REGIONAL AND NATIONAL PERSPECTIVES

Sex trafficking in South Asia
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Abstract  Economic and social inequalities and political conflicts have led to the movement of persons within each country and across the borders in South Asia. Globalization has encouraged free mobility of capital, technology, experts and sex tourism. Illiteracy, dependency, violence, social stigma, cultural stereotypes, gender disparity and endemic poverty, among other factors, place women and children in powerless, non-negotiable situations that have contributed to the emergence and breeding of the cavernous problem of sex trafficking in the entire region. This alarming spread of sex trafficking has fuelled the spread of HIV infection in South Asia, posing a unique and serious threat to community health, poverty alleviation and other crucial aspects of human development. Although the SAARC (South Asian Association for Regional Cooperation) Convention on Trafficking in Women and Children has been an important breakthrough, most of the countries in the region do not have anti-trafficking legislation or means to protect the victims. Countries of the region should make a concerted effort to treat trafficking victims as victims of human rights violations in all anti-trafficking strategies and actions.

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1. Introduction

Trafficking in persons, especially women and children, is a reflection of many of the complex social issues facing the global society today. Recently, growing concern about violence against women worldwide has put “trafficking” on the international agenda, and its connection with the sex industry, bonded and exploitative labor, HIV/AIDS and other forms of human rights violations has added urgency to global anti-trafficking efforts, particularly in Asia. Asia is seen as the most vulnerable region for human trafficking because of its huge population pyramid, growing urbanization, and ever-present poverty.

Estimates of the number of people trafficked each year vary from tens of thousands to millions. Such variations are due to the clandestine nature of human trafficking and the numerous methodological difficulties in collecting data, statistics and information on the issue. Regardless, although some estimates suggest that every year 1 to 2 million women, men and children are trafficked worldwide, around 225,000 of them...
are from South Asia (India, Nepal, Pakistan, Bangladesh, Sri Lanka, Afghanistan, Maldives, and Bhutan). Other estimates show that over the last 30 years, trafficking for sexual exploitation alone has victimized some 30 million Asian women and children [1].

2. Definitions and the causal factors

Traditionally, the word trafficking was used to describe kidnapping and enslavement of workers — usually women and girls in the commercial sex industry. However, recent developments have adopted much broader definitions of the term addressing both working conditions as well as how a person is recruited or treated at a subsequent stage. This is reflected in the definition adopted by the United Nations:

“Trafficking refers to the recruitment, transportation, purchase, sale, transfer, harboring, or receipt of persons: by threat, use of violence, abduction, use of force, fraud, deception, or coercion (including abuse of authority 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 or debt bondage, for the purpose of exploitation which includes prostitution or for placing or holding such person, whether for pay or not, in forced labor or slavery-like practices, in a community other than the one in which such person lived at the time of the original act described.” [2]

The UN Protocol provides the internationally accepted definitions of human trafficking. Within countries in South Asia, confounding issues such as pervasive gender biases, overly generalized laws, and abuses of legal migration distort the enforcement of this widely accepted definition. As a result, governments often fail to prevent trafficking or punish traffickers, and routinely violate the human rights of trafficking victims. Common problems with anti-trafficking legislation include: a misplaced need to protect women, resulting in legislation which disempowers women by limiting their mobility within and across borders; conflations of trafficking-related abuses with other types of abuses such as rape, child pornography, prostitution, and battering; failure to protect the rights of non-citizens; and confusion of trafficking with other types of “irregular” migration, such as illegal migration or human smuggling.

A person who is trafficked may have been ‘pushed’ or ‘pulled’ or — more likely — some combination of the two (the ‘supply and demand’ factors). Although poverty, social disasters and gender inequalities make it easier for agents to procure young women and children, it is the buying power of consumers for submissive women and children that makes trafficking lucrative. These forces are legitimately viewed from both sides of a continuum, with dire poverty and lack of opportunity creating fertile ground for traffickers, whereas rising aspirations and increasing exposure to mass media lure young people to cities. However, whether someone is “pushed” or “pulled” does not change the fact that she or he has been trafficked.

