HUMAN TRAFFICKING: A THREAT TO STATE SECURITY AND HUMAN SECURITY

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Abstract: The study observes the core of both trafficking in persons and security offering a preliminary understanding the interconnection between the two concepts which is indeed a precondition of the more thorough contemplation of this security problem. Noteworthy is also the further elaboration of the risk that link between violence and modern-day slavery represents having in mind society and the individual. This informal economy violates the principle of morality and is understood to be one of the most offensive crimes. Its elementary features are psychological and/or physical torture, coercing into engaging in the violation of the law and established social norms as well as transporting and harboring. The consequence of all of this is the material gain, whereas the victim appears as Machiavellian means the gain will justify. Trafficking emerges in different forms, the most discernible of which are forced labor and sexual exploitation that is among the hardest forms of desecrating human soul. Unfortunately, it is a common phenomenon that many people (some independent estimates mention a figure of several million) around the world, women and children, in particular, every year become victims of this violence. Tough living conditions, as well as uncertain economic future, are among fundamental causes *infecting healthy society*. If a well-organised criminal network or a 'hidden economy' succeeds to impose *the rule of conduct,* then human trafficking finds fertile soil in which to grow. Having been lured the victims later realize where they are, but many *never* return to their families, and that terrible fate should make society do what can be done and help them.

Key words: Human, state, trafficking, security, smuggling.

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INTRODUCTORY NOTE

Defining human trafficking, Hart points to what determines the notion as the contemporary slavery as many are deprived of freedom and forced to toil (Hart, 2009: 4). That is the crucial difference between these victims and human smuggling, which refers to people who, attempting to reach better economic opportunities, voluntarily pay others for their services. The importance of the issue calls for a wider explanation of the very concept of security and how, in this context, it relates to the individual and the state. After September 11, 2001, political debates drew more attention to the vulnerability of protection of people as one of the global problems burdening scene of international affairs more than ever before. Fischer and Green suggest that security incorporates foreseeable well-balanced conditions that enable pursuing interests or goals without factors adversely impacting the pursuit (Fischer and Green, 2004: 21).

However, attempts to determine the more precise meaning of the term are rare, even though during the time of the Iron Curtain security, in a somewhat narrower sense, became a dominant issue in political circles both in the East and West. After the attack on the Unites States at the World Trade Centre and the Pentagon, both human and the state security emerge as crucial issues on the international political scene. On the other hand, one may ask whether, in circumstances without this and similar threats, people would feel any more secure? Threats of the real world emerge in a variety of forms, including climate change, a proliferation of means of destruction as well as illegal migration or trafficking of persons for instance.

HUMAN SECURITY AND HUMAN TRAFFICKING

According to the conventional legal theory, the fundamental character of security refers primarily to the perception of and apprehending the vulnerability of an individual. Arguments supporting such an interpretation also challenge the attitude that the very nature of the term implies first security of the state and then personal freedom. The latter definition of how internationally recognized standards understand national security seems to be somewhat narrow; namely, comprehending national security should include both international and internal factors influencing the concept. Potential ambiguity is that the difference between personal and human safety is not always precisely determined. For instance, international organizations' documents and constitutions of states identify individual security as the protection of the body and of emotional or behavioral features that are personal in nature.

Article 3 of the Universal Declaration of Human Rights points unambiguously to this type.[2] Contrary to these general points, the notion [of human security] is a more comprehensive concept transcending the traditional explanation of personal safety. It relates to protection from the constant threat of starvation, a wide variety of infectious diseases, tyranny, or anything that adversely affects existence. Human freedom is the personification of protection against the material, health, and social difficulties and it embraces political safeness too. In other words, it intrinsically defends dignity and right of collectivity. A closer look at the meaning of human security in the light of human trafficking would not be possible without an explanation of who the victims are, elucidation of guilt and who should be accountable to enforce the law. It is an issue which frequently appears in the contemporary political discourses on illegal migration and trafficking, particularly of women and children endangering their rights and even lives. Striking and horrible is the story about nine-year-old Prjua and her seven-year-old brother Ajay who lived in a Mumbai suburb in India with alcoholic parents. The only amusement these children could find was at the nearby Asha Deep Day Centre where they could play with other kids. Prjua and Ajay were happy, but after a while, these children stopped going to the center and have never come back; their father sold both of his children for only thirty dollars and lost them forever.[3]

