

# REFUGEES AND THE GLOBAL ECONOMY OF HUMAN TRAFFICKING: A CASE STUDY OF SYRIAN REFUGEES

*Asma Sana Bilal and Zoha Khalid\**

## **Abstract**

*Human trafficking has been a great concern with respect to the human rights violation and refugee exploitation for ages. There is a surge in recent year because of many factors associated with global conflict. Unfortunately, it has evolved to be an influential industry in the global economy. Human trafficking generates about \$ 150 billions of illegal profits per year and has been designated as an illegal activity internationally. Refugees are vulnerable to fall victim due to the lack of policies and practices to handle their situation in time. Moreover, not providing basic rights and not safeguarding basic needs of the people particularly of the refugees accelerate the subjugation of people to human trafficking and eventually to violence, which consequently enhances crime. This study would discuss the vulnerability of Syrian refugees as case study that how they have been victimized through migrant smuggling, exploitation on job, illegal employment and abuse of children soldiers, sexual exploitation, forced child marriages and gender-based violence.*

**Keywords:** Human Trafficking, Exploitation, International Law, Migration, Violence, Conflict, Syrian Refugees.

## **Introduction**

**H**uman trafficking, in recent years, has emerged as a multibillion dollar industry. The conflict in Middle East has provided enough space to traffickers to operate and carry out their illicit trade. The growth of such criminal activities has also been referred as ‘the dark side of globalization’ where humans are treated as a commodity for purchase and sale. This form of ‘modern slavery’ has also been characterized as transnational organized crime by many countries who have also adapted strict laws on cases of human trafficking.

This paper tends to highlight how refugees become an easy prey to human traffickers and been exploited by them in number of ways. Human trafficking has emerged as a global business and recently Syrian refugees are most vulnerable class available for exploitation by the human traffickers. The study is divided into three sections: section one will discuss the status of refugees under international law, second section will discuss human trafficking and build a relationship between refugees and

---

\*Asma Sana Bilal is lecturer at the Department of International Relations, Faculty of Contemporary Studies, National Defence University, Islamabad and Zoha Khalid is M.Phil scholar at the Department of International Relations, Faculty of Contemporary Studies, National Defence University, Islamabad.

human trafficking, and the last section plight of Syrian refugees will be discussed as a case study.

## Status of Refugees

The 1951 UN Convention on status of refugees (Geneva Convention) and the 1967 protocol related to status of refugees provide a legal framework for the protection of refugees as one of a human right. Refugees are regarded as a special class of migrants who left their country under specific conditions and under international law, they deserve specific protection by their host state. According to Article 1 of the 1951 UN Convention, as modified by 1967 Protocol:

*“A refugee is defined as a person who ‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.’”*

A refugee is not the same as an asylum-seeker. According to the United Nations High Commissioner for Refugees (UNHCR)

*“an asylum-seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated.”<sup>2</sup>*

There is a provision in article 31 to safeguard the right of those who refuge to escape vulnerable situation in their country, such asylum-seekers may enter into the country of refuge unlawfully. These ‘Refugees unlawfully in the country of refuge’ are not punishable because they come from a country where their life and security was endangered and secondly, if they also report immediately to the host country and provide adequate reason for their refuge, the host country may put restrictions on their mobilization in the host country until their status is regularized according to the law of that country.

On the movement of refugees, article 26 of the Convention grants the right to ‘refugees lawfully in the territory’ to move freely in the country and freely exercise their right to residence anywhere in the country. In certain countries, which normally become host of large influx of refugees, the right to choose residence to refugee camps and their movement is also restricted. In other countries, including developed countries, there is a common practice of detention of irregular migrants until their status of refugees is not determined by law of that country.

## Human Trafficking

Much of the existing literature on human trafficking by academia and policy makers’ emphases on descriptive question, and for bringing scientific objectivity concerned with numbers.<sup>3</sup> Just like the case of defining terrorism, there is no one internationally accepted definition of trafficking and/or smuggling. Different definitions were offered on ‘white slave traffic’, ‘traffic in women and children’, ‘slavery’ and ‘forced labour’ between 1904 to 1933 in international conventions, however, in 1949 the

'trafficking in person' was defined for the very first time in United Nations. Over the last few decades, the relation between trafficking and refugees become more evident and has been reflecting in various definitions.