A CATW—Asia Pacific study (1997) showed that Asia has become the major locus for sex tourism, prostitution and mail order brides. Contributing factors to the growth of the sex industry in Asia and around the world are the mobility of people via tourism, the migration policies of governments, and the building of the infrastructure for sexual entertainment in Asia. Prostitution has become a high stakes business, with huge profits for brothel keepers, pimps, procurers, recruitment agencies, airline companies, hotels, travel groups, marriage bureaus, and many others. The trading of women and an increasing number of girls is carried out and mediated in many direct and indirect approaches, and is oftentimes glamorized by including language that makes such practices acceptable. One no longer uses the word prostitute, but instead uses “sex worker”; “entertainer”; “guest relations officer”; or “cultural dancer”. An organized international lobby is working very hard to make prostitution a part of the categories of work for women that should have adequate legal and labor protection.

3. Forms of human trafficking in South Asia

Trafficking of women and girls into the commercial sex industry is most commonly associated with the term “human trafficking”. To a lesser extent, men and boys are also affected. The commercial sex industry has grown substantially in the last decades, due at least in part to the development of sex tourism to some Asian countries. UNICEF recently warned that the trade in women and children for sex is spiraling out of control in South Asia [3]. Referring to a “rising tide of commercial sexual exploitation” in the region, UNICEF maintains that the numbers being trafficked in Asia represented nearly half the world total — and that South Asia is bearing the brunt. Additionally, there are incidences of boys being traded for sex, as in Sri Lanka where foreign pedophiles lure beach boys with money.
The causes of this calamity are complex and, at the same time, varied. For example, more and more women and children are leaving countries like Nepal and Bangladesh to find a better way of life and many end up being abused in a highly lucrative sex trade. At the same time, war in countries such as Nepal and Afghanistan makes matters worse, as thousands of young people flee for their lives — and end up in the sex trade. Further, the continued existence of caste systems in some parts of Asia and other expressions of discrimination based on race, ethnicity, social origin or gender, exacerbates trafficking, as some people are assumed to be more exploitable and less worthy of protection than others. In some parts of one South Asian country, for example, richer families buy girls from poor families of lower social castes and give them to local temples as so-called “presents to god”. Having to work without pay in the temple and with no other means to support themselves, many of these women are constrained to engage in prostitution.

Although the existing notions of trafficking in South Asia are predominantly influenced by issues of sexual exploitation, anti-trafficking agencies recognize that large numbers of women and children are coerced, tricked or bonded into occupations and situations other than prostitution or other forms of sexual servitude. These women and children are trafficked into abusive factory labor, street-begging, domestic work and forced marriages/‘bride-buying’. A recent study of the International Labor Organization estimates that whereas 43% of all victims are trafficked for sexual exploitation, another 32% are victims of economic exploitation, the rest being undetermined [4].

Granted that much of the earlier migration flows in Asia involved unskilled men looking for any type of work, since the 1990s a steadily increasing feminization of migration has taken place as women seize the economic opportunities that migration offers. This phenomenon has also affected the trafficking situation. In South and Southwest Asia, for example, women are recruited by private employment agencies to work as domestic migrant workers in more affluent countries of the Asian continent, especially in the Middle East. However, in some cases, women recruited to be domestic workers find out that they were trafficked by deception once they arrive in their country of destination. Brute physical abuse, systematic social isolation, or threats of denouncing irregular domestic migrant workers to the public authorities are used to prevent the victims from escaping exploitative situations that remain invisible to the public eye.

