

**NOTE
ON
DYNAMICS AND STRATEGIES FOR ADDRESSING TRAFFICKING IN
PERSONS: A NEW PARADIGM
(Adult Scenario)**

A. INTRODUCTION

The purpose of this paper is two fold:

- To provide an overview of the Bangladesh Thematic Group formation process and outcome; and
- To provide an overview of the various elements of an anti-trafficking paradigm (flowchart) entitled “*Dynamics and Strategies for Addressing Trafficking in Persons: A new Adult Paradigm.*”

B. THE FORMATION OF THE BANGLADESH THEMATIC GROUP

On September 26, 2001, the International Organization for Migration (IOM) organized a roundtable discussion entitled “*Anti-Trafficking Initiatives: Bangladesh and Regional Perspectives.*” The meeting included representatives from various Ministries, the Norwegian Embassy, Police Headquarters, ADB, CIDA, PSU-CIDA, NORAD, USAID, UNIFEM, Care Bangladesh, Save the Children Denmark, *Save the Children Alliance*, ATSEC Bangladesh Chapter, Rights Jessore, INCIDIN Bangladesh, Ain-O-Salish Kendra, Bangladesh National Women Lawyers Association (BNWLA), CWCS, Population Council, Dhaka Ahasania Mission, SHISUK, Association for Community Development (ACD), the Government Coordinated Program to Combat Child Trafficking (CPCCT), Refugee and Migratory Movements Research Unit (RMMRU) and news agencies. The main objective of this event was “to review various conceptual and definitional aspects of the human trafficking sector in Bangladesh and South Asia.”

Following a series of presentations, the group discussed and debated problems that existed in the trafficking sector. As one person stated, “*I sometimes feel like we have the same meeting over and over again when we talk about trafficking. Within the first fifteen minutes, we end up arguing about the same things that have come up in past meetings. This is why I think we need to really sit down and sort what we mean by trafficking once and for all.*” Another person indicated, “*It is time that we re-look at what trafficking is after ten years. We need to be thinking about a “second generation” understanding of the trafficking problem.*”

Following this in-depth discussion, the representatives concluded the following:

- Many trafficking definitions being used tend to be limited in their scope and do not reflect the totality of the problem;

- There are many inconsistencies in the existing human trafficking paradigm that have yet to be resolved here in Bangladesh;
- The sector still lacks conceptual clarity among even those who are working to reduce the problem; and
- There is a need to “rethink” some of our previous assumptions to restructure and revise/expand our understanding of the problem.

To address these conclusions, the participants recommended that a systematic process be adopted to formally “*come to terms*” with the trafficking sector in Bangladesh. As an outcome of this suggestion, a series of thematic subgroups were formed, which would meet monthly to review various elements of the trafficking paradigm. The subgroups included the following: 1) definition and conceptualization; 2) prevention; 3) rehabilitation, recovery and reintegration; and 4) prosecution.

IOM was selected to coordinate the initiative. To help manage the process, the Canadian International Development Agency (CIDA) provided a small grant to IOM to hire a project coordinator to help with the day-to-day coordination of the Thematic Group secretariat. It was decided that the program would last between 12 and 16 months. USAID agreed to provide facilitation for the overall process. This included chairing all of the meetings and pulling together all of the suggestions made during each session.

C. THEMATIC GROUP MEETINGS

The first set of meetings for each of the four subgroups occurred in October 2001. Each subsequent meeting took place every three or four-weeks. To begin the first session, a conceptual diagram was created for the specific subgroups to initiate the discussion. The participants reviewed the “visual” and made suggestions that often resulted in complete revisions. Each subsequent meeting further refined the diagrams.

After four meetings of each of the subgroups, the “definition,” “prevention” and “rehabilitation” representatives decided that these three groups should be combined together. It was felt that there were too many overlapping issues that needed to be addressed together and not in separate meetings. From this point onwards, the subgroups were merged and a combined Thematic Group was formed. The “prosecution” subgroup, however, remained separate since this subject was considered more technical and required more detailed discussions to better understand the dynamics of the legal system.

