

HUMAN TRAFFICKING A DOUBLE EDGED SWORD EMBRACING EMPLOYMENT DESPERATION AND HUMAN EXPLOITATION FOR SELFISH GAINS

Dominic Uzhenyu*

Abstract: One of the most complicated crimes the world over is the illegal trade of human beings which has become a lucrative business and occurs in all countries of the world. For this organised criminal activity, Zimbabwe is used as a country of origin (source), destination or transit. Human trafficking in Zimbabwe became more prevalent in 2014 and 2015 when a worrying number of women and also children were deceived having been promised labour in countries like Kuwait. The study was qualitative and data was collected using library analysis and unstructured interviews. The non-random sampling techniques of quota and snow balling were used. The study established that sexual exploitation and forced labour were the common forms of human trafficking that Zimbabweans were being exposed to in foreign countries like South Africa and Kuwait. In some cases, women could be trafficked to be “wives”, girls sold as child brides and generally children for use in ritual sacrifice. Poverty, high unemployment levels in the country, marriage breakdowns, family conflicts, drug abuse, gender inequality, bad living conditions, gender discrimination, harmful socio-cultural practices, social instability and lack of education and awareness were some of the major causes of human trafficking. Corruption among immigration officials and law enforcement agents were stifling efforts to nab traffickers, are many kinds of human trafficking. Furthermore, the government was not adequately supporting local non-governmental and humanitarian organisations including the United Nations organ, the UNDOC in making frantic efforts to combat human trafficking.

Key words: coercion, crime, human exploitation, human trafficking, unemployment

1 Introduction

Although it has been 200 years since slavery was officially abolished, there are millions of people across the world who are still subject to slave-like conditions. Trafficking is the biggest and fastest means by which people are exploited and forced into slavery. Human trafficking can occur within a country or trans-nationally. Human trafficking is a crime against the person because of the violation of the victim's rights of movement through coercion and because of their commercial exploitation (Goodey, 2008; Kelly, 2002). Human trafficking is the trade in people, especially women and children, and does not necessarily involve the movement of the person from one place to another (Niemi, 2010).

According to the International Labour Organization (ILO, 2014), forced labor alone (one component of human trafficking) generates an estimated \$150 billion in profits per annum as of 2014. In 2012, the I.L.O. estimated that 21 million victims are trapped in modern-day slavery. Of these, 14.2 million (68%) were exploited for labor, 4.5 million (22%) were sexually exploited, and 2.2 million (10%) were exploited in state-imposed forced labor.

Human trafficking is thought to be one of the fastest-growing activities of trans-national criminal organizations (Newton, Mulcahy & Martin, 2008). The practice is condemned as a violation of human rights by international conventions (UNODC, 2009; US Department of State, 2007).

* Senior lecturer, Faculty of commerce and law, Zimbabwe Open University based at Harare/
Chitungwiza regional campus

In Africa, countries act as both a “source” country for those that are trafficked and as a “destination” country where those who are victims of trafficking end up. Both internal and cross-border forms of trafficking are prevalent. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders (The Zimbabwean, 2010).. There are continuous reports of Zimbabwean women lured to China and the Middle East for work where they are vulnerable to trafficking. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country’s rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other relatives from rural areas for work in cities where they are often subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. The adoption in 2000 by the United Nations General Assembly of the *Protocol to Prevent, Suppress and Punish Trafficking In Persons, Especially Women and Children* marked a significant milestone in international efforts to stop the trade in people. As the guardian of the Protocol, UNODC addresses human trafficking issues through its Global Programme against Trafficking in Persons. A vast majority of States have now signed and ratified the Protocol but translating it into reality remains problematic (Wilson, & Dalton, 2008). Very few criminals are convicted and most victims are probably never identified or assisted (Farrell & McDevitt, 2008; Dottridge, 2003)

1.1 Statement of the problem

The problem of human trafficking became a topical issue and took centre stage in Zimbabwe particularly in 2014 and 2015 when a number of victims ended up living under the most deplorable conditions in countries like Kuwait after they were misled that they could be employed. The victims have had their dreams turned into a night mare as they have been subjected to worst cases of abuse. This has brought traumatic experiences which have haunted them throughout their lives. The Government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Official complicity in trafficking crimes remained a concern. The government made minimal efforts to protect trafficking victims, instead relying on Non-governmental organisations (NGOs) to identify and assist victims.