Poverty and poor living conditions often form distinctive features of societies in transition. Exhausted socio-economic resources in these circumstances create unhealthy community relations in which human trafficking mercilessly deprives people of inherent values and rights. The ruthless methods of criminal activity bring about horrible consequences that feature lives of modern-day slaves and represent the gist of the threat. Having in mind sexual exploitation and a variety of related diseases trafficking is only one of many features of multifaceted instability. Wylie suggests that:'… the root causes of the trafficking of women and children lie in insecure lives. People vulnerable to being trafficked are people whose lives have been made insecure by harsh economic conditions and state breakdown. The experience of being trafficked from start to finish involves a violation of personal security, from the initial deceptive relationship to the physical violence used to enforce compliance with exploitation. These insecurities are only compounded in the country of destination where the trafficked persons, aware of their illegal status and liability to deportation, fear both their traffickers and the state authorities…'(Wylie, 2006: 14). Human exploitation in this form brings about a threat to the material, social, and statutory security and endangers political

2 United nations, *The Universal declaration of Human Rights*, Available at: http://www. un.org/en/universal-declaration-human-rights/
Article 3: 'Everyone has the right to life, liberty and security of person.'

3 Trafficking Stories, *Stop the Traffick*, Available at: http://www.stopthetraffik.org/ downloads/trafficking_stories.pdf, p. 2

freedom as well as freedom of the community as a whole. That is why these factors which produce fear in victims of human trafficking deserve somewhat wider elaboration:

– An explanation of the material nature of insecurity points at first to the lack of means of providing material needs, low economic productivity and different forms of segregation. Economic instability could also encompass joblessness, as unemployment is indeed an influential factor in depriving humans of life privileges, of health care or welfare.

– Conditions in which women, for instance, have no opportunities others in the community enjoy persuasively illustrate social imbalance. Gender discrimination appears in employment, legal protection and education but extreme social uncertainty is a part of different sorts of cruelty such as sexual violence or domestic brutality.

– Cultural instability and societal vulnerability permeate one another through distortions of societal behavior. In some communities, common practices (in many other societies unacceptable) are pre-arranged marriages violating commonly accepted norms defining who can marry whom and when. Frequently, rigid criteria making it almost impossible for young women and even children forced into prostitution to return to normal life. Standards of reintegration in those societies do not acknowledge the right of *a desecrated soul* to become a part of the family again and that in turn only makes the circumstances worse. Hardly *measurable* is the pressure trafficked women, or what some would call slaves of sexual industry, live with.

– One of the important points (perhaps the most important) is indeed political instability creating to some extent favorable conditions for human trafficking. Some formerly communist countries in Eastern Europe during the very often turbulent transition to democracy and controversial identity reformulation were suitable settings for the contemporary slave trade.

– Moreover, emotional trauma, physical or sexual violence causes, shatters the sense of security in helpless trafficking victims. Alongside the absence of appropriate legal aid, access to law enforcement agencies or the fear of repatriation, what peculiarly affects trafficked persons is that the law in some countries does not accept testimonies of these people as reliable, but applies the so-called *corroborative evidence rule*.[4]

Goodey, emphasizing the latter type of insecurity, writes that the settings complexity gradually increased, and points out reasons for this. He suggests that frequently people suffering from modern-day slavery are unfamiliar with how to reveal a violation of their rights, exploitation or simply for different reasons they cannot report the abuse. One of the causes can be fear of