From the beginning, the new “combined” Thematic Group set the following “guiding principles” for each session:

- The **process** itself is as important as the outcome;
- The outcome of the process has **no ownership** (e.g. diagrams, text, flowcharts, etc) – anyone can use the materials for whatever purpose they want;
- Anyone is welcome to attend the meetings;
- The conceptualization process should be based on what the group feels is important and relevant, not necessarily what exists within the literature;

- Anything and everything should be questioned and debated until a consensus is reached;
- There is no limit to what element of the problem can be introduced;
- All views are welcomed and will be given due consideration; and
- There will be three different paradigms produced over time: one for adults (18 years and older), one for adolescents (13-18) and one for younger children (1-12).¹

To date, the participants attending these meetings have included representatives from Government, donors, INGOs, NGOs, universities, and law enforcement agencies. The numbers have ranged from 20 to 50. Each meeting lasts approximately two hours. On occasions, guest speakers have been asked to make short presentations related to a specific trafficking subject. Up until March 2003, a total of 32 meetings have been held.

D. THE “FLOWCHART “FOR THE ADULT PARADIGM

By the fourth set of meetings, what started off as a series of single-sheet conceptual diagrams began to change into a large flowchart made up of ten pages that were taped together. The advantage of this was that it allowed all of the elements to be brought together in one place. This change helped the representatives to better understand the linkages that exist throughout the entire process of trafficking. As one person stated *“I can now see the relationships between prevention and rehabilitation when I look at the flowchart. I also am able to better understand the elements that make up the problem.”* Another person made the statement, *“After seeing the various needs that motivate a person to migrate, I can now see that poverty is just one contributing factor – this will help us to come up with information campaigns that allow us to really tailor our messages.”*

During each meeting, the Thematic Group revisits the flowchart. If there are elements that are unclear or need to be changed, the participants make suggestions. This has helped to ensure that the flowchart truly reflects Bangladesh and South Asia’s trafficking realities.

E. PROCESS VERSUS OUTCOME

There are two basic outcomes of this project – the “process” itself and the “flowchart.” For many, the discussions that take place during these meetings have turned out to be invaluable. As one participant stated, *“I really enjoy attending these meetings. They help me to understand things that I was confused about.”* Another person stated, *“This is the first forum I’ve sat in that has people who used to argue all the time, agreeing with each other. Since the elements of the problem are discussed from a logical and rational perspective, it is easier to get a consensus.”* Thus, the flowchart development process has shown itself to have considerable value in enabling people to better understand and visualize the complexities of the trafficking problem.

The flowchart itself has also turned out to be a useful tool. For example, a woman in Canada who works with exploited persons has taught them to use this tool to teach others about exploitation. She stated in an e-mail, *“The chart (flowchart) helps these women to organize*

¹ It was decided that the adult paradigm would be developed first.

their thoughts and also provides them with some credibility – to show that they have a brain and know how to use it.” Several women from this group traveled to a UN sponsored youth conference at The Hague (January 2002). There, they presented it to 500 high school students from around the world who spent several hours discussing and debating the elements of the flowchart to help them to better understand the trafficking problem. The program was considered a great success.

In 2002, the High Commission for Human Rights used the flowchart as a reference while developing their “United Nations Principles on Human Rights and Human Trafficking.” In addition, researchers working for the Asian Development Bank (ADB) have used the material in formulating an overview report in Bangladesh. Some of the participating organizations regularly use the flowchart in preparing documents and papers relating to trafficking for national and international forums.

Thus, as a reconstruction of the trafficking paradigm, the flowchart offers a comprehensive set of reference points that help guide agencies seeking to better understand the concept of trafficking.

In addition to the work being done to develop the trafficking paradigm, this Thematic Group came together on several occasions to prepare an Action Plan for the SAARC Secretariat that would address its recently signed Convention on Trafficking. During this process, the need for a set of policy guidelines for the trafficking sector in Bangladesh came up and a decision was made that the Thematic Group would work closely with the government to help formulate them.

F. WHY ARE FLOWCHARTS IMPORTANT?

Even after nearly ten years, there is a dearth of conceptual frameworks available that provide a good overview of the “human trafficking” sector. Such frameworks are needed to help those who are not well-versed in the subject to better understand the complicated relationships that exist between various factors within the “human trafficking” paradigm.

