

Human Traffic King in Bangladesh: A Critical Analysis

Farah Iqbal

Gono Bishwabidyalay, Dhaka, Bangladesh

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ABSTRACT

These days, human trafficking is a major issue on a global scale. The fact that it has become into a worldwide threat has nothing to do with this. Numerous international conventions and accords have been ratified to curb this trafficking, but their actual application has been dismal. Over the past few years, Bangladesh has been recognized as a source and a transit country for human trafficking. Academic researchers and non-governmental organizations have increasingly documented the rapid growth of human trafficking in Bangladesh. In human trafficking, men are sold into slavery by a ruthless master in another nation, while women are subjected to sexual exploitation and severe humiliation. According to social research, common causes of human trafficking include sexual assault, beatings, forced labor without compensation, and lack of sleep. This paper examines the cases of human trafficking in Bangladesh and geographical advantage of Bangladesh. It also examines relevant Laws and Institutions for Prevention of human trafficking in Bangladesh. The study recommends some methods which are effectual in case of victim protection and prevention of this heinous crime.

Keywords: Human trafficking, Main reasons, Relevant Laws, Institutions, Prevention, Protection.

INTRODUCTION

One of the most horrible crimes in contemporary civilization is human trafficking. Human trafficking is something we hear about on a daily basis, but we don't know enough about it. Human trafficking affects a large number of people each year. The primary victims of this heinous crime are immigrants, women, and children and adolescents who are homeless. Traffickers use violence, threats and fake promises for better job and life. It is a hidden crime. It was resolved by the United Nations General Assembly on December 18, 2013, to commemorate July 30 as World Anti-Trafficking Day annually.

Definition:

Human trafficking involves the use force fraud or Coercion to obtain some type of labor or commercial Sex act. Every year, millions of men, women, and Children are trafficked world-wide. It can happen in any community and victims can be any age, race, gender or rationality. Traffickers might use the following methods to lure victims into trafficking situations:

- Violence
- Manipulation
- False promises of well-paying jobs.
- Romantic relationship.

Language barriers, fear of their traffickers, and/or fear of Law enforcement frequently keep victims from seeking help, making human trafficking a hidden crime.

Traffic kers look for people who are targets for rarity of reasons, including :

- Psychologicaloremotionlvulnerability
- Economichardship
- LackofSocialSafetynet
- Naturaldisasters
- Politicalinstability

The trauma caused by traffickers can be so great that many may not identify themselves as victims ask for help, even in highly public setting.¹ According to the section- 3 of PSHTA-

1. “Human Trafficking” mean the selling buying recruiting or receiving of any Person for the purpose of Sexual- exploitation or oppression, labor- exploitation or any other form of exploitation or oppression by mean of
 - (a) threat or use of force; or
 - (b) Deception, or abuse of any person’s socio-economic or environmental or other types of Vulnerability; or
 - (c) Giving or receiving money or benefit to procure the consent of a person having control over another person.
2. If the victim of trafficking is a child it shall be immaterial whether any of the means mentioned in the clause (a) to (c) of sub-section (1) is used or not.²

www.dhs.gov (an official website of the United States Government) The Government enacted the Prevention and Suppression of Human Trafficking Act, (PSHTA) 2012

VN Protocol defines trafficking in the following way- “Trafficking in persons shall mean that recruitment, transportation, transfer, harboring, or receipt of persons, either by the threat or use of abduction, force fraud, deception or correction, or by giving, or receiving of unlawful payments or benefits to achieve the consent of a person having control over another person with the aim of submitting them to any form of exploitation. Exploitation shall include at the minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery servitude or the removal of organs”³

Main Reasons of Human trafficking:

Although human trafficking occurs in every nation on the planet, the motivations behind the crime differ from one nation to the next. Development or changes of political economic and social conditions time to time, also bring changes the manner and way of Trafficking- the major and common causes of human trafficking around the world are jotted down:

- Poverty
- Lack of education
- Demand of cheap labor
- Demand of cheap sex

- Lack of employment
- Social discrimination
- Increased militarization-civil, war, armed, conflict, and statelessness
- Access to justice and statelessness
- Conflict and natural disaster
- Lack of safe migration
- Violent behavior of family member
- Lack of work opportunities and high ambition
- Lack of human rights
- Political conflict
- Globalization
- Harmful social and cultural practices

