

Violence Against Women and Girls: Trafficking in Human Beings

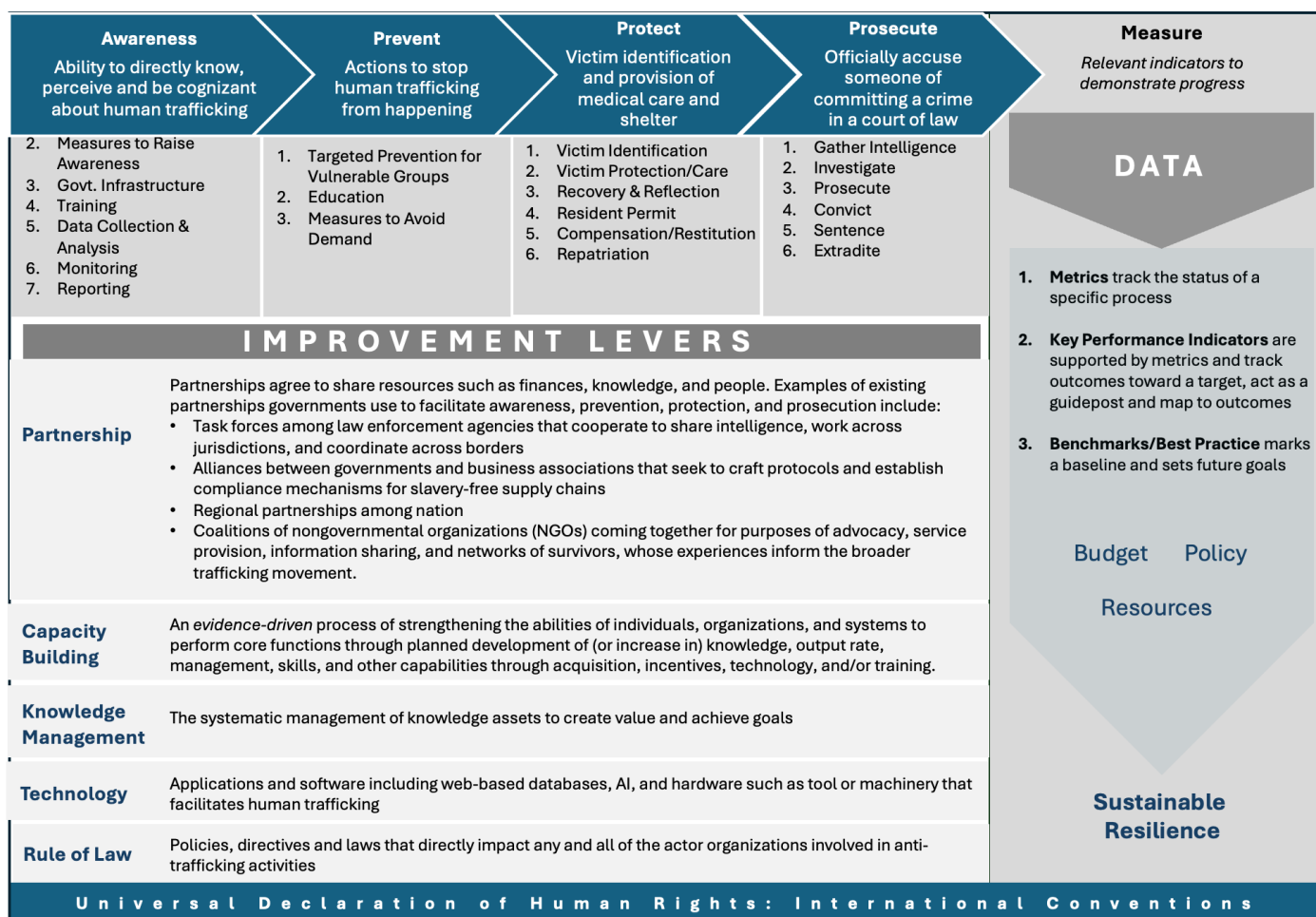
Palermo Protocol defines Trafficking in Human Beings as: *‘the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments and benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation.’(1)*

Human trafficking includes sexual exploitation and prostitution, labor exploitation, organ trafficking, forced criminality, forced begging, forced marriages, child soldiers, and domestic servitude. Current estimates cite 50 million victims worldwide at any given time.(2) Human traffickers with intent prey on girls and women of all ages, backgrounds, and nationalities, exploiting them for their own profit. Organized crime now plays a significant role in human trafficking in recruiting networks, cross-border movement, control tactics, distributed exploitation, money laundering, corruption and complicity, and using technology for online recruitment and advertisements. The ability of traffickers to rapidly change their criminal activity models to find profit in world crises remains a key concern.(3)

Methodology

The “3P” (Prevent, Protect, Prosecute) processes are globally accepted in human trafficking, but fail to address the lifecycle and provide evidence-based proof for funding, policies and resources to achieve sustainable resiliency. To date, governments continue to struggle with developing relevant indicators to demonstrate measurable progress in combating human trafficking. This framework advocates for a collaborative and integrated approach from all actors in combating human trafficking.