Unlike reports that describe a problem using text (often in an abstract way), a framework (flowchart) can help a person to instantly visualize the inter-related elements of a problem. This allows for a group of people to be brought “up to date” very quickly.

Another important difference between the Thematic Group’s flowchart and most others is that it is “person-centered.” In other words, the various boxes and arrows are used to depict that a person goes through a particular process from the point at which they are recruited to the point at which they are integrated back into society. This makes it easier for people to understand the overall trafficking experience, with its multitude of steps.

Finally, since most trafficking frameworks try to take a macro-level perspective, they tend to over-generalize the problem – thus creating confusion. Such approaches make it more difficult to clearly define the many factors that make up a trafficking experience and also make it difficult to integrate “human rights” principles (many of which are person centered)

into the conceptualization. From the beginning, an attempt was made to avoid this problem during the flowchart development process.

G. STATUS OF THE FLOWCHART (FLOWCHART)

In November 2002, a two-day “Expert Meeting” took place to bring together professionals from within the region to further refine and conceptualize the elements presented in the flowchart. Following this event, the adult paradigm went through another round of revisions.

From the beginning, the Thematic Group felt that their findings should be shared with others. To date, the adult version of the flowchart has been developed into a “final” product (poster size) which is being circulated within Bangladesh and throughout South Asia. This flowchart is in English, but will also be translated into Bengali.

To help explain the rationale and justification for the various boxes/arrows that make up the flowchart, a detailed, comprehensive report is being written.² In addition, a “PowerPoint” version is being developed that can be used as a tool to educate managers who are working in the trafficking sector.

Since this first flowchart focuses on the trafficking paradigm for adults, beginning in June 2002, a second “child trafficking paradigm” was initiated. This process will be completed in June 2003.

Note that the text down below provides a brief overview of the various sections of the flowchart. Those reviewing the flowchart should read the text and then look at the corresponding section (refer to the alphabetical key for each unit). For more detailed information, they should refer to the overall report.

H. SUMMARY DESCRIPTION OF THE “ADULT PARADIGM”

“HARM” VERSUS “NON-HARM”

- **Chart A:** To begin the process of analyzing the existing “adult trafficking paradigm,” it is essential that basic elements of the problem be broken down into their component parts. The participants of the Thematic Group started this process by asking a set of questions, namely – “Within what has been called the “trafficking sector,” what is the **PRIMARY** “harm” or “problem” that we are trying to address? In other words, what brings all of us “anti-trafficking-types” together?” Chart A depicts the outcome of this discussion.” The Thematic Group decided that this “harm statement” would represent the heart of the anti-trafficking flowchart.

² This report will be made available from November 2002.

- **Chart B:** Migration (including regular or irregular) is often confused with trafficking. In some ways, many trafficking events are defined by the endpoint of a migratory process -- if the outcome of this process goes well, it is called migration; if the outcome of this process goes badly and results in excessive exploitation for a period of time, it is often considered trafficking (especially if women and children are involved). This includes both internal and external (cross-border) movements. While trafficking has an element of migration involved (movement of people from one place to another), there are many migration stories that have happy endings – e.g. the person is content with the outcome and the conditions of their work.

Migration and trafficking are two distinct but inter-related phenomena. Migration represents the movement of people from one place to another (in case of international migration one country to another) in order to take up employment, establish residence, or to seek refuge from persecution. It applies to various types of movements guided by diverse causes, factors and motivations. International migration, in particular, is a complex and multidimensional phenomenon. The dynamics of international migration are often explained or measured in relation to citizenship along with a number of other factors including: motivation and purpose of migration, residence, duration of stay, outcome of the event, trans-nationalism, or place of birth. Migration can be considered a broad general concept encompassing nearly all aspects of mobility. On the other hand, trafficking is a sub-set or category of the broader concept where there is particular vulnerability that leads to an experience of exploitation. As such, elements of “trafficking” can be conceived as a migratory event that results in a particular form of harm.