UNTIP Protocol, 2000

Geo-location factor of Bangladesh for trafficking:

Cross border and country territory is ever present threat for trafficking. Cox's Bazar is a district of Bangladesh. It is on a coastal plain in the southeastern corner of Bangladesh. Cox's Bazar is located 150 km (93mi) south of the divisional headquarter city of Chittagong. Cox's Bazar empties into the Bay of Bengal. Location is both blessing and curse for its inhabitants. Traffickers use the Bay of Bengal to ship the vulnerable people to different destination countries particularly Malaysia, Thailand and exploit through trafficking. The district is already known as a dreadful base for trafficking and organized crime groups. After Rohingya influx in August 2017 and outbreak of COVID-19 in 2020 vulnerability of people is increasing that resulted in increase of risk of human trafficking as well as of human trafficking cases since. Two hours away from Jhenaidah, India-Bangladesh border the district of Narail has gained a notoriety for being one of the biggest sources of girls headed for Mumbai, India. The district's hot pockets include Jamrildanga, Badamtola, Khararia, Bhogra and Tularampur.⁴

Relevant Laws for the Prevention of human trafficking in Bangladesh:

- PSHT Act-2012
- PSHT Rules 2017 (HT Fund Rules and Anti Human Trafficking Authority Rules)
- NPA (2018-2022)
- MOV on TIP and Bangladesh
- OEMA 2013 (On Smuggling of Migrants)
- Bangladesh Passport Order-1973

Institutions for Victim Protection:

- Anti-Humantraffickingtribunals
- Police
- PoliceHeadquartersMonitoringcell
- MinistryofHomeAffairs
- MinistryofEWOE
- CTCs(Counter-traffickingCommittees);Union,Upazila,Districts
- CSO/NGOs(duties/PSHTAandRuds)
- CID(OrganizedCrimes Unit)
- Legal and Institutional Framework on TIP in Bangladesh (Prof Ridwanul Hoque, University of Dhaka)
- Deputy Commissioner's office; there is a designated officer called "Human trafficking and Expatriates" Welfare Desk Officer.

Challenges of effective implementation of Laws:

While Bangladesh has made legal strides in combating human trafficking, there are persistent obstacles that hinder progress. The effective implementation of Laws against human trafficking faces a number of significant challenges here are some of the key challenges:

- Lack of trained pool of Criminal Justice actors
- Lack of National Anti-Human Trafficking Authority
- Lack of safe homes/shelter homes for victims
- Lack of coordination among the multiple stakeholders including Judges, Lawyers and LEAs.
- Lack of in-depth knowledge on the PSHTA among the enforcers and Public prosecutors
- Anti-Human Trafficking offence tribunal sare not establishing country wide.
- Lack of awareness and victim identification
- Corruption in Migrant labor system
- Political influence

Traffic king profile of Bangladesh in last few years:

As reported over the past five years, traffickers exploit domestic and foreign victim sin Bangladesh ,and traffic kersx ploitvictims from Bangladesh abroad. The most at-risk groups included victims of child marriage and GBV; poorand marginalized persons; people who lost jobs due to the pandemic; seasonal laborers recruited from northwest districts for destinations in India; poorly educated and unemployed youth and students; people affected by natural disasters and climate change; Rohingya refugees; and people attempting to reach other countries through irregular migration. A national study conducted with an international organization concluded that economic need is the largest risk factor creating vulnerability to trafficking.

