

Political Communication

How Globalization Facilitates Trafficking in Persons?

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Abstract: Globalization occurs all around us and it has resulted in profound developments in all aspects of human lives. Nevertheless, one should not ignore its negative contributions also. Unfortunately facilities provided by globalization can be used by good people as well as criminals. One of the dark sides of globalization is exacerbating the illicit trade of people and their parts. This article reviews some of the issues regarding these two concepts and reveals that how globalization can facilitate trafficking in human beings.

Keywords: human rights; human trafficking; globalization; law

1. Introduction

Globalization presents wonderful developments to human being and their societies. Nevertheless, it functions as a double-edged sword: on one hand, it provides benefits and on the other hand, it brought number of problems and risks. Sometime, it embraces national as well as international issues and some times, there is obvious violation of the human rights through the it's process. One of the side effects of this process is facilitation of trafficking in persons specially at international level. Today, human trafficking is a phenomenon generating lots of concern worldwide. It is the world's third largest organized crime after drugs and weapon trafficking. Study by the International Labor Organization (ILO) estimates that the criminal profits of human trafficking could exceed \$31 billion dollars annually, which would make it the second largest source of illegal income worldwide after drug trafficking.² (Belser, 2005) Present article is an effort to clarify that how globalization facilitates trafficking in human being.

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² Available at http://www.ilo.org/dyn/declaris/declarationweb.download_blob?Var_DocumentID=5081 (Last visited at 12 June 2009).

2. Concept of Trafficking in Person

Trafficking in human beings is known as a modern form of slavery and a serious violation of human rights. Men, woman and children are trafficked within the countries and also across the borders with the purpose of being exploited for forced labour, prostitution, organ trafficking, domestic work, forced marriage, etc.

The term “trafficking” is used by different people to describe activities that range from voluntary facilitated migration for exploitation of prostitution to the movement of persons through the threat or use of force, coercion, violence, etc. for certain exploitative purposes. “Increasingly, it has been recognized that historical characterizations of trafficking are outdated, ill-defined and non-responsive to the current realities of the movement of and trade in people and to the nature and extent of the abuses inherent in and incidental to trafficking”. (Ruhi, 2003, pp. 45-46)

However, largely accepted definition of trafficking found in “The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children” (here after Trafficking Protocol) as:

“the recruitment, transportation, transfer, harboring or receipt of persons, by means of 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 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”.¹

There is a universally accepted phenomenon that all individuals are entitled to certain basic rights under any circumstances. Protecting these rights means people should be ensured that they are receiving some degree of decent and human treatment and violating them is to deprive individuals from their fundamental moral entitlements which is nothing but treating them as they are less than human

¹ The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 2000, Article 3.

and undeserving of respect and dignity.¹ Today, human trafficking has become one of the most important issues in human right area.

Mary Robinson UN High Commissioner for Human Rights in this regards said “The protection of human rights and the dignity of trafficked persons and persons in prostitution must be given the highest priority”² and “Gerald Stoudmann” noted, “It has become one of the most pressing human rights issue... the fastest growing and lucrative criminal enterprises in the world”.³ Now it is widely accepted that the trafficking cycle cannot be broken without due attention to the human rights of trafficked victims. Violation of human rights happens in innumerable ways which differs depending on the victim’s age, sex, method of trafficking and cooperation with traffickers and recruiter. Even the purposes for which trafficking occur constitute human rights violations, including forced and bonded labour or services, servitude, slavery and slavery-like practices.⁴ Victims are subjected to coercive and abusive conditions which are crimes and prohibited as human rights violations in international law. They are transported against their will to nonnative places where they are culturally, linguistically or physically isolated and denied legal identity or access to justice which increases the chances of abuse, violence, exploitation, domination or discrimination by traffickers, recruiter, State officials (such as the police, the courts, immigration officials) and even their own family and society. Most of the victims, have little or no knowledge of their rights and legal options.