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4 'Corroborate-to support or strengthen (a statement, opinion, idea, etc.) by fresh information or proof: Someone who saw the accident corroborated the driver's statement.'
See: Longman Dictionary of English Language and Culture (1992)1st ed., Longman Group UK Limited, Harlow-Essex, pp. 286

retaliation or fear of encountering traffickers who might be covertly operating within the law enforcement agencies or judicial system. Goodey further writes that these factors explain why policy may not be a match for confronting human trafficking (Goodey, 2008: 425). Women as sexual commodities are today seen in the hidden economy as an efficient means of generating profit. Many disagree on the definition of the human, but many do agree that the sexual attraction of a female figure being used in underground trade and abuse of a woman's body insult female dignity. It certainly should account for societal caution and interest, having in mind human security.

Another cause for alarm is that the sex industry permanently develops new modes of functioning thanks primarily to technological advancement. The Internet in globalization has evolved into an efficient mechanism different 'employment agencies' use to lure victims. A variety of sites offer dating, escort services, pornography and sex tourism and organized crime groups aggressively appear in conflict situations, seeing them as ideal sources of the human commodity. It brings about a mounting pressure on the values on which society rests and strengthens the feeling of being exposed to physical and emotional suffering. Illustrative is violence understood but not straightly expressed as well as one with nothing implied which involves torment and forced sexual intercourse that traffickers use as a mechanism of compliance (Kaye, 2003: 6).

TRAFFICKING IN PERSONS AND STATE SECURITY

Kaye writes that violence in the form of torture and rape is violence against the fundaments of family existence; however, it is a much wider notion that, in particular setting and different forms, affects one of national core interests-security. What happens today is partial identifying the concept with realist theory, which defines things as they really are. Its advocates understand realism as fundamentally opposite to the idealist conception that ethical principles are either incorporated into international relations or that foreign policy solutions depend on multipartite factors diminishing the state's independence. In the main, the interests of all the state subjects are what policymakers define as lasting, necessary and shared objectives within the sovereign state structure.

The primary interest of collectivity is the very existence of the fundamental political entity, sources of material development and human values. Policy makers are highly critical and cautious about these elements of collective security. On the other hand, international relations theory defines security as a disseminating praxis whose primary determination provides a safe setting for who or what the praxis protects which is usually political community (Stem,

2005: 24). The somewhat broader definition does not say what 'secure' in this context means or what side uncertainty might come from. Nonetheless, in most cases, state security is conceived of as an attribute applied either to the source of disorder in the internal affairs of a sovereign country or determinants beyond its boundaries. Again, security perceived in this way as well as its implicit relationship to the interior structure of common objectives of the state have distinct characteristics of the theory arguing that the truth does not depend on how an individual or group explain it. In other words, realism points out how things happen irrespective of subjective observations. Contemporary realist theory preserves the gist of its original reasoning that sovereignty of the state is a guarantor of national independence and the ethics of societal unity; on the other hand, anarchists do not recognize the approach and argue that moral and political community organization are possible only in stateless societies. Conceptions appearing in philosophical debates are that the state, disorder, coercion and security are all features of international relations. In these conditions, the core unit of international relations struggles to survive, and McSweeney points to conceptions of general collective safety and mutual dependence between fundamental units in international affairs at the regional level of security. He suggests that this ideological thinking at the turn of the 20th/21st centuries questioned the traditionally understood nation-state, the moral requirement, and potential to protect its existence.

The late 1980s and fall of the Iron Curtain unequivocally showed the ground of the entity is not that stable, considering both the internal and external factors undermining its authority. McSweeney further points to some of these factors and stresses that mainly military, economic and cultural factors collide in different ways with both the state and the society; times change, but the very nature of what is likely to destabilize security does not (McSweeney, 1999: 4). Factors diminishing the role, the state wants to have, range from the illegal trade of arms, biological and even nuclear materials to drug and human trafficking. Financially supported by a global web of criminal organizations the latter does represent a grave threat to the foundations of the state. Given that these criminal networks are always behind widespread illegal commerce in weapons or drugs, and given that trafficking in persons presents a danger to the elementary principles of order and law, the state becomes indeed vulnerable in these conditions. Shelley writes that the victims of trafficking and illegal migration undermine the home security of the state as well as traffickers who along with them [victims] move different bacteria, parasites or viruses that incapacitate the unfortunate (Shelley, 2010: 66). In such psychological tension modern slavery undermines both individual and collective identity as well as social cohesion in the broadest sense of the term. Over the last ten years, humans have appeared as a very lucrative commodity and this illegal trade has spread worldwide. Most disturbing is that the percentage of toddlers as victims increases every year. It is very hard to find a country that does not