Within the migration discourse, there is no consensus on how to refer to those who migrate through a legal process and those who migrate in ways that contravene national laws. Various phrases are used to describe what is often called “irregular” or “illegal” migration. Some of the most common ones include: “alien smuggling;” “trafficking of aliens;” “illegal immigrant smuggling;” “human trafficking;” and “trade of human beings.” Many researchers and advocates prefer the more neutral terms of “irregular migrants” or “undocumented workers.” However, these terms tend to disguise or do not address the need to identify the experiences of regular and irregular migrants who fall prey to exploitation related to organized trafficking.

The complexity of distinguishing trafficking from other types of migration makes the analysis of trafficking difficult. The demarcation between the two phenomena is often a question of perception. Attempts to draw a clear line between the various types of migration, especially migration and trafficking, have been described as working in “terminological minefields.” Thus, the generalization in identifying the difference between the two concepts can be misleading. Attempts by some to “ring-fence” trafficking as an isolated and peculiar phenomenon unconnected to migration, has made it increasingly difficult to locate and understand trafficking in its broader sense.

It is obvious from the above discussion that ascertaining a clear distinction between migration, migrant smuggling and trafficking in persons is extremely complex. All

three phenomena are inter-twined and make up an integral part of the “population movement process” — both conceptually and operationally.

Our present traditional, theoretical understanding can no longer resolve the ambiguities and uncertainties concerning migration and trafficking. It warrants a new theoretical framework for providing a clear picture and analytical understanding of the issue. This broader conceptual sense is required to analyze trafficking in its totality (process as well as outcome). To understand the violation of human rights (harm vs.-non-harm), prevention, rescue, rehabilitation and integration interventions for trafficked survivors, the sector must be explored in the context of migration, migratory trends, patterns and outcomes. Thus, in some respects, policy guidelines to address trafficking must have provisions for subverting trafficking by enabling access to affordable and safe migration.

Chart B describes factors that make up safe migration in its most ideal sense. The Thematic Group defined this as a “**non-harm.**” This is often the goal that most adults who end up in a trafficking “harm” situation were seeking as they begin a migratory-like process.

- **Chart A-B:** This section depicts the continuum that exists between the two possible outcomes of a migratory process: a “non-harm” and a “harm” situation. When addressing the movement of people seeking employment/marriage, etc, both of these possibilities exist. It is important to note that these categories represent the endpoints of a continuum that spans between the two extremes. For example, it is not uncommon for people to fall somewhere in-between these two categories or for them to make a transition from one to the other over time.

THE MIGRATORY PROCESS

- **Chart C:** Out of the general population, there are always those who are motivated to make a change in their life – to move (or migrate) toward something or away from something else. This change sometimes includes leaving their home in search of something different or better than what they have. The motivating factors differ from person to person. For some it is out of need -- for others it is out of a desire to get more out of life or to experience their own country or perhaps the outside world. Motivation is often complex and may involve more than just economic options. This segment of the population that decides to make this move (or has someone else decide on his or her behalf), might benefit from the experience or be exploited somewhere along the way. Note that migration, in these cases, can either occur in-country or across borders. The first column in Chart C outlines a list of some of the relevant motivating factors/needs.

Based on these motivations/needs, a migratory decision is often made. Depending on the age of the person and their dependency on others, this decision might be made by a parent, spouse or guardian. Other times the decision is made by the person themselves. The decision-making process is seldom carried out in a vacuum. Neighbors, friends, local leaders and those who have migrated themselves often

provide advice and guidance based on their own experiences. There are also those who help in the process by offering opportunities to a person (the prospect of a marriage, a good paying job, a better life, etc.). These recruiters or in some cases traffickers play an important role in helping to bring about a decision for a person to migrate. In summary, different types of people make decisions for themselves and for others that set in motion the migratory process. In many cases, combinations of different persons ultimately influence the final outcome (as summarized in the second column in Chart C).

What we call the “migration/trafficking dynamic” represents the interplay between the **motivating factors and needs** and the **decision influencers and decision makers** who act on this. This is the process during which many trafficking opportunities begin to take shape. The understanding that many trafficking and migration networks concurrently operate within the same space, challenges us to consider how to overcome trafficking without destroying legitimate migration. In other words, reducing trafficking should not be used as a proxy to attack the regular migration possibilities.