4. Sex trafficking: patterns and trends in South Asia

4.1. General trends and patterns

The following summarizes the general trends and patterns of sex trafficking in South Asia:

• An increase in the number of girl children from poor, rural and urban families.
• Sexual exploiters and prostitute users are the same clusters of men who abuse children. Although only a small percentage of these individuals are pedophiles, a great majority are ordinary men who buy sex to reinforce their masculinity and exercise power over the weak and vulnerable. For foreign men, there is the added layer of racial discrimination and power over third world women and children.
• Increased trafficking of women and girls from ethnic and minority groups who are very often also experiencing abuse in their communities and/or caught in armed conflicts and civil war.
• Increasing control of trafficking routes and destinations by crime syndicates.
• Increasing use of technology to market women and children for prostitution, bride trade, pornography and other slave-like practices via the Internet.
• The mainstreaming of prostitution in legitimate business and occupational categories in tourism, hospitality, health and entertainment establishments which are integral to development policies of governments.
• Massive migration of women for entertainment and domestic work.
• Continuing inability of governments and the international community to respond to the increasing trafficking in women and children.
• Intense lobbying of certain groups calling for a liberalization of sex industry through the legalization of prostitution and its redefinition as “work” on one hand, and the lobby to make distinctions between forced and free (choice prostitution, child vs. adult, and first world vs. third world, etc.).

4.2. Country-specific trends and patterns

The following sections highlight the current trend and practices relating to human trafficking in various South Asian countries.

4.2.1. Afghanistan

Afghanistan is both a source and transit country for women and children trafficked for the purposes of
sexual exploitation and labor. Children are trafficked to Pakistan, Iran, and Saudi Arabia for begging, labor, and prostitution, often with the consent of their parents who are told they will have better educational and job opportunities abroad. Over 200 Afghan children were repatriated from Saudi Arabia in early 2004. Women and girls are kidnapped, lured by fraudulent marriage proposals, or sold for forced marriage and prostitution in Pakistan. Women and girls are also trafficked internally as a part of the settlement of disputes or debts, as well as for forced marriage and labor and sexual exploitation. Boys are trafficked internally mainly for labor and sexual exploitation.

A recent research assessment of the situation of trafficking in persons in Afghanistan conducted by the International Organization for Migration reveals that armed conflict, lack of internal security, effects of drought and socio-economic pressures are the key responsible factors. Lack of reporting of the cases, inability of women to access the judicial system and insecurity have been described as the prime obstacles to combat trafficking in this sub-region [6].

4.2.2. Bangladesh
Bangladesh is a country of origin and transit for women and children trafficked for the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. Human rights groups in Bangladesh estimate that 10–20,000 women and girls are trafficked annually to India, Pakistan, Bahrain, Kuwait, and the United Arab Emirates (UAE). A small number of women and girls are trafficked through Bangladesh from Burma to India. Bangladeshi boys are also trafficked into the UAE and Qatar and forced to work as camel jockeys and beggars. Women and children from rural areas in Bangladesh are trafficked to urban centers for commercial sexual exploitation and domestic work [7].

4.2.3. India
India is a source, transit, and destination country for trafficked persons. Women and girls are trafficked to Pakistan from Bangladesh, Afghanistan, Iran, Burma, Nepal, and Central Asia for commercial sexual exploitation and bonded labor. Girls and women from rural areas are trafficked to urban centers for commercial sexual exploitation and labor. Women trafficked from East Asian countries and Bangladesh to the Middle East often transit through Pakistan. Men, women, and children are trafficked to the Middle East to work as bonded laborers or in domestic servitude. Tougher enforcement efforts in Pakistan and the ban on child camel jockeys in the United Arab Emirates are believed to have reduced the numbers of boys trafficked through Pakistan for that purpose.

4.2.4. Nepal
Nepal is a source country for girls and women trafficked to India for the purposes of prostitution, domestic servitude, forced labor, and work in circuses. Many victims trafficked to India are lured with promises of decent work or marriage. Other victims are sold by family members or kidnapped by traffickers. Women are trafficked to Saudi Arabia, Malaysia, the United Arab Emirates and other Gulf countries, as well as the Hong Kong SAR for domestic servitude. Internal trafficking for forced labor and sexual exploitation also takes place.

4.2.5. Pakistan
Pakistan is a source, transit, and destination country for trafficked persons. Women and girls are trafficked to Pakistan from Bangladesh, Afghanistan, Iran, Burma, Nepal, and Central Asia for commercial sexual exploitation and bonded labor. Girls and women from rural areas are trafficked to urban centers for commercial sexual exploitation and labor. Women trafficked from East Asian countries and Bangladesh to the Middle East often transit through Pakistan. Men, women, and children are trafficked to the Middle East to work as bonded laborors or in domestic servitude. Tougher enforcement efforts in Pakistan and the ban on child camel jockeys in the United Arab Emirates are believed to have reduced the numbers of boys trafficked through Pakistan for that purpose.