confront this problem, bearing in mind that the underground economy buys and sells more than half a million of modern-day slaves annually. Talking about proportions of the growing criminal industry and the threat it represents former US President George W. Bush warned that absence of societal action translates as a moral deficiency. Pointed to in his speech were the efforts the U.S. Federal Government make to help other countries fight human trafficking. For that purpose almost $300 million had been provided for different programs around the world. He further said that his administration helped countries oppose exploitation, train and equip police units, and free the victims helping them so return to the society through different programs.[5] The severity of the issue shown in this speech, be it sexual exploitation or forced labor, indicates that the threat reached the level at which every societal negligence becomes impermissible. The very nature of the crime expects governments to coordinate policies against the financial functioning of criminal networks and how trafficking gangs organize operations. It certainly involves appropriate changes in legislation which would enable law enforcement to develop more efficient strategies, data sharing, intelligence services assistance and the release of information that would help seize gangs' profit. Viewed in this light, the efforts of the international community to reach adequate measures have played a significant role. In 1997 the ministerial conference under the EU presidency adopted the Hague Declaration, which concentrated on several critical points, some of which are assisting law enforcement to combat trafficking, nuclear and chemical materials or delegating authority to the European Drugs Unit to address trafficking in human beings, as well as combat drug cartels. Struggling against an underground economy is not easy. Bringing about chaos is a favorable climate for traffickers to work in as it creates both fear in victims and societal insecurity appearing as a means of pressure.

The criminal justice system has not found its closer interpretation yet but deems it a symbol of cruelty and inhumanity used to realize doctrinal, religious, or militant goals. There have been attempts to define the *modus operandi* of the pressure as a proper counteraction to injustice or tyranny, spiritual value or unforgivable sin. On the other hand, it [the pressure] has turned into an efficient instrument against a vulnerable opponent. Trafficking in persons frequently finds fertile soil in state instability to reinforce its functioning, both structurally and financially. However, it undermines the functioning of the political entity, which perceives the threat as what endangers its existence and rightly attempts to develop the ability to oppose the risk; it is not the only prospect as trafficking in human beings is indeed understood to have different features of crime. The question which imposes itself is what these sources of danger to the security of the state have in common? In the paper on the

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5 'G. W. Bush Announces Initiatives To Combat Human Trafficking', *You Tube*, (08:48-09:09/23:48), Available from http://www.youtube.com/watch?v=Gi9mCTxkDh8

link between national security and human trafficking in the U.S. Glaser and Rizer write: 'It could be argued that on some level most, if not all, crimes have a negative effect on a peoples' way of life. However, there are a few crimes that are so corrosive to a society that they start to bring down the collective rather than just individuals. Indeed, the crime of murder could hardly be seen as a national security crime, yet genocide - the systematic killing of whole groups of people - certainly would be. The same is true with a single case of involuntary servitude or forced prostitution. Standing alone, these crimes do not constitute a breakdown of national security, but taken as a whole, in the context of human trafficking, these crimes indeed represent a breach of national security' (Glaser and Rizer, 2011: 75,76). It just confirms inherent similarities between social instability and different criminal networks do exist in circumstances in which the former, largely, depends on the latter procuring material means and protecting trafficking operations.

