



HUMAN SMUGGLING AND TRAFFICKING: THE POWER OF A DEFINITION

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THE DOMINANT NARRATIVES

SMUGGLING

- ❖ Human smugglers as a major enabler and contributor to transnational migration, without whom most won't enter the migration stream.
- ❖ Human smugglers are evil predators, setting up traps along migration routes, baiting naive and desperate migrants.
- ❖ Migrants are vulnerable and helpless victims, at the mercy of their smugglers.
- ❖ Key to combatting illegal migration is to eliminate human smugglers.

TRAFFICKING

- ❖ Human traffickers are evil predators, preying upon and enslaving women and children using special techniques.
- ❖ The worst kind of trafficking involves the sex trafficking and exploitation of young women from far away, third world countries.
- ❖ Women who are being sex trafficked are emotionally, forcefully controlled by pimps.
- ❖ Key to eradicate modern slavery is to eliminate traffickers and rescue victims

WHAT IS TRAFFICKING?

- ❖ **There is no common, unified definition of human trafficking.**
- ❖ Some nations, legal systems do not recognize it as offense = no legal framework.
- ❖ The word *trafficking* means different things to different people/agencies/organizations
- ❖ The terms human smuggling and human trafficking are often and erroneously used interchangeably
 - ❖ ICE mislabeled many cases, inflating numbers of trafficking investigations and arrests (US Dept Justice 2006:12)

REALLY?

- ❖ UN Palermo Protocol 2000: the use of force or fraud in extracting labor to achieve monetary gains.
- ❖ US TVPA 2000: Defines sex and labor trafficking separately.
- ❖ ILO: forced or compulsory labor exacted from a person under the *menace of penalty* and for which the person has not offered *voluntarily*.
 - ❖ *Forced labor can occur to ALL workers, irrespective of employment relationship*

SEX TRAFFICKING

Recruitment, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, coercion, or in which the person forced to perform such an act is under the age of eighteen.

(TVPA 2000: Section 103, 8a)

LABOR TRAFFICKING

Recruitment, harboring, transportation, provision or obtaining of a person for labor services through the use of force, fraud or coercion for the purpose of subjugation to involuntary servitude, peonage, debt bondage or slavery

(TVPA 2000: Section 103, 8b)

WHAT DOES THIS MEAN TO RESEARCH AND PRACTICE?

- ❖ Reliable estimates of scope, scale of labor trafficking are scant.
- ❖ Numbers, STORIES, are abundant, but no methodological clarity on how they were obtained.
- ❖ Lopsided emphasis on sex trafficking
- ❖ In general, people are drawn by the possibility of improved human security and prosperity—This is the “if you were in their shoes, what would you do?” question.

WHAT DO WE KNOW?

- ❖ The decision to uproot from one's familiar surroundings is often complex and multifaceted—some compelling (wars, religious persecution); others mundane (seeking better economic opportunities).
- ❖ Causes for families to migrate vs. individual migration
- ❖ Economic problems, conflict and globalized commerce contributed to large-scale, irregular migration, subjecting millions to abuses (including smuggling and trafficking).
- ❖ **Labor-related** incidents of abuse or exploitation are widespread, particularly impacting irregular migrants
- ❖ NO COUNTRY is exempt from human trafficking

TRAFFICKING OF MIGRANT LABORERS IN SAN DIEGO COUNTY

- ❖ Research Question
- ❖ Research Goals
- ❖ Study Design and Instrument
- ❖ Field Activities
- ❖ Findings
- ❖ Policy Implications

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