4.2.6. Sri Lanka
Sri Lanka is a source country for women who are trafficked to Lebanon, Saudi Arabia, Kuwait, the United Arab Emirates, Bahrain, and Qatar for the purposes of coerced labor and sexual exploitation. A smaller number of Thai, Chinese, and Russian women were trafficked to Sri Lanka for commercial sexual exploitation. Women and children are trafficked to India for sexual exploitation, domestic servitude, and forced labor. UNICEF estimates that there are at least a million child prostitutes in Asia alone with the greatest numbers in India. India is also a growing destination for sex tourists from Europe, the United States, and other Western countries. Internal trafficking of women, men, and children for purposes of sexual exploitation, domestic servitude, bonded labor, and indentured servitude is widespread.
5. Sex trafficking, public health and HIV/AIDS

Besides being a criminal and human rights issue, sex trafficking has serious public health implications. Victims of trafficking often suffer brutality that results in physical, sexual, and psychological trauma. The health risks and consequences include sexually transmitted diseases, pelvic inflammatory disease, hepatitis, tuberculosis and other communicable diseases; unwanted pregnancy, forced abortion, and abortion-related complications; rape and other physical assault; a host of mental and emotional health problems including nightmares, insomnia, and suicidal tendencies; alcohol and drug abuse and addiction; and even suicide and murder [8]. The health implications of sex trafficking extend not only to its victims, but also to the general public, as well as those who frequent brothels and who can become carriers and/or core transmitters of serious diseases.

Of great international importance, sex trafficking has direct cause and effect linkages to the spread and mutation of the AIDS virus and sex trafficking is aiding the global dispersion of HIV subtypes. Women and children victims of sex trafficking in South Asia have a high prevalence of HIV and other STDs. Over 5 million people in South Asia are living with HIV/AIDS, 90% of whom are living in India [9]. Although the rate of people living with HIV/AIDS (PLHA) in the population at large is still low, due to its large population, India has one of the largest HIV-positive populations in the world in absolute numbers, second only to South Africa. Many recent studies suggest that high-risk behavior and infection rates are growing alarmingly across the region and that South Asian countries run the risk of experiencing the devastating social and economic impacts of the kind of full-blown AIDS epidemics seen elsewhere in the world (Table 1) [10].

Other countries in the region, such as Bangladesh, Pakistan, and Nepal, are characterized by a low HIV prevalence among the general population, but have significantly higher rates among high-risk groups, such as injecting drug users and those engaged in the selling and buying of sex. Similarly, Bhutan and the Maldives also have nascent epidemics, but the threat of HIV spread is significant due to high prevalence of risk behaviors and high vulnerability.

Significant structural and socio-economic factors put South Asia at risk for a full-blown AIDS epidemic. The following points are worth noting:

- South Asia is witnessing an alarming trend of increasingly younger girls being trafficked into the sex trade. The majority of trafficking in India, both trans-border and in-country, happens for the purpose of sex work, and over 60% of those trafficked into sex work are adolescent girls in the age group of 12–16 years (UNDP, 2005). In many Indian cities, girl children as young as eight or nine are sold at auctions. There are an estimated 2,000,000 prostitutes in India and 60% of these women in prostitution in Mumbai are HIV positive. One common myth fuelling the demand for young girls in South Asia is that sex with a virgin can cure sexually transmitted infections (STIs) and HIV/AIDS.
- In South Asia, women are now reported to constitute up to 35% of new HIV infections (UNAIDS, 2000). A complex web of socio-cultural and macro-economic factors affect women’s vulnerability to HIV, including poverty, migration, urbanization, gender inequalities compounded by women’s lack of autonomy, abuse within and outside families, insufficient access to health care services, violence and ethnicity [16].