Finally, in 2000, United Nations promulgated protocol to end trafficking in the world. The protocol came into force in December 2003 and called for world-wide suppression, punishment and prevention of human trafficking particularly women and children. At the same time, the United Nation for the first time defined human trafficking as "the recruitment, transport, 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 a control over another person for the purposes of exploitation. Exploitation shall include 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. The consent of a victim of trafficking in persons to the intended exploitation set forth (above) shall be irrelevant where any of the means set forth (above) have been used."<sup>4</sup>

United Nations Commission on Human Rights appointed a Special Rapporteur Ms Sigma Huda in 2004 to define Human Trafficking with respect to human rights with focus on women and children. She categorizes human trafficking in four sets: "act, mean, end result and victim status".<sup>5</sup>

It is pertinent to mention that not all trafficked persons would fall within the definition of refugees thus the Office of the UN High Commissioner for Human Rights (OHCHR) in its Principles and Guidelines on Human Rights and Trafficking recommends States to take appropriate measures to consider asylum applications by trafficked persons. In April 2006, UN High Commissioner for Refugees (UNHCR) issued Guidelines on International Protection of Trafficked person.<sup>6</sup>

At the regional level, efforts to curb human trafficking have also been made. The Council of Europe Convention on Action against Trafficking in human being was signed in June 2005. Afterwards, it launched a campaign in 2006 to "Combat Trafficking in Human Beings, aiming to raise awareness and solicit signatures and ratification of the Convention".<sup>7</sup> Today, trafficking in person is a form of modern-day slavery and violation against fundamental human rights. It violates the basic human right of liberty and security of person the right not to be held in slavery, the right to free from torture and cruel, inhumane or degrading treatment. Furthermore, enslavement, forced prostitution and rape experienced by trafficked person falls into crime against humanity and a war crime if it is occurred in a country victim of armed conflict.

There is no accurate statistic available on human trafficking as it is a clandestine activity and illegal in nature. Some reports by UNHCR gave an estimate of 800,000 to 2.5 million per year.<sup>8</sup> Moreover, human trafficking is considered more about transnational trafficking (across international borders) and the domestic trafficking (within the national border) is ignored whereas, the magnitude of domestic trafficking

is far more than transnational trafficking. In addition, it is difficult to measure domestic trafficking.

According to International Labor Organization (ILO) report, there are about 21 million victims of modern-day slavery. Among them, “55% of trafficking victims around the world are women and girls and 45% are men and boys. Almost 15.4 million victims (74%) are aged 18 or older, with the number of children under the age of 18 estimated at 5.5 million (26%)”.<sup>9</sup>

Industry	Number	Percentage	Profits
Labour	14.2 million	68 %	
Construction, Manufacturing, Mining and utilities	7.1 million	50%	\$34 billion
Domestic Workers	3.4 million	24%	\$8 billion
Agriculture	3.5 million	25%	\$9 billion
Sexually exploited	4.5 million	22%	\$99 billion
State-Imposed Forced Labour	2.2 million	10%	

The reason for growing number of human trafficking cases is the maximum profit attached with it with minimum risks. It has emerged as an extremely lucrative business, with “estimated profit ranging from US \$ 9.5 billion to US \$ 30 billion a year.”<sup>10</sup>

The case of domestic trafficking is different from transnational trafficking. Though, both are primarily motivated by economic reasons, but the drivers of transnational trafficking are mostly organized criminal group and their activities fall into organized crime activity whereas in domestic trafficking, individual are more likely involved with forced labour, bondage or sexual exploitation.

## Human Trafficking Business

The statistics of International Labour Organization estimated that human trafficking, in the informal economy, generates \$ 150 billions in illegal profits per year. Human trafficking is an international crime and it is illegal activity, majority of states have legislation in place to prosecute traffickers for their heinous crime. However, in practice majority of traffickers are operating freely even according to one statistic from UN in Europe alone, just 1 in 100,000 traffickers is convicted. Thus, it makes human trafficking business for traffickers extremely profitable.

The causes of human trafficking are complex and can be understood from the business point of view. Trafficking in person as a business operates in global market, supply and demand is a basic principle through which market operates, likewise, trafficking in person occurred because trafficked person constitutes supply side, and abusive employers, sex buyers or exploiters represent demand side.

Human trafficking involved men, women and even children, these victims are trapped by the traffickers who act as an agent and lured them with dreams of land of better opportunities where they can become rich within couple of years. Many of them,

travelled without any documentation or through fake documents. In both cases, the victims are unaware of the consequences such as arrest, deportation or even death.