The government reported that climate-induced displacement is increasing the vulnerability of Bangladeshis to trafficking; officials estimated that 700,000 people have been displaced each year on average over the previous decade due to natural disasters. Traffickers increasingly relied on social media and mobile messages to lure potential victims, particularly targeting women and girls, for sex and labor trafficking. Bangladesh is the world's sixth largest migrant-sending country and the eighth largest country receiving remittances, according to an international report in 2022. The government facilitates the migration of tens of thousands of skilled and semi-skilled workers at low or no cost; however, 90 percent of migrants rely on private recruitment agencies that often charge fees to workers. Most Bangladeshi workers migrate to the Middle East, particularly Saudi Arabia, although traffickers exploit Bangladeshi men, women, and children in southern and eastern Africa, south and Southeast Asia – especially Brunei, Malaysia, and Maldives – Europe, and the United States. Bangladeshi migrants are frequently low or unskilled workers, and many migrate for work each year through informal channels where traffickers target them. Before departure, many workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies registered with BAIRA or illegally by unlicensed sub-agents; this places workers at risk of debt-based coercion. Although one study found that the cost of migration has decreased slightly in recent years, Bangladeshi workers continue to pay the highest migration fees in the region. Observers estimated it can take many months for workers to repay loans to recruiters, adding pressure to overstay visas, and increasing vulnerability to trafficking. Some recruitment agencies, agents, and employers also commit recruitment fraud, including contract switching; this includes promising women and children jobs and exploiting them in sex trafficking upon arrival. A Bangladeshi parliamentarian associated with one such employment agency was previously convicted and imprisoned in Kuwait on charges involving bribery to bring thousands of migrant workers to the Middle East. In recent years, destination countries have recorded tens of thousands of cases involving underpayment or non-payment of wages, overworked employees, passport retention, physical abuse, and instances of young workers dying from kidney diseases due to inadequate protections in working environments. The bodies of many deceased Bangladeshi domestic workers have been repatriated from the Middle East and other regions; however, the government tracks only registered migrants. A study reported that nearly all the deceased migrant workers had died of unnatural causes in destination countries, including Gulf States. High recruitment fees and the economic marginalization of many Bangladeshi women result in female migrants incurring debts that increase vulnerability to coercion.⁵

Effectual Methods for victim Protection and Prevention of this heinous Crime:

- Assist victims of human trafficking Because of language issues, fear of their traffickers, or concerns about law enforcement, victims may be unwilling to seek assistance.
- Government and Social Workers can hold events to raise awareness
- Criminalize all forms of child exploitation such as forced labor, sexual exploitation etc.
- To prevent people from accepting any form of face-to-face job offer to alleviate their poverty, the government must provide additional employment options.
- One excellent method to support the battle against human trafficking is to donate your time and energy to an anti-trafficking group.
- Encourage companies to hire survivors and provide clothing and other items to shelters for victims of human trafficking
- Providing legal and other support to those who have been trafficked in connection with any criminal, civil, or other actions taken against traffickers.
- In case where children are not accompanied by relatives or guardians, taking steps to identify and locate family members.
- International, multilateral and bilateral cooperation between countries is important.

- Cooperation between Government and non-governmental sectors should be based on clear delineation of responsibility and transparency, with clearly defined roles. ⁶

The NPA updated to 2023-2025 aims to achieve five core objectives:

1. Prevent and prosecute the offences of human trafficking by promoting greater access to social, natural and economic safe-nets.
2. Establish a comprehensive protective regime through state interventions and social actions, including measures for rescue of VoTs, recovery from the
3. <https://www.state.gov/reports/2023-trafficking-in-persons-report/bangladesh/s>
4. <https://www.unodc.org/physical/psychosocial> trauma, repatriation, protection, and integration into families and society.
5. Ensure justice for victims of trafficking and their families through effective implementation of legal instruments.
6. Put in place a system of coordination and cooperation at the state and NGO levels, both at home and abroad, with a view to effectively combat human trafficking.
7. Distribute responsibility for monitoring and reporting of NPA activities. The strategy of NPA implementation involves a set of SDGs and actions selected for each of the relevant ministries. MoHA is to play the key role in coordination. If the SDG-related actions are implemented, the major part of the NPA will be achieved. ⁷

CONCLUSION

Human trafficking is a highly structured and organized criminal activity. Human trafficking have developed a multibillion-dollar industry by exploiting those forced or willing to migrate. In South Asia, rate of offence related to human trafficking is increasing day by day rapidly. So it is become organized crime. By following effectual methods of prevention and also by implementing proper Law and order Bangladesh government can protect their citizen from such kind of heroines Crime.

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