1.2 Research questions (Sub-problems)

1. What are the major causes of recent human trafficking in Zimbabwe?
2. What are the effects of human trafficking?
3. How effective are current strategies being used in combating human trafficking?
4. Which measures should be put in place to combat human trafficking?

1.3 Relevant Literature

1.3.1 Human trafficking is the trade of humans, most commonly for the purpose of forced labour, sexual slavery, or commercial sexual exploitation for the trafficker or others. This may encompass providing a spouse in the context of forced marriage, or the extraction of organs or tissues, including for surrogacy and ova removal. It is a modern form of slavery (Gallagher, & Holmes, 2008; UNODC, 2006).

According to UNODC Article 3, paragraph (a) of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons* defines Trafficking in Persons 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 or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs

Figure 1 below shows the major 3 phases of human trafficking

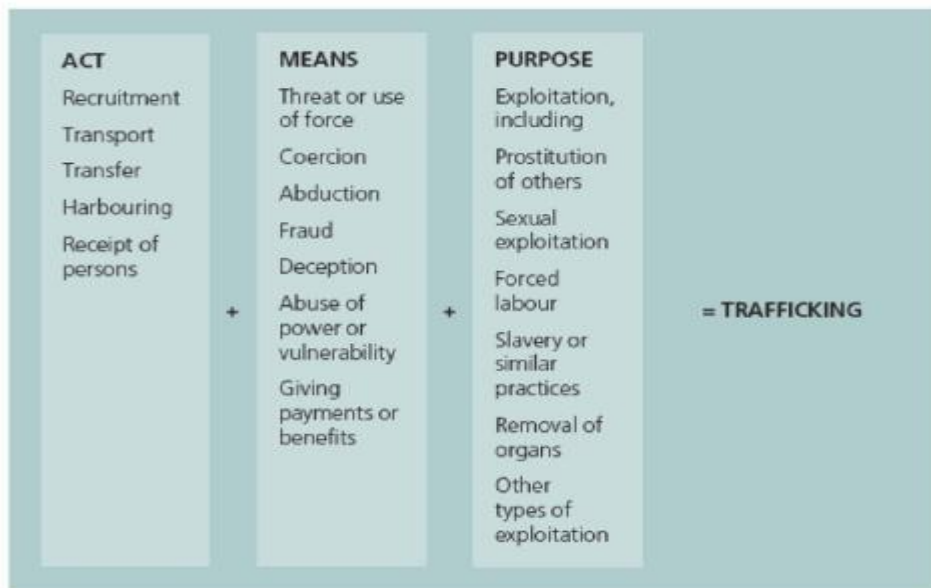


Figure 1: Human trafficking framework ()

Initially there is the recruitment drive done by the trafficker working in cahoots with usually a foreign agent. Arrangements are then made to transport the victims to a particular destination or harbour. The means of recruitment is characterised by use of threats, force abduction, deception and even paying lure them (Laczko&Gramegna,2003).

1.3.2 Major examples of human trafficking (Anderson, 2007;Brunovskis& Surtees,2007)

- (1) Sex trafficking include forced prostitution of adults, any type of child prostitution,
- (2) Traffickingfor forced marriage or ritual purposes.
- (3) Labour trafficking involves recruiting, transporting, harbouring, providing, or purchasing a person for labour or services

All these are perpetrated through the use of force, fraud, deception or coercion.