LIFECYCLE Framework for Trafficking in Human Beings



Achievements

Since 1995, most achievements have been in the Rule of Law with International conventions(4) and national legislation. Awareness progress includes data collection and research, government infrastructures for national monitoring and reporting; and the growing inclusion of survivor input in national action plans. (5) Additionally, extensive reports from monitoring agencies continue to provide per country recommendations, best practices, and legal advice. Prevention advances include awareness campaigns targeting vulnerable groups, tackling demand, and more engagement with the private sector. Protection has mainly focused on support services infrastructure. Partnerships are enabling cooperative strategies at global and national levels in every sector. There has been a surge of technology hubs for research and knowledge sharing as well as policy recommendations.(6,7) Technology has also enabled capacity building, especially in financial sector "follow the money" investigations, private sector and law enforcement agencies signaling and analysis software.(8)

Challenges

Since 1995, gaps have widened that hinder assistance to victims of violence due to prostitution and trafficking. The most significant challenge is developing national strategies to uphold victim's rights and strengthen assistance, especially to cease punishment and expunge records for victims coerced into criminality. Processes for effective victim identification that incorporate gender-sensitive, disabilities-aware, and displacement approaches have yet to be normalized with law enforcement(9) and healthcare professionals.(10,11) Governments' lack of information sharing standards prohibit effective partnerships between and among public, private and civil sectors focused on victim data and effective policies.

- Limited countries with robust & measurable National Action Plans
- Ineffective survivor inclusion models(12)
- Overlapping forms of exploitation
- Violent victimization methods of manipulation and isolation
- Limited recognition of non-state torture as part of human trafficking

In prosecution, a critical success factor in understanding criminal activity models is collaborating with survivors to understand modus operandi and establish effective anti-trafficking strategies and policies.(13)

Non-State Torture

Non-state torture (NST) is a term that describes any cruel, degrading, and inhumane torture perpetrated by individuals such as intimate partners, parents, family members, pimps, traffickers, or other persons known to the victim.(14) It involves intentional infliction of, for example, mental or physical severe pain and suffering with electric shocking, water torture, strangulation, forced drugging, group raping, beatings, whippings, cut, burnt, deprivations, impregnations and abortions. The linkage between trafficking in human beings and torture and ill-treatment is often overlooked. In a 2008 Report (15), the former UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment acknowledged for the first time that in certain cases, and under certain conditions, trafficking can amount to torture and ill-treatment. The Committee against Torture has also recognized that human trafficking and torture are closely intertwined and has repeatedly commented on the need for appropriate legislation and other measures acknowledging this fact.(16)

Seldom do people understand the degree of human cruelty perpetrated by human traffickers. Read Sara's victimization storytelling (17):

At 14 he took me on the boat (captivity), he would get the shock things out [electric shocking], throw you down...hit you, make all kinds of bruises with tools like whips, chains, knives and guns

(physical NST). He blindfolds you so you don't know what he's doing...He had a big black dog [NST bestiality]. He gets food...does not give it to you, no water either (NST deprivations). He puts you in a cage, throws you overboard...drags the cage in the water...He drowns you (water torture). He pulls you up, throws you on the deck, rapes you...you were supposed to say you wanted more.

A victim-centered human rights approach to non-state torture promotes awareness on the “means” or force inflicted during exploitation by human traffickers. This approach ensures women’s or girls’ physical and psychological safety, prevents victim blaming, and holds human traffickers accountable for the violence they perpetrate. It includes NST as a crime that acknowledges torture is committed by non-State actors in public or in private, in relationships, perpetrated within families, in human trafficking, in prostitution, in pornographic exploitation, by violent groups and gangs, dismissed as socio-cultural, traditional, or religious acts or norms, and can be committed during migration, displacement, in humanitarian and civil unrest. (18,19,20,21,22)

From a victim-centered perspective, women and girls need to be assured that the violence committed against them is condemned by society so they internalize that society values their worthiness as persons. (23,24,25) This is why healing for non-State torture victimizations requires a victimization-traumatization informed approach to ensure women who have the opportunity to share non-State torture-trafficking ordeals, be heard and are believed.(26)

Recommendations

Based on the 1995 Platform Action to *eliminate trafficking in women and assist victims of violence due to prostitution and trafficking*, the three recommendations below focus on Protection services in the Lifecycle Framework with a long-term goal of informed awareness at national levels. Strategies that include implementation plans using the improvement levers (partnership, capacity building, knowledge management, technology and rule of law) in the Lifecycle framework are critical success factors for achievement.

1. Improve and standardize identification procedures for victims of trafficking to ensure that all victims are identified as such and can benefit from the assistance and protection measures provided for under The Council of Europe Convention on Action against Trafficking in Human Beings. Develop capability building programs to educate law enforcement and healthcare professionals about trafficking signals and appropriate ethical responses.
2. Invest and partner with the civil and private sectors to design and develop gender-sensitive national support systems that provide well-funded housing (shelters) and relief that incorporate long-term social integration for women and girls subjected to human trafficking, as well as medical, psychological and other obligatory counseling services, inclusive education, and free or low-cost legal aid to enhance self-advocacy, empowerment, and dignity.
3. Adopt institutional mechanisms and assign core resources to perform due diligence in independent oversight, regular reviews and monitoring of all violence against women and girls to implement legal, policy, and education reforms that promote social transformation.

References

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