Money is the basic driving force behind human trafficking that keeps the criminal activity running. As there is always risk of being caught, these criminal groups constantly move their victims from one place to another. The socio-economic factors that are associated with human trafficking also play an important role. The socio-economic condition, demographic factor, demand of cheap labour and human capital in developed countries all act as a pull and push factors for the human traffickers.

### **Factors of Human Trafficking**

Within the liberal international order, the illicit market has benefited from the privatization and deregulation of industries and economy. The humans are being easily traded from one country to another. The demand of cheap labour is increasing in many countries and, on the other side, there is no efficient visa policy to meet the demand of cheap labour. In some instances, companies are not allowed to hire cheap labour from outside. Thus, it opened a way for illicit market traders to provide them with cheap labour.

Poverty is also one of the major factors as to escape poverty people migrate from one place to another. The demand side of human trafficking exists because the agents of human trafficking promise better job opportunities abroad. Many young people particularly girls left their homes to fulfil their dream or to earn well for their families. Even parents agreed to send their children abroad willingly to escape poverty. After arrival to distant country, their travelling and identity documents are confiscated by the buyers and they are abused into submission. Global warming and natural disasters are also contributing factors to human trafficking. The disaster hit homeless people become an easy prey for traffickers. They are considered as a lucrative commodity as cheap labour for the companies with loose regulations.

The risk and feasibility factor also played an important role in increasing of human trafficking. Countries with long distances involve much paper work and lot of travelling which also increases the chance of being caught. On the other hand, trafficking within country or neighbouring countries is easy and feasible.

Humans are exploited in two ways by the traffickers. Either they end up as forced labourer or sex workers. According to ILO report, about 4.5 million humans are exploited as sex workers which account for 22 percent of total incidents of human trafficking and generate profit of about \$ 99 billion.<sup>11</sup> In twenty-first century, slavery is illegal, but prostitution is allowed in certain areas which is also considered as multi-billion-dollar industry with is low-cost and low-risk investment.<sup>12</sup> The demand and supply rules also exist in the sex industry.<sup>13</sup>

The availability of internet and revolution in communication technology has provided enough space to sex industry in which they operate without any legal

restriction. Today, due to this industry, the Asian women and children are trafficked in a large number across the world.

### **Syrian Refugees as a Victim of Human Trafficking**

Around the world today, an estimated twenty-one million people have fallen prey to the criminal enterprise of human trafficking. Though victim demographics run the gamut, there is one factor common to all: vulnerability to exploitation. Such vulnerability emerged in Syria with a non-violent uprising that began in Syria in March 2011 rapidly descended into a complex civil conflict. Syrians are now considered as largest refugee population in the world. The U.N. High Commissioner for Refugees described the crisis as the “biggest humanitarian and refugee crisis of our time.”<sup>14</sup> Since the start of Syrian civil war in 2011, about 386,000 people have been killed which also includes 14,000 children.

### **Forced Marriages, Child Brides and Gendered Specific Violence**

Children and adult women have been at most risk of being affected by any conflict, let alone being trafficked. For example, the traffickers may find several benefits for their actions of exploitation in terms of selling them for forced marriages, mainly for the purpose of prostitution to men of the neighboring countries. There was one instance when the government of Jordan investigated the case of forced marriage of a seventeen-year-old girl from Syria, for the purpose of prostitution. It was also reported that the Arab men used to visit the refugee camps set up in Jordan for the Syrian refugees in order to look for young brides.

It is also reported that Islamic State used to force their local young Syrian girls and adult women, who were within the areas under their control to get married with its fighters. Not only that, but ISIL has also abducted thousands of women from Yezidi and Iraqi origin and forced them to Syria in order to sell them. The end result of this cycle remained forced marriages, domestic violence, organized rape and sexual assault.

### **Sexual Exploitation**

It is a common practice that the young girls and woman in every part of the world are the most victims of crimes like gender based and sexual assaults, especially in the emergency humanitarian situations.

Another type of victimization that the Syrian women fell prey to is the ‘survival sex’. This is done in order to earn money for them and to support their families in distress situation. These women may earn anywhere between \$ 13 to \$ 450 per case. All of that comes down to be reported as the financial crises the families are facing due to migration to a new place and lack of settlement opportunities and assistance.<sup>15</sup>

### **Illegal Employment and abuse of Child Soldiers**

The act of hiring and preparing child soldiers is one of the forms of human trafficking, either by coercion or fraud or force. With reference to the Syrian refugees, ISIL continued to forcibly recruit and use the Syrian child soldiers and human shields. These children were used as a part of the coordinated military operations to locate the

enemy's positions. These children served the duties of the informants also. ISIL actively recruited and assigned child soldiers in hostilities. It also utilized and targeted the children for training and used them for military purposes, endangering children and preventing their access to education. The training camp established by the ISIL call these children as the "Cubs of the Caliphate",<sup>16</sup> and trainings included on how to operate the weapons and how to act as a suicide bomber where required.