<table>
<thead>
<tr>
<th>Country</th>
<th>Adult HIV prevalence rates</th>
<th>Estimated number of PLHA</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>1%</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Pakistan</td>
<td>0.1%</td>
<td>75,000</td>
</tr>
<tr>
<td>Nepal</td>
<td>0.02%</td>
<td>34,000</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>&lt;0.03%</td>
<td>21,000</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>0.07%</td>
<td>8500</td>
</tr>
<tr>
<td>Maldives</td>
<td>Less than 0.1%</td>
<td>100</td>
</tr>
<tr>
<td>Bhutan</td>
<td>Unknown</td>
<td>Few cases reported</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
</tbody>
</table>

Source: Ministries of Health of the respective countries and UNAIDS [9].
Significantly, these same underlying factors also heighten the vulnerability of women and girls to being caught in the growing web of sex trafficking in the region, taking them into situations which remove the last vestiges of choice, violate their human dignity and security, and further increase the risk of exposure to HIV/AIDS [11].

- “Women of all ages are more likely than men to become infected with HIV during unprotected vaginal intercourse. This vulnerability is especially marked in girls whose genital tract is still not fully mature. Compounding their biological vulnerability, women often have a lower status in society at large and in sexual relations in particular. This gender vulnerability, again, is particularly acute for young girls.” [12].

- The growing menace of sex tourism and pedophilia has also been a matter of serious concern for the region. As a number of countries in the East (such as Indonesia) have begun to close their doors on Western sex tourists, they are increasingly turning to South Asia.

- Regional poverty (more than 35% of the population living below the poverty line) forces people to migrate from villages to cities and from one country to another in search of work (in a region with porous borders). Many migrants are known to buy sex but do not have access to information, condoms or supportive services that would enable them to have safe sex.

- There are about 100,000 Nepali girls working in Indian brothels and an estimated 5000—7000 Nepali girls trafficked annually to India. “Nepal runs the risk of an increased epidemic due to an active sex trade and high rates of girl trafficking to India for sex work” [13].

- Condom use among Bangladesh’s 36,000 sex workers varies between 4% and 28%. Over 95% of 15- to 19-year-old Bangladeshis do not know a single method of HIV prevention.

- Sri Lanka is renowned as a pedophile’s paradise and their numbers increase every year. Tourist resorts of the country are well-known in the western world as easy and cheap sources of young boys, and one can find names and addresses of agents and children in publications, particularly in some gay magazines [14]. A 1999 Sri Lanka study among 9th grade students found that 63% could not name a single mode of HIV transmission and 75% could not identify a single method of HIV prevention.

- Women, girls and young boys — coerced, forced, or tricked into commercial sex — are more vulnerable to HIV/AIDS. Because they are virtually or literally enslaved, victims of sex trafficking have no ability to insist upon condom use and are vulnerable to dangerous sexual practices most associated with transmission. Moreover, trafficking victims are forced to endure intercourse with multiple partners and violence is common in commercial sex. Injuries and abrasions sustained during sexual contact heighten physical vulnerability to AIDS transmission [15]. The vulnerability of trafficked women to sexually transmitted diseases is compounded by their inability to receive medical testing, treatment, counseling, prevention services, or other health care. Inability to speak or understand the language in a foreign land, poverty and indebtedness, and lack of freedom of movement grossly impedes access to health care.

6. Initiatives and actions

In the recent years, various initiatives and programs in the countries of South Asia have begun addressing the problem of human trafficking, especially in women and children. Governments are becoming active, although most programs are carried out by non-governmental organizations (NGOs) with a focus on local communities. Concerted efforts have also been undertaken at the sub-regional level to combat human trafficking in South Asia. During the 11th SAARC (South Asian Association for Regional Co-operation) Summit, which was held in January 2002 in Kathmandu, the seven SAARC member States (Nepal, India, Pakistan, Bangladesh, Sri Lanka, Bhutan and the Maldives) signed the SAARC Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution. The scope of this Convention is to promote co-operation amongst member States to effectively deal with various aspects of prevention, interdiction and suppression of trafficking in women and children; repatriation and rehabilitation of victims of trafficking, and preventing the use of women and children in international prostitution networks, particularly where the SAARC member countries are the countries of origin, transit and destination.’ The member countries have also committed themselves to develop a Regional Plan of Action and to establish a Regional Task Force against Trafficking.