3. Globalization and Human Trafficking

Globalization refers to a complex phenomenon covering of economic, trade, social, technological, cultural and political relationships. The term has been used as early as 1944. However “Theodore Levitt” is usually credited with its first use in an economic context. In fact, “Globalization” is a controversial phenomenon and its nature and implications are still vague. Generally speaking globalization is a multi-

¹ See Maiese Michelle, “Human rights violation”, July 2003, available at http://www.beyondintractability.org/essay/human_rights_violations/

² Cited in www.gaatw.org.

³ Director, Organization on Security and Cooperation in Europe (OSCE). Office for Democratic institutions and Human Rights in the proposed Action Plan and Background titled “Trafficking in Human Beings: Implications for OSCE.

⁴ See Boak Alison, “Smooth Flight: A Guide to Preventing Youth Trafficking”, Published as part of the Project for the Prevention of Adolescent Trafficking (PPAT), (International Organization for Adolescents, USA, 2003), p. 53.

dimensional process of economic, political, cultural, and ideological change. This concept defines as “a process that encompasses the causes, course and consequences of transnational and transcultural integration of human and non-human activities.”¹ It is a consequence of increased mobility, enhanced communications, greatly increased trade and capital flows, and technological developments opening new opportunities for sustained economic growth and development of the world economy, particularly in developing countries. Globalization also permits countries to share experiences and to learn from one another’s achievements and difficulties, and promotes a cross-fertilization of ideals, cultural values and aspirations. At the same time, the rapid processes of change and adjustment have been accompanied by intensified poverty, unemployment and social disintegration.² Therefore, this process can affect each and every aspect of human being’s life and law is not an exception as globalization creating new legal norms.

This concept relies on three forces for development: the role of human migration, international trade, and rapid movements of capital and integration of financial markets.³ It has different aspects including industrial globalization, financial globalization, political globalization, informational and cultural globalization. Because of globalization it is easy to get any type of information within seconds with the help of television, internet, telephone, mobiles and fax. Through media the people know what is meant by human rights and what their duties are.

Globalization increased trade which aids developing countries to mitigate poverty and increased communication. Increasing communication via email has permitted human rights advocates in their locality to communicate with other human rights advocates throughout the world. Therefore, even though globalization did not flourish all of the aspects of human rights, however some of the most important categories are developed through the process of globalization.

Looking into this beautiful picture, one may be satisfied that globalization is nothing but a savior of human rights. But this is only one side of the coin. Although globalization and market liberalization have made some progress in terms of

¹ Al-Rodhan Nayef R.F., “Definitions of Globalization: A Comprehensive Overview and a Proposed Definition”, (GCSP, 2006) available at <http://www.google.co.in/url?sa=t&source=web&cd=1&ved=0CBUQ>

² See Copenhagen Declaration and Programme of Action, Para 14, adopted at World Summit for Social Development, Copenhagen 1991.

³ See <http://tampa2012gop.com/globalization-state-and-human-rights/>.

economic growth in certain countries, it has also had many negative impacts, which are more visible in developing societies. Many of decisions about these countries will be taken by the people on the other side of the world. As “Giddens” states globalization is something where ‘local happenings are shaped by events occurring many miles away’.¹

Once we see globalization as a tool of turning the world into a global village by the rule of profit, then all the human rights of the people in the world would seriously be threatened. In process of globalization, if there is any strike of laborers, State increases restrictions on civil and political rights of the workers in an effort to control the labour force. Moreover globalization brought social changes resulting in increscent of ethnic and religious conflict which increases the violence and hampering human rights as well. Moreover, focusing on economic development and competitiveness, harms human rights of vulnerable groups such as women, children, poor and migrant workers. Globalization on one hand provides an increased standard of living to developing countries and wealth to “First World countries” and on the other hand it suppresses human rights in developing societies, by claiming to bring prosperity. Other negative effects include cultural assimilation via cultural imperialism, the export of artificial wants, and the destruction or inhibition of authentic local and global community, ecology and cultures.²