1.3.3 United nations response to Human Trafficking

United Nations Convention against Transnational Organized Crime (UNTOC) UNODC offers practical help to States, not only helping to draft laws and create comprehensive national anti-trafficking strategies but also assisting with resources to implement them. States receive specialized assistance including the development of local capacity and expertise, as well as practical tools to encourage cross-border cooperation in investigations and prosecutions. Its 3 major goals are; prevention of trafficking in person, protection of victims of human trafficking, prosecution of trafficking offenders. The major aims of UNOD are;prevention of trafficking in persons, protection of victims of human trafficking, prosecution of trafficking offenders

UNODC's strategic approach to combating trafficking in persons and the smuggling of migrants is founded in the full and effective implementation of the Protocols, and can be best understood as having three interdependent and complementary components:

- (1) Research and awareness raising;
- (2) Promotion of the Protocols and capacity-building; and,
- (3) Strengthening of partnerships and coordination.

1.3.4. Challenges of Combating Human Trafficking

Even though efforts to reduce trafficking are being implemented, the problem of human slavery is difficult to tackle.

- (1) Trafficking is profitable. According to research from 2014, forced labour in the private economy estimates over 150 billion US \$ in illegal profits per year.
- (2) Slavery traditions are another key factor. According to the mentioned *Global Slavery Index*, 106,000 people were estimated to be enslaved in South Africa in 2014. The Democratic Republic of Congo had estimated 762,900 victims of modern slavery, and Nigeria had 834,200.

(3) There is a late adoption of laws to combat human trafficking in Sub-Saharan African countries. There is a weakness in the laws as well as inadequate implementation. There is ineffectiveness in combating human trafficking by the justice systems, and the numbers of convictions are low.

1.3.5 Zimbabwe's scenario

The issue of human trafficking in Zimbabwe has been a topical issue especially over the past three years but it appears, not much progress is being made to combat it. Most of the information has been through the media. The following media reports provide a bit of light on human trafficking.

Kuwait set free human trafficked Zimbabwean women (The Zimbabwean, 23 May 2016)

The report was on the sexual enslavement and labor exploitation of Zimbabwean women in the Gulf state of Kuwait. It alleged that the Kuwait embassy and immigration officials were involved in human trafficking of Zimbabwean women. More than 200 women had been sent to Kuwait under the guise of better job opportunity. Upon arrival in Kuwait their passports and cell phones were seized and the women were used as sex slaves and for domestic servitude. The report said that approximately 60 women had returned through the help of the Zimbabwe embassy, NGOs, and other individuals. More women were still said to be gagged in Kuwait. In Zimbabwe the perpetrators including Kuwaiti embassy official had been arrested. However in Kuwait no single suspect had been arrested. The report also said that one of the victims had been raped and forced to sleep with 5 to 10 men a day in order to compensate the money her new boss or oppressor had paid to traffickers. In the same article, the picture below showed how human rights groups were demonstrating in order to pressurise government by to expedite the return of women stranded in Kuwait and surprisingly the police was blocking them.



Photo:Protestors being blocked by the police (Source: The Zimbabwean, 23 May 2016)

Seven human traffickers appear in court(Herald, March 12, 2016)

The newspaper article said that a Harare magistrate had remanded the seven in custody to the following week for bail applications. According to the state, one male culprit had on February 26, misrepresented to some women that there were vacancies in Kuwait and Dubai. He indicated to them that he would organise her travel arrangements. As if it were authentic, they were told to go for medical examinations and police clearance and they complied. The man then working with other accomplices, collected the victims passports and facilitated the processing of their travelling arrangements by ensuring that they obtained all necessary documents including visas and air tickets. The accused man was said to have been paid \$300 (USD) for the recruitment by an agent in Kuwait. It was the State's case that upon arrival in Kuwait, the agents would confiscate travel documents and would tell the woman to comply with their orders. In one incident, one of the alleged agents took one of the woman to an unidentified man's house where he was paid \$2 500 for bringing the woman to him.

