibid

Human Trafficking Act (694) as well as helped ECOWAS in developing the regional protection and assistance policy.

Amnesty International is an international movement dedicated to advocating human rights. The effectiveness of this organisation in combating human trafficking is evident in its human rights advocacy around the world. The organisation has played a critical role in the fight for justice, safety and security of refugees and asylum seekers in Africa. Although the institution does not provide data on the number of persons rescued or under their custody, it plays a major role in reporting cases of human rights violation. Between 2011 and 2015, the organisation reported the on-going cases of human trafficking in Sudan and Egypt¹³. The information provides other agencies and organisations such as the UNHCR with critical details on how to tackle the problem. The organisation is a source of information and recommendations which helps other agencies to intervene. It provides detailed and critical information on human rights issues that are unavailable to many institutions and governments. For example, the organisation called on the government of Sudan, IOM, and UN agencies to protect refugees and implement measure to prevent human trafficking¹⁴. Human Rights Watch is another institution dedicated to investigating and reporting cases of abuse of human rights across the world.

The Office of the United Nations High Commissioner for Refugees (UNHCR) is an international institution and one of the UN agencies with an interest in combating trafficking in-person crimes. The organisation adopts a human right approach to protect the individual at risk of trafficking. The United Nations General Assembly entrust UNCHR with the responsibility to provide international protection to refugees and address problems facing them one of which is the risk of trafficking. The organisation ensures that refugees are protected from trafficking and

13. Amnesty International, *Egypt/Sudan: Refugees and Asylum Seekers Face Brutal Treatment, Kidnapping For Ransom, And Human Trafficking* (Amnesty International Publications, 2013)

14. Ibid

have access to asylum procedures. The effectiveness of the institution centres on the services offered to vulnerable population and protection accorded to the rescued persons. The organisation devotes resources to this initiative and implements programmes to train its staff on matters of human trafficking¹⁵. The UNHCR staffs also play a role in educating other stakeholders including government agencies on activities that help in combating trafficking. This helps develop procedures, policies, and practices that protect victims of trafficking. Other UN agencies that play a role in combating human trafficking include United Nations Development Fund for Women (UNIFEM), International Labour Organisation (ILO), and United Nations Office on Drugs and Crime (UNODC) among others.

This Assignment is not complete

15. OHCHR, "Human Rights and Trafficking in Persons", *Ohchr.Org* (Webpage, 2019) <<https://www.ohchr.org/EN/Issues/Trafficking/TiP/Pages/Index.aspx>>