Globalization has resulted in the labour strife, intensification of ethnic and religious conflict and violence which are obvious violation of human rights. Human rights violation is seen as a consequence of destructive social change resulting from globalization which might result in radical shifts in a society's cultural values and norms that may lead to a reconfiguration of the substance of traditional or historic notions of human rights. The outcome of this search for a revitalized identity and meaning is unpredictable. There may be a reinforcement of an exclusive communalism with little personal autonomy or there may be a loosening of communal ties and an expansion of individual demands based on class.³ This shows to what extent the globalization can be deleterious for human rights, resulting in significant transformations in the behavior and values of masses of humanity across the globe. In developed countries also, globalization has its own

¹ Anthony Giddens, *The consequences of Modernity*, Polity, Cambridge (1990), 64, as quoted by Richard Peet et.al., *The Unholy Trinity: The IMF, World Bank and WTO*, SIRD Kuala Lumpur, p1.

² See <http://www.eljournal.com/?p=540>.

³ See Bansal Ashish, *Globalization And Human Rights: Help Or Hindrance*” available at <http://gedi.objectis.net/eventos-1/ilsabrazil2008/artigos/dheh/bansal.pdf>.

negative effect but in different shape. As “Hans-Peter Martin” observes “The wealthiest and most productive country in the world has been changed into the largest low-wage economy. In 1995 four-fifths of all male employees and workers in the United States earned 11 per cent less an hour in real terms than they did in 1973”.¹

The fact is that, in process of globalization, benefits of few at the expense of the many undermine moral or possibly even economic legitimacy. The greatest number would suffer through economic exploitation, social disintegration, and cultural degradation.² The emphasis on competitiveness and economic development has negative effects on vulnerable groups such as migrant workers, indigenous peoples and migrant women. Globalization has been cited as a contributing factor in violations of the right to life, the right to protection of health, the right to safe and healthy working conditions, and freedom of association in many countries. (Leary, 2003, p. 268)

The Human Development Report of 1997 revealed that poor countries and poor people finding their interests neglected as a result of globalization. Although globalization of the economy is opportunity specifically for developing countries to have technological progress, it helps in uniting the world; it ultimately causes impoverishment, social disparities and violations of human rights. Globalization changes the role of the States as new actors such as global media corporations, regional organizations and non-governmental organizations are considered to be the new global players. In fact “It is not the fact of the expanding global market, deregulation or privatization which is destroying rights but rather the ways in which States are responding to the new developments.”³

According to the UN Committee on Economic, Social and Cultural Rights, the actual developments associated with globalization are not themselves “necessarily incompatible with the principles of the Covenant regarding human rights] or with the obligations of governments there under”. Nevertheless, they go on to warn that: “Taken together, however, and if not complemented by appropriate additional

¹ Hans-Peter Martin and Herald Schumann, *The Global Trap: Globalization and the Assault on Prosperity and Democracy* (New York: Zed Books) 1998 at p. 117

² In one perspective, utilitarian claim that economic globalization will increase the size of the economic pie. Therefore, all will be better off to some appreciable degree. The fact that a few will benefit enormously is acknowledged both as an incentive as well as a necessary price to be paid for an overall increase in prosperity.

³ Lapham, Andrew, “Globalization and the Rule of Law”, *Review of the International Commission of Jurists*, 1999, núm 61, available at <http://198.170.85.29/Globalization-and-the-Rule-of-Law.htm>.

policies, globalization risks downgrading the central place accorded to human rights by the United Nations Charter in general and the International Bill of Rights in particular”.¹

Today, human trafficking can be regarded as one of the dark sides of globalization. This menace constitute supplying a people for forced labour, prostitution, domestic work, marriage, adoption, agricultural work, construction, armed conflicts (child soldiers), etc. Globalization is resulted in tremendous flow of people outside of their own countries in hope of better life.² Due to outsider status, trafficked victims are very vulnerable to exploitation and violation of human rights.

