



Te Ope Whakāora

Unprincipled Misery

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Chris Frazer explores how migration becomes human trafficking, and how the promise of a new life becomes unprincipled misery.

‘Her Britannic Majesty’s Secretary of State requests and requires in the Name of Her Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance, and to afford the bearer such assistance and protection as may be necessary.’

These words are found inside the cover of my British passport, issued from the UK. How often, I wonder, do those of us in possession of a passport, pause and consider just what it means to be the holder of one? A passport signifies your roots, identifies your true name and age, and visualises your face through an embossed photograph. Moreover, it is a document that, coupled with a visa (where necessary), enables the bearer to ‘*pass freely without let or hindrance*’ across borders into new lands, offering new opportunities and experiences.

Yet, fundamental to obtaining your passport is the registration of your birth, and the subsequent issuing of a birth certificate. Such registration declares you are *visible*. It officially recognises that you *do* count; it is your ‘membership card’ for society that should open the door to the enjoyment of a whole range of other rights, including education and health care, participation and protection.¹ However, notwithstanding the significance of ensuring every person counts, it is estimated that the births of over 50 million children go unregistered each year.² With no proof of age and identity, unregistered children may lack the most basic protection against abuse and exploitation.

An unregistered child is an attractive ‘commodity’ to a child trafficker, lacking even the minimal protection that a birth certificate provides against early marriage, child labour, recruitment in the armed forces, or detention and prosecution as an adult. In later life, they may be unable to apply for a passport or formal job, open a bank account, get a marriage license, stand for elective office or vote.³

Being born into invisibility, whether through circumstances

of extreme poverty, armed conflict, natural disasters or gendered cultural marginalisation, erects living borders that are often impossible to circumvent. Such borders block essential educational prospects, access to health care, safety and protection, and the right to earn the kind of living that enables a person to have a life of dignity and self determination. Thus, they remain exceedingly vulnerable and at the mercy of unscrupulous people.

Marginalisation and deprivation, and the resulting misery, create perfect growing conditions for unprincipled practices. It is within such settings that human trafficking and exploitation thrive unabated.

Migrating to misery

‘Trafficking in human persons is a particularly abusive form of migration.’⁴ The dominant discourse on trafficking in humans has tended to focus on trafficking for sexual purposes; issues of migration and irregular migration have featured less prominently in anti-trafficking information and campaigns. Yet migration is a key characteristic within the ‘push’ and ‘pull’ factors associated with the trafficking of persons. It is argued that:

‘in today’s global economy, poverty, and lack of viable economic opportunities at home, drive men, women and children to leave their homes in search of work and a better life. But these forces leave workers vulnerable to exploitation. The worst abuse being trafficking—the use of fraud, deception, or coercion to recruit, transport, buy and sell human beings into virtual slavery.’⁵

Migration has been documented from the beginning of human history. In every human generation, people have moved to new lands in search of greater life-enhancing opportunities. While it could be argued all migration carries some risk, it also offers many a fresh start. It has contributed immeasurably to the positive growth and wealth of many countries, with New Zealand, Australia and the United States of America being prime examples.

In recent years, free trade agreements have increasingly seen a lowering of barriers and borders for goods and

→ This paper does not necessarily represent the official views of The Salvation Army.

services, but this has not been reflected in human terms. Instead, border controls have progressively tightened, particularly following the traumatic events of 9/11. Restrictive immigration policies tend to favour well-educated, experienced and financially endowed people or families, with strict quotas in place for more 'at risk' people who are endeavouring to enter and settle in another country.

A paper by the International Labour Organisation highlights the powerful 'market pressures' reflected in the 'demand and push' factors that are driving migration; namely, the continuing demand in both Western industrialised countries and emerging economies for cheap, low-skilled labour in such sectors as agriculture, food processing, construction, domestic help, labour-intensive manufacturing, and home health care. These are often dirty, dangerous and degrading jobs. The increasing 'crisis of security' resulting in many societies as an aspect of globalisation is cited in describing increasing pressures for emigration. Related push factors include disappearance of traditional industry, loss of agricultural competitiveness, elimination of jobs and subsidies by structural adjustment, and resulting increased poverty.