United Nations report on trafficking status in Zimbabwe

According to the report, the government made inadequate efforts to protect trafficking victims, and did not report the total number of trafficking victims it identified or assisted during the reporting period. The government has not developed formal guidelines to proactively identify or refer victims to protective services, and it relied almost exclusively on NGOs and an international organization to identify and assist victims. One NGO reported assisting 280 child victims of forced labour subjected to domestic servitude. Reports indicated that 39 victims of sex trafficking, including children, sought assistance. An NGO reported assisting 11 children exploited in street begging. Additionally, an estimated 200 trafficking victims were identified through the use of social media in Kuwait during the period. While the Trafficking in Persons Act required the government to establish centres in each of Zimbabwe's 10 provinces to provide counselling, rehabilitation, and reintegration services for trafficking victims, these centres had not been established at the end of the reporting period. Five existing government shelters offered long-term accommodation to vulnerable and orphaned children, including

an unknown number of potential child trafficking victims. Children had access to health services, counselling, and some educational services at these shelters. The government may have detained and deported potential trafficking victims due to a lack of proactive victim identification procedures. The government did not provide foreign trafficking victims with legal alternatives to their removal to countries where they might face retribution or hardship.

2 Research Method

The process of planning and actual collection, presentation and analysis of data was done as follows;

2.1 Research approach

The study was premised on the interpretivism philosophy since it utilised the qualitative paradigm (Andrew, Pederson & McEnoy, 2011; Creswell, 2003).

2.2 Target population and sampling technique used

The target population was made up of officers drawn from private employment agencies, immigration department, Kuwait embassy, the Zimbabwe republic police, non-governmental organisations. Because of the sensitivity of the subject matter and lack of knowledge of the actual traffickers and those who have been recruited or victims, the researcher failed to identify any of these. The non-random quota and snow balling sampling techniques were used to identify the final sample of 15 participants. The techniques were ideal for this study since there was need to accommodate the different stakeholders in order to have balanced views and also to consider other participants on the basis of suggestions made by others.

2.3 Sources of data

The triangulation approach was used and involved library analysis and use of unstructured interviews. Due to lack of statistics and studies on human trafficking, the researcher had to utilise secondary data especially newspaper articles. Unstructured interviews were used in order to get individual responses freely since there was anticipation that the subject matter was likely to attract diverse views from participants (Rubin & Babbie, 2014)

2.4 Data presentation and analysis

The Content analysis method was used which involved the categorization of data, classification, coding and summarization of findings in thematic form.

2.5 Research ethics

The researcher observed ethical issues during the entire conducting of the study. These were informed consent, confidentiality, integrity and verification of statements (Kothari, 2014, Creswell, 2003).

3 Analysis of data

3.1 Major Findings

The traffickers and agents wanted to make lucrative deals from trafficking which were very rewarding especially in countries like Kuwait.

- (1) Human trafficking was a well-orchestrated, hidden, organised and subversive crime that was prevalent even in Southern Africa particularly Zimbabwe which was used as a transit destination.
- (2) Human trafficking was in some bizarre cases involved the trading of human organs and body parts for rituals.
- (3) Women and children are more vulnerable to trafficking than men.
- (4) The most common type of trafficking, is sex trafficking. This involves, forced prostitution, forced marriage (bride trafficking), child prostitution and child pornography.
- (5) High unemployment in the country was also a catalyst as others become so desperate to earn a living and will be enticed hoping to get employment.
- (6) Poverty was one of the major reason which prompted the victims to be trafficked. A member of a poor family may be tempted in order to support the family economically.
- (7) The death or loss of the family's economic supporter (breadwinner) culminates in children becoming orphans who are more likely to be forced into labour.
- (8) Marriage breakdown, family conflicts, drug abuse, gender inequality, social instability and lack of education and awareness were also some causes of trafficking raised. These were being compounded by the sophistication of global human trafficking rings which prey on vulnerable people, deceiving them with false promises and hope, and thereby separating them from their families and support structures.
- (9) Government effort to monitor and manage human trafficking was being affected by; absence of an official database on human trafficking as this was hidden crime as well as lack of enforcement of the relevant legislation.