For each and every migratory event, there is the possibility of a “**non-harm**” or “**harm**” outcome. This outcome is often influenced by a variety of social and cultural factors that can either facilitate a positive experience or hinder it. The third column provides a list of relevant hindering or facilitating factors. Note that it is not just one factor that determines the outcome – it is often the combination or the coefficient effect of all of them in influencing a positive and negative result. These factors can come together to work against a person migrating from one place to another or to aid the person in this process. Unless we understand the importance of these interrelated variables, it is easy to oversimplify the trafficking situation. For example, there are people in the anti-trafficking sector that feel that if they can “improve” the legal system, that trafficking can be stopped. In the absence of addressing the other factors, however, this is an unrealistic expectation. The legal system is only one element that works against the trafficking phenomena – there are many others. Thus, a holistic perspective is very much needed. For those working to really reduce the “harm,” trying to improve the facilitating influences of all of these factors is essential.

While most people in Bangladesh who end up in a trafficking “harm” go through a migratory-type process that often includes deception and fraud, there are also examples where a person is kidnapped or abducted and taken to the final destination. Because of the logistical complications involved in moving a person against his/her will from one place to another, especially if this involves crossing an international border, this approach is rare. It is much easier to transport a person who is deceived into going willingly with a trafficker than to force or coerce them. (Note that this generalization is different when one is focusing on children.)

MAINTAINING THE HARM OR NON-HARM ENVIRONMENT

- **Chart D:** This section provides a summary of factors that can be used to maintain safe migration in a particular location. Note that many of these factors require that pro-poor and pro-migration policies be adopted at global, regional and national levels.
- **Chart E:** Since “harm” environments (exploitative workplaces including sweatshops, brothels and homes that use trafficked labor in country and abroad) are able to flourish unhindered in many locations throughout South Asia, the demand for trafficked persons becomes a major root cause of the problem. Chart E outlines generalized factors that help “maintain or support the harm environment’s existence” and allow it to thrive in a given location.

DEMAND FOR MIGRANT WORKERS AND TRAFFICKED PERSONS

- **Chart F:** This section outlines five categories of persons who benefit from using “migrant labor” including, 1) third parties who facilitate migration; 2) employers who use migrant labor; 3) consumers who benefit from migrant labor; 4) Migrant (himself/herself); and 5) family/community. The section also summarizes the motivation for seeking migrant labor.
- **Chart G:** This section outlines three categories of persons who benefit from using “trafficked persons” including 1) third parties who recruit and traffick persons (traffickers); 2) employers who use trafficked persons; and 3) consumers who benefit from trafficked labor. The section also summarizes the motivation for seeking trafficked labor.
- **Chart H:** This section provides an overview of selected strategies that can be used to address the “demand factor” within the trafficking sector.

LIFE AFTER LEAVING THE PREVIOUS HARM ENVIRONMENT

- **Chart I:** Most persons who experience the trafficking “harm,” eventually move on in life at some point. This is what separates the conditions associated with the outcome of “trafficking” from the concept of “slavery” (which is open-ended). Although most trafficked persons who are given the opportunity to leave the “harm” do so, there are also those who remain within the previous “harm environment,” even after their “agency” (ability to make choices based on available options) has been acquired in some manner. In this section, both of these situations are presented. Chart I provides an overview of the different ways in which a trafficked person might physically leave the “harm environment.” Examples of interventions are listed below each approach.
- **Chart J:** Not all people who have the ability to leave the “harm environment” actually do. In some cases, this environment changes over time in such a way that the victim feels compelled to remain. For example, there are many women who have been trafficked into the sex industry, who, when eventually given the option to leave, remain in the brothel setting (original harm environment). Section J provides an overview of factors that influence this process. The reason for providing this example

(i.e. a woman who was trafficked but now remains in the “harm environment”), is to show that both development sectors -- anti-trafficking and HIV/AIDS prevention -- have a role to play in addressing the needs of vulnerable persons at different stages. Over the past few years, there has been some tension between these two sectors throughout South Asia because the roles of these program-types have not been well defined or understood.