Noteworthy is the overall structure of the underground economy as a factor reinforcing, in a variety of ways, stability of trade in humans. That is really what crucially undermines the very foundations of international order. The interconnection between violence and the illegal flow of human trafficking at least partially makes up approaches focusing on nature (be it politically conflicting or societal transformation-oriented) of human groupings. Other approaches point out the importance of clarifying the pattern of the conflict, whereas the third factor appears in the study of crime. Preconditions for a close association between the political and the unlawful are global movements drawing ideas from nationalist schools of thought, racial or cultural values or spiritual tenets. They [movements] broadly emerge in the context in which collusion between trafficking and criminal networks could potentially come into being due to similar moral standards. The United Nations identify this as a very discernible and malignant tissue in which objectives of the [illegal] organization as a whole ranging from trafficking in narcotics, different materials to human trafficking for instance influence its conduct. The concept of the *unholy alliance* in the scholarly literature on international relations is what offers an insight into how global human trafficking and trans-state crime set and share objectives.

INSTEAD OF THE CONCLUSION

Trafficking in persons or modern-day slavery exists as a threat to the security of an individual, that of political entities as well as regional and international security. However, noteworthy is to mention that possible amelioration of the problem largely intertwines with how state policy treats the issue. Illegal networks of criminals force victims in this *lucrative industry*, into providing sexual services for payment, begging or forced labor. On the

one hand, traffickers reap financial benefits from the parallel economy while defying the state's authority and influence on the other. These are threats that, in different forms, endanger overall stability. Influence of the power of non-state organizations who maintain the underground trade does not weaken through opposing them as if these factors are external threats. Concepts focusing on only defense of the national need to undergo at least partial change and include individual security. As Patrick Hayden writes ignoring the safety of a person is not acceptable, and both philosophical theory and praxis should point out the importance of the concept as even the unparalleled strategies often materialize themselves through more suffering of those they protect (Hayden, 2005: 67). The issue does not solely concern agencies enforcing the law as the overall solution indeed requires analysis of the complex setting of human security apart from the state's freedom from danger. Parallel economies rob both an individual and the society of ethics and its foundational principles and modern-day slavery, in particular, denies core values that are essentially necessary for human security and that of the state. Neither of them in the current turbulent circumstances are secure; rooting out evil is pretty complex in nature, but there is no alternative.

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ТРГОВИНА ЉУДИМА: ПРИЈЕТЊА ПО БЕЗБЈЕДНОСТ ДРЖАВЕ И ЉУДИ

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Апстракт: Студија посматра суштину трговине људима и безбједности и нуди уводно слово њихове међусобне повезаности што је заиста предуслов детаљнијег разматрања овог безбједносног проблема. Вриједно помена је такође даље рашчлањење ризика који представља однос између насиља и ропства модерног доба, имајући на уму друштво и појединца. Та неформална економија врши насиље над начелом морала и чини једно од најагресивнијих кривичних дјела. Њене су основне карактеристике психолошко и/или физичко наношење бола, присиљавање на кршење закона и утврђених друштвених норми, транспорт и скривање. У коначници свега овога је материјална добит, док жртва постаје Макијавелијево средство које ће та добит оправдати. Ова трговина се појављује у различитим облицима, од којих су најупечатљивији присилни рад и сексуално израбљивање, што се убраја међу најтеже облике обешчашћивања људске душе. Нажалост, општа је појава да многи (неке независне процјене помињу бројку од неколико милиона) у свијету, нарочито дјеца и жене, сваке године постану жртве ове пошасти. Међу основним узроцима

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зaразе   здравог друштва су свакако тешки животни услови и неизвјесна привредна будућност. Ако добро организована криминална мрежа или 'скривена економија' успије да наметне *правило понашања,* тиме трговина људима налази плодно тло на коме ће се развијати. Након намамљивања, жртве (касније) схватају свој положај, али се многе никад не врате породицама. Нужно је да та страшна судбина примора друштво да уради што се да урадити и помогне унесрећенима.

Кључне ријечи: Људско, држава, трговина, безбједност, кријумчарење.