### **Exploitation on Job**

There is a big problem of forced labour where the Syrian refugees were compelled to work either for very little or no money in return, but for just shelter or food. The accommodations were usually tents and thus in the nearby areas the people were forced to work otherwise they were expelled from that area. In this way, the refugees have no choice but to fall victim on the forced labour choices. The refugees living in the apartments faced these forced conditions from their landlords.

### **Conclusion**

With the advent of globalization and easy transfer of goods and capital from one place to another number of issues emerged related to human security. One such concerned issue area is 'illicit market' that not only deals with drugs and guns but human beings as well as a commodity. Human trafficking has emerged as a serious issue for the world. The reason for the surge in the 'illicit market' is the profit it generates and low-risk of being caught.

People in Syria flee, leaving their homes, for well-earned jobs, schools and good living but as refugees they are in desperate need to have new homes and stability in their new areas of settlement in order to provide for themselves and their families. Dismantling the modern-day slavery now demands for increasing the risks and decreasing the profits for the perpetrators. It also requires for ample resources to combat the criminal enterprise and also to initiate advocacy to garner maximum supports to the future policies regarding this menace. There have been prosecutions and victims identified and charged for, but these actions need to be consistent and more proactive. It is only possible if collective efforts and policies are made at international level and to create awareness about the devastating issue of the human trafficking, only then this illegal act of "Modern Slavery" will wind up from the international market.

## NOTES

- <sup>1</sup> Article 1 of 1951 UN Convention, modified by 1967 protocol, Ionel Zamfir, "Refugee status under international law", European Parliamentary Research Service Blog, accessed at 20 June, 2017, <https://epthinktank.eu/2015/10/27/refugee-status-under-international-law/>
- <sup>2</sup> "Who is Refugee", UNHCR Protection Training Manual for European Border and Entry Officials, <http://www.unhcr.org/4d944do89.pdf>
- <sup>3</sup> D. Kyle and R. Koslowki (eds), *Global Human Smuggling* (The JHU Press, Baltimore, 2001)
- <sup>4</sup> Majeed A. Rahman, "Human Trafficking in the era of Globalization: The case of Trafficking in the Global Market Economy", *Transcience Journal* Vol 2, No 1 (2011), 54.
- <sup>5</sup> United Nations Office on Drugs and Crime, "What is trafficking", <https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>
- <sup>6</sup> Ibid.
- <sup>7</sup> Ibid.
- <sup>8</sup> Kaori Saito, *International protection for trafficked persons and those who fear being trafficked*, Working paper 149, UNHCR, <http://reliefweb.int/sites/reliefweb.int/files/resources/B2DA6461A8A9E02C12573C600476367-unhcr-dec2007.pdf>
- <sup>9</sup> "Human Trafficking by the Numbers", accessed 20 June 2017, <http://www.humanrightsfirst.org/resource/human-trafficking-numbers>
- <sup>10</sup> Ibid.
- <sup>11</sup> Ibid.
- <sup>12</sup> Farmer and horovite 2013, p 513
- <sup>13</sup> Ibid.
- <sup>14</sup> Press Release, "Syria conflict at 5 years: the biggest refugee and displacement crisis of our time demands a huge surge in solidarity", 15 March 2016, <http://www.unhcr.org/afr/news/press/2016/3/56e6e3249/syria-conflict-5-years-biggest-refugee-displacement-crisis-time-demands.html>
- <sup>15</sup> Special Report, "Struggling to survive: Slavery and exploitation of Syrian refugees in Lebanon", <http://freedomfund.org/3420413E-FAAB-49EF-8397-973B68C4A71A/FinalDownload/DownloadId-248F04D9E4490963A75ED37F04B4B1B6/3420413E-FAAB-49EF-8397-973B68C4A71A/wp-content/uploads/Lebanon-Report-FINAL-8April16.pdf>
- <sup>16</sup> Lion Cubs of ISIL: Children of the Caliphate", Al Jazeera, October 25, 2017, <https://www.aljazeera.com/programmes/witness/2017/10/lion-cubs-isil-children-caliphate-171023104745430.html?xif=%C3%83%C2%A5a>