Furthermore, 'immigration restrictions in many situations have inhibited regular labour migration to meet measurable labour demands. Given these demands, employers and migrants are willing to pay increasingly higher prices to meet each other in an internationalised labour market. Increased migration control and restrictions contributes to making circumventing restrictions a lucrative field of activity to respond to market pressures, making trafficking and smuggling of migrant labour very profitable.'⁶



Gendered Migration—the assumptions and challenges

'Today, women migrants are recognised not only as dependents, part of the family reunification process, or forced migrants in displacement situations, but also as independent agents and family supporters or strategists. Today, women account for almost half of the migrant population globally. However, migration-related policies and regulations in countries of origin and/or destination have generally not adjusted to this trend. Despite growing evidence about the gender-related nature of migration, most migration-related policies and regulations are not influenced by gender. More often than not, they underestimate or neglect the gendered nature of migration, with unforeseen consequences for women. Despite the 'feminisation of migration', they still frequently tend to take men as the 'norm', ignoring women's needs, aspirations, and capacity to act independently.'⁷

While it would be misleading to construct generalised assumptions that all women are more vulnerable than their male counterparts within the migratory process, it would be fair to conclude that, because many of the migrating women tend to be employed in the lower end of the market—in the hidden sector of sweat shops, factories and domestic work—they tend to be at greater risk from exploitative labour practices. Additionally, if the driving factor for migrating in the first place is to send money home to family, then such abuse is likely to be tolerated for fear that even the little remuneration being given, will be withheld.

Female migration over the years has changed markedly. Women no longer simply accompany a husband or father, but also emigrate in their own right. Yet biased stereotypes and restrictive cultural practices and notions can limit their chances of safe, legal migration. In addition, the 'closed door' policies now implemented by many Westernised countries drive some women, through desperation, to choose irregular migration routes, thereby increasing their likelihood of being exposed to exploitation and abuse.

Regular migration offers the possibility of new opportunities that will improve and empower women as social and economic actors, and agents of change.⁸ Conversely, lack of this opportunity can serve to reinforce gender inequalities or create new vulnerabilities and risk.

Concluding comments

Trafficking in persons prospers within an environment of *invisibility* and entrenched marginalisation and discrimination. Such environments create the perfect conditions for unprincipled misery. Many of us are privileged to live in an ever accessible world; we are free to travel and free to purchase our goods from an international market at bargain prices. Furthermore,

many of us from industrialised countries have migrated to different lands, availing for ourselves and our families new lives with enhanced opportunities. Yet, for the majority of the world's inhabitants, this is not the case. A person desiring to migrate from a developing country often faces significant barriers.

The *2011 Trafficking in Persons Report* emphasises the urgent need to 'strengthen international cooperation and standards to manage labour migration',⁹ as at present it is relatively unregulated, covered only by a small number of bilateral agreements and non binding bilateral memoranda of understanding. At the extreme end of the scale, labour migration is controlled by unprincipled private recruiters who mislead, deceive and charge exorbitant 'fees' that can see migrants' hopes and dreams shattered, and their lives spiralling into debt bondage and severe labour mistreatment .

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Coomaraswamy commented that, 'traffickers swim in the stream of migration'.¹⁰ While significant media attention, campaigns and reports have, by and large, tended to focus on trafficking once it has happened, there still remains a dearth of good hard data and advanced understanding as to the push factors that drive people to take extreme risks to contemplate migration in the first place.

Whereas trafficking is very much an issue of human rights abuse, it is also involves the movement of people. In many cases, trafficking begins after the movement of a person or people from one place to another. How, then, do we begin to address the complexity of issues that cause people to uproot from their homelands? It is a question of connecting up the dots—dots that may significantly contribute to the growth in the exploitation of people, such as marginalisation, gender discrimination, the detrimental effects of globalisation on poorer countries and 'closed migration doors'.

First and foremost our agenda going forward must stem from those who can speak of their experiences, who will provide us with valuable insight:

'Risk is the acceptance of endangering one's honour, or safety, or future, in order to earn an income or to cover immediate expenses.'¹¹

- 1 Innocent Digest, 'Birth Registration, right from the start', no.9 March 2002
- 2 Council of Europe, 3rd European Conference on Nationality 'Nationality and the Child', October 2004, Paris,
- 3 Innocent Digest, 'Birth Registration, right from the start', no.9 March 2002
- 4 Mary Robinson, High Commissioner for Human Rights, 'Recommended Principles and Guidelines on Human Rights and Human Trafficking', 2002
- 5 Solidarity Centre, 'Facts about Migration and Human Trafficking', Washington DC, 2006
- 6 Taran, Patrick A, Gloria Moreno-Fontes Chammartin, International Labour Office, 'Stopping Exploitation of Migrant Workers by Organised Crime', Geneva, 2003
- 7 International Organisation for Migration, 'Gender and Migration', Geneva, 2011
- 8 SDC-Gender Equality Network, 'Migration Issues: Voluntary and forced migration', 2005: <http://www.sdc-gender-development.net/en/Home/Topics/Migration>
- 9 Department of State, United States of America, 'Trafficking in Persons Report', Washington, 2011
- 10 Coomaraswamy, R, United Nations Addendum Report to the Human Rights Commission regarding Mission to Bangladesh, Nepal and India on the issue of women and children, 2001
- 11 Participant living in Egypt, World Bank study, 'Voices of the Poor', 2000