More recently, in October 2004, all the eight governments in South Asia unanimously adopted “Five Points” for further actions as ‘urgent imperatives’. Briefly, these include:

- Conduct better research into the demand that underpins sexual abuse and exploitation of...
children, including the abuse that results from home grown demand.

- **Reinforce protection measures** through the adoption of National Action Plans covering sexual abuse, exploitation and trafficking.
- **Develop compatible databases** of abused, exploited and trafficked children with information on age, gender and nationality that would allow better identification of national trends and indicators.
- **Work with NGO, UN and multilateral partners** to develop indicators of impact and effectiveness and identify successful initiatives and good practices.
- **Work with children and young people** to ensure their insights in policy formation and actions.

It is also desirable to make a brief reference to the devastating tsunami that struck South East Asia, South Asia, and East Africa on December 26, 2004 killing more than 160,000 people and leaving over 5,000,000 people being severely affected and an estimated 35,000 children orphaned. These orphaned children together with hundreds of thousand affected women and girls have been particularly vulnerable to being trafficked for sexual exploitation or other forms of forced labor. Countries in the region have taken special measures to prevent trafficking of these potential victims. Thus, for instance, in India, the State Government of Tamil Nadu opened shelters to protect orphaned or separated children and pledged that it would provide orphans of the tsunami support and education. Similarly, in Sri Lanka, the National Child Protection Authority (NCPA), UNICEF, and non-governmental organizations have mobilized teams to identify and register all children who have been separated from their immediate families.

### 7. Conclusion

The SAARC Convention is seen as a milestone on the path to co-ordinated interventions against trafficking at the sub-regional level. However, as the definition of trafficking provided in the Convention does not address trafficking from a general perspective, but only focuses on prostitution, the text of the Convention needs to be reviewed in order to broaden its scope. On the other hand, due attention is also needed to ensure that the Convention does not become an instrument to restrict or control the voluntary movement of women from one country to another.

All countries in the region should sign and ratify the important UN Trafficking Protocol as well as other United Nations instruments that address human trafficking and related issues such as forced labor, child labor or gender-based discrimination. In addition, attention should be drawn to the United Nations Recommended Principles and Guidelines on Human Rights and Human Trafficking and encourage all states to take this very useful document into account when devising and strengthening their respective national anti-trafficking strategies.

The concern and interests of trafficked women and children and the need to provide them support and security must take precedence over the citizenship concerns of the member states regarding the legal identity of victims. All trafficked persons should be accorded standard minimum humanitarian treatment consistent with international human rights standards.

In South Asia, the link between sex trafficking and HIV is emerging stronger than ever before. The nexus between poverty, HIV, and the trafficking of women and children within and across borders is creating ever-widening circles of insecurity that disproportionately threaten the lives of the victims and further impoverish the poor through sickness, loss of livelihood and rejection by society. Moving beyond the narrow epidemiological profile of the HIV/AIDS epidemic within the region and examining the broader socio-economic and development causes, an integral connection is evident between HIV/AIDS, gender and sex trafficking through the nexus of vulnerability and sexual violence.

It is thus crucial to adopt rights protective strategies in combating the crime of sex trafficking, reducing vulnerabilities of victims including stigmatization, which results in multiple burdens for HIV-positive survivors. It is important to mainstream sex trafficking and HIV/AIDS with a multisectoral approach maximizing linkages and coordination between national and regional programs related to trafficking of women and girls and HIV/AIDS. Special attention is needed on legal, social, physical and psychological protection of people who are affected by, or exposed to, sex trafficking and HIV/AIDS.

Human trafficking is both a cause and a consequence of human rights violations. It is thus essential that all initiatives in combating sex trafficking be addressed through human rights based approaches. These common promises and understanding are expected to pave the way for a more intensive regional co-operation in preventing and combating sex trafficking in South Asia while protecting the human rights of the victims.
References