4 Conclusions

Zimbabwe seems to be underplaying the magnitude of human trafficking yet is a source, destination and transit of this modern form of slavery. Unemployment, poverty death of an irreplaceable bread winner were some of

the push factors of human trafficking. Government has not been very supportive and committed to combat human trafficking with hardly any noticeable arrests or deterrent measures in place.

5 Recommendations

5.1 Compulsory entrepreneurship curriculum

The Ministries of primary and secondary education and that of Higher and tertiary education, science and technology development should enforce the introduction of entrepreneurship as a compulsory examinable subject from primary school and as an examinable course in colleges and universities to enhance employment opportunities.

5.2 Training of the judiciary and other key stakeholders

There is urgent need to train the judiciary, including prosecutors, judges and even the police and security personnel on trafficking and trafficking related legislation.

5.3 Amendment of the 2014 anti-trafficking legislation

change laws Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; investigate, prosecute, and convict trafficking offenders so that no more children are smuggled, no more young women are sexually exploited and no more men are enslaved and forced to work for another master.

5.4 Mobilisation of more resources

The government through the Ministry of finance should allocate sufficient financial resources to the national action plan to combat trafficking which can also incorporate financial assistance for women and girls to kick start projects for self-sustenance.

5.5 Use of current database for implementation

The government should fully implement and use the Southern African Development Community database to track trafficking cases.

5.6 Increase collaboration with NGOs and international organizations

Government should partner other organisations and departments that have interest in combating human trafficking for an integrated and holistic approach in order to map the way forward.

5.7 Awareness campaigns and remedial action

Vigorous campaigning across all social strata particularly the marginalised should be done especially through use of media and even social media platforms including reporting of traffickers or suspects for urgent actioning and then provide assistance to victims.

5 Surveillance at points of entry or exit

There is need for tight monitoring and surveillance of border posts and thenational border.

6. Deterrent jail sentence for traffickers and their accomplices

The law should be so tough on those involved in this inhuman practice and those found guilty should receive long term incarceration, similar to rape or murder cases.

References

- [1] Albanese, J. S 'Risk assessment in organized crime: Developing a market and product-based model to determine threat levels', *Journal of Contemporary Criminal Justice*,24(3), pp263-273. 2008.
- [2] Anderson, B. Why I Am Worried About Motherhood and Applepie but Don't Endorse Slavery, *Danish Institute for International Studies, Copenhagen*,2007.
- [3]Andrew, D, P, S., Pedersen, P, M., &McEvoy, C, D,Research methods and design in sport management, Champaign USA : Sheridan books, 2011.
- [4]Brunovskis, A., &Surtees, R., *Leaving the Past Behind? When Victims of Trafficking Decline Assistance*, Fafo, Oslo,2007.
- [5]Brunovskis, A., and Tyldum, G, *Crossing Borders: An Empirical Study of Transnational Prostitution and Trafficking in Human Beings*, Fafo, Oslo,2004.
- [6]Constitution of Zimbabwe, Government printers, Harare, 2013.
- [7]Cresswell, J.W, *Research design, Qualitative, Quantitative and Mixed Methods Approaches*. London: Sage., 2003.
- [8] Davidson, J.O.C. *Children in the Global Sex Trade*, Polity Press, Cambridge, 2005.
- [9]Dottridge, M. *Deserving Trust. Issues of Accountability for Human Right NGOs*, International Council on Human Rights Policy, *Geneva*, 2003.
- [10] Farrell, A., &McDevitt, J, *Enhancing the collection and standardization of human trafficking data: examples from data collection efforts in the United States*, Workshop on Developing New Approaches to the Study of Trafficking, Cairo, 11-12 January 2008.
- [11] Frank, L, &Gramegna, M.A 'Developing Better Indicators of Human Trafficking', *The Brown Journal of World Affairs* Vol. 10, No. 1), pp. 179-194,2003.
- [12]Gallagher, A., & Holmes, P., 'Developing an effective criminal justice response to human trafficking: Lessons from the front line', *International Criminal Justice Review*,18(3), 318-343, 2008.
- [13]Goodey, J 'Human trafficking', *Criminology & Criminal Justice*,8(4),421-442, 2008.