SURVIVORS OF TRAFFICKING: WHAT HAPPENS TO THEM?

- **Chart K**: After a trafficked person has left the “harm” (factory, brothel, etc.), the question of where they will go arises. This section outlines the different places where a trafficked survivor may end up, including 1) the person may decide to remain in the country/community of destination (outside the harm environment); 2) the person may decide to voluntarily travel to a third country; 3) the person may decide to voluntarily repatriate to their country/community of origin; 4) the person may be forced to repatriate to their country of origin; or 5) the person might remain or return to a previous “harm environment.”
- **Chart L**: Although the option to prosecute those involved in the trafficking sector is always a possibility after a person leaves the “harm,” this seldom happens in the South Asian context for the following reasons: many trafficked persons lack confidence in the police and judicial systems; without money and a strong support system, it is difficult to secure a conviction against a trafficker; intimidation and threats are often used by traffickers to prevent a person from taking legal action; and since recruiters and traffickers are sometimes members of a family or community, there is often pressure from within to avoid initiating a legal action against such a person. Thus, for a person to have access to justice and appropriate legal action, effective, legal and other assistance must be provided to trafficked persons for the duration of any criminal action against suspected traffickers. The State must also provide protection to victims and witnesses during the legal proceedings. In a related issue, trafficked persons are sometimes detained, charged or prosecuted for the illegality of their entry into or residence in the country of destination. It is important that trafficked persons should not be punished for their unlawful activities to the extent that such involvement was a direct consequence of their situation as a trafficked person. Chart L provides a summary of this information.

RECOVERY PROCESS

- **Chart M1 and M2**: Once the person is out of the “harm environment,” a recovery process often begins. Depending on the person and the trauma that he/she has experienced, this can take weeks, months or years. In this case, the term “recovery” is being used loosely to refer to a stabilization process during which the survivor develops the means (physical and emotional) to face their new life situation. This recovery can be facilitated with assistance from an individual (social worker, counselor or legal representative) or from an institution (public or NGO managed home). However, in most cases the survivor finds their own way with no help from

any others through a mixture of “self-solutions.” The recovery can take place in the country/community of destination or the country/community of origin, depending on the person’s situation. This section outlines that there are progressive (M1) or regressive (M2) facilitated recovery approaches. It also acknowledges that some people begin the recovery process based on their self-solutions within the previous “harm environment” itself.

SOCIAL INTEGRATION PROCESS

- **Chart N:** At some point, the survivor must consider what he/she wants to do with the next stage of his/her life. The options include returning to their family, a community, a workplace setting or a combination of one or all of these. Once again, this process can be facilitated or the person can go through it with no assistance from anyone. In the South Asian context, there are many trafficked persons who are not welcomed back into their family or community. Thus, they are forced to find alternative arrangements to live out the rest of their life.

OUTCOME OF RECOVERY AND INTEGRATION

- **Chart O:** This section outlines what might be considered a successful social integration process.
- **Chart P:** This section outlines what might be considered an unsuccessful social integration process.

PREVENTION STRATEGIES

- **Chart Q:** In order to successfully prevent trafficking, strategies must be in place that address the root causes, including inequality, poverty, discrimination, demand and lack of awareness. All of these factors tend to add to a person’s vulnerability, thus making it easier for them to fall prey to traffickers. In Bangladesh, there are a variety of different approaches that have been successfully used as prevention strategies, including: offering life options; creating awareness of the problem at the community level; and providing information on safe migration to potential migrants. Chart Q provides an overview of selected prevention interventions.

HUMAN RIGHTS PRINCIPLES

- **Charts R:** Chart R provides an overview of important human rights elements that need to be taken into consideration when looking at the overall anti-trafficking sector.

I. CONCLUDING REMARKS

If you have any questions or feedback you’d like to offer on these materials, please contact IOM/Bangladesh at <mazad@iom.int> and <iomdhaka@bol-online.com>

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***Bangladesh Counter Trafficking Thematic Group
Coordinated by IOM Bangladesh***