Globalization has created an environment that the illicit practice flow across borders and human trafficking has become a fast-growing global criminal activity which affects almost every country in the world. Globalization impacts trafficking with both “push” and “pull” factors. Poverty in the origin countries is one of the most important contributing factors in human trafficking. People become an easy target for traffickers when they are seeking ways to improve their economic situation and with the hope of getting respectable employment. Globalization gave rise to flow of capital, the openness of political borders, and the deregulation of trade which push the people into the nets of human trafficking. Trafficking in person is getting more complicated by the transient nature of many exchanges and the lack of adequate enforcement personnel and policies.³

On the other hand, spreading of “global culture” serves as a pull factor, raising expectations of a better life elsewhere. Moreover, Trafficking is an economic enterprise, providing traffickers with financial resources and technological capabilities to enhance their activities from public scrutiny or interference.⁴ New information technologies specially internet, facilitates the process of human trafficking specially recruitment and marketing of the victims. New technologies help criminals involving in this crime for better and more varied way of recruitment and transport and also improved methods of secure communications preventing them to be caught off. Therefore, it is obvious that while criminals are

¹ Statement by the Committee on Economic, Social and Cultural Rights, May 1998, 18th Session.

² In 2006 the International Organization for Migration estimated that there were more than 191 million immigrants worldwide.

³ See Jordan Ann, “Human Trafficking and Globalization”, available at <http://www.americanprogress.org/kf/terrorinshadows-jordan.pdf>, p. 29.

⁴ See Ibid. See also Loring Jones "Globalization and human trafficking". *Journal of Sociology and Social Welfare*. 2007 Western Michigan University, School of Social Work. Available at http://findarticles.com/p/articles/mi_m0CYZ/is_2_34/ai_n27265537.

benefited from globalized world, miserable victims are losing their basic human rights due to uncontrolled consequences of globalization.

Another point in that, during the process of globalization since the 1980s, there has also been a rapid expansion in the number of marriages arranged by commercial intermediaries, involving men from well-off countries in the West and women from other parts of the world. The arrival of the Internet means that Western men can view women from Russia or Southeast Asian countries 'on-line'. In this circumstances marriage brokers may be categorised as traffickers.¹ Accompanying the globalization, adoption of children also has been turned into a profitable business by traffickers. With a rapid increase in intercountry adoptions of children born in poor countries sought by couples in wealthier countries, thousands of children have been stolen, kidnapped or purchased by traffickers who some times don't reveal that these children are trafficked.

Globalization gave rise to high demand for cheap labour in many sectors like agriculture, domestic service, construction, sex work food processing, entertainment sector, etc. This demand exists in industrialized as well as developing countries. The trafficked victim works specially in sectors where it is easier to maintain highly exploitative working conditions, therefore there are gross violations of human rights and labour standards, in locations that are difficult to monitor.²

Furthermore, globalization of the economy leads to globalization of the sex industry. Around the globe, traffickers recruit poor victims mainly from weak economy classes and transport them far from their original places to work as prostitutes.

4. Conclusion

We should be alert that the important point here is globalization, attempts to bring prosperity to the people and serve the interests of humanity and it was successful to some extent. However what is needed here is to monitor the process of

¹ See Terre des Hommes Foundation and Terre des Hommes Germany, « Kids as Commodities? Child trafficking and what to do about it », (Terre des Hommes Foundation, Switzerland, 2004), p. 25.

² See Bacquet Caroline and Others (ed), "Human Trafficking in South Africa: Root Causes and Recommendations policy paper No 14.5 (E) Policy Paper Poverty Series n° 14.5 (E) UNESCO Project to Fight Human Trafficking in Africa, (UNESCO, Paris, 2007) Available at www.unesco.org/shs/humantrafficking, p. 42.

globalization ensuring it brings real prosperity for every body and not for a few people and it should ensures the basic rights such as right to food, safe water, education, shelter ,health care, etc. Victim of human trafficking is obviously deprived of these rights and their basic human rights are violated in different ways. Definitely the solution is not to stop the process of globalization. The only way to prevent the people falling in human trafficking nets is to harmonies the activities regarding this process and designing and publicizing legal solutions for the problem of trafficking in person. Government must ensure that design, construction, and implementation of all projects must not violate international human rights law. They should not reach their economic gains at the cost of violating human rights of millions men, women and children through out the world. In fact globalization embraces not only local and national but even transnational issues. Therefore, a negative aspect of globalization which deserves more attention is violation of the human rights through the process of globalization.

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