- [14] Herald, 'Seven human traffickers appear in court' (March 12, 2016).
- [15] International Labour Organization (ILO), Global forced labour cases report, 2014.
- [16] Kelly, L. 'Journey of jeopardy: a commentary on current research on trafficking of women and children for sexual exploitation within Europe', *IOM Migration Research Series, IOM, Geneva*. 2002.
- [17] Kothari, C.R. (2014). *Research methodology*. New Delhi: International ltd publishers.
- [18] Laczko, F., and Gramegna, M.A., 'Developing better indicators of human trafficking', *Brown Journal of World Affairs*, 10(1), 2003.
- [19] Leedy, P.D. & Omrod, J.E., *Practical research, Planning and Design*, (11thed), Pearson publications, 2015.
- [20] Lexandru, M.A.L., 'Who is the Next Victim? Vulnerability of Young Romanian Women to Trafficking in Human Beings', International Organization for Migration, Bucharest, 2003.
- [21] Mitchell, K. J., Finkelhor, D., & Wolak, J. 'Conceptualizing juvenile prostitution as child maltreatment', *National Juvenile Prostitution Study*, 15(1), 18-36, 2010.
- [22] Newton, P. J., Mulcahy, T. M., & Martin, S. E., 'Finding victims of human trafficking. National Opinion Research Center at the University of Chicago, 2008.
- [23] Niemi, J. 'What we talk about when we talk about buying sex'. *Violence against Women*, 16(2), 159-72. Jan 01, 2010.
- [24] United Nations Office on Drugs and Crime Trafficking in persons: Global patterns. Retrieved from: http://www.unodc.org/pdf/traffickinginpersons_report_2006-04.pdf, 2006, (*accessed 28 September 2017)
- [25] Pedersen, J., & Sommerfelt, T. 'Studying children in armed conflict: data production, social indicators and analysis', *Social Indicators Research*, 84(3): 251-26, 2007.
- [26] Rubin, A., & Babbie, E. *Research methods for social work*, 8thed, Cape Town: Pearson, 2014.
- [27] Salt, J. 'Trafficking and human smuggling: A European perspective', *International Migration*, 38(3): 31-56, 2000.
- [28] Tyldum, G., & Brunovskis, A., 'Describing the unobserved: methodological challenges in empirical studies on human trafficking', *International Migration*, 43(1-2): 17-34, 2005.
- [29] Tyldum, G., M. Tveit, & Brunovskis, C, *Taking Stock: A Review of the Existing Research on Trafficking for Sexual Exploitation*, Fafo, Oslo, 2005.
- [30] UNODC *Global Report on Trafficking in Persons*, UNODC, Vienna, 2009.
- [31] US Department of State Trafficking in Persons Report 2007, *US Department of State, Washington, DC.*, 2007.
- [32] US Dept of state Trafficking in persons' report, 2014.
- [33] The Zimbabwean Kuwait set free human trafficked Zimbabwean women (, 23 May 2016)
- [34] Veritas, The Zimbabwean, Human trafficking: A women's issue www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=34378:human-trafficking-a-womens-issue&catid=52&Itemid=32 Sept. 22, 2010 [9]
- [35] Wilson, J. M., & Dalton, E. 'Human trafficking in the heartland: Variation in law enforcement awareness and Response', *Journal of Contemporary Criminal Justice*, 24(3), 296-313, 2008.
- [36] Zimmerman, C., & Watts, C, WHO Ethical and Safety Recommendations for Interviewing Trafficked Women, World Health Organisation, Geneva, 2003.

Academic profile of author

Dominic Uzhenyu holds a Master of Business Administration degree and is currently at the empirical phase of his doctorate degree in Human resources management. He has published 28 Journal articles and has presented more than 12 international conference papers especially in the area of Industrial and Labour relations