

## Chapter 5

# New Kids on the Block: What Gender Economics and Palermo Tell Us About Trafficking in Human Beings

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### ABSTRACT

*Like Gender Economics, Trafficking in persons has only recently emerged into academic consciousness and business environment concerns, as a discrete area of study with its own particular areas of legal, socio-anthropological and economic principles, in the first decades of this third millennium. New discourses raise fresh questions and they are legion. The ‘new kids’ seek to make sense of challenging phenomena and outline the terms through which, Trafficking in persons it is to be articulated to the wider academy, public services, market institutions, and civil society. This chapter explicates the connectedness of critiques Gender Economics has been using on businesses, to see how Human Traffickers exploit people’s bodies and their gendered realities. There is certain passivity towards the human, inbuilt in neo-liberal markets which commodify the whole of life. Those least able to protect themselves from the abusive ‘entrepreneurship’ of traffickers are traded, with their gendered reality affecting prices and outcomes.*

### INTRODUCTION

Trafficking in persons, now acquiring various on line brand aware ‘post it’ labels as “modern day slavery” or “human trafficking”, is a severe violation of fundamental human rights and a serious crime against humanity. The UN in a Protocol adopted in Palermo, Italy in 2000, defined the crime as involving three distinct parts: (1) an activity; (2) a means; and (3) a purpose. The activity of trafficking involves ‘the recruitment, transportation, transfer, harbouring or receipt of persons’, and this must be via the means ‘of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person’. This must be undertaken for the purpose of

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exploitation, which includes ‘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’.

Historically, international action against severe forms of exploitation was directed towards the fight against slavery. This resulted in the adoption of a number of bilateral and multilateral Conventions which prohibited such practices, foremost the 1926 and 1956 Slavery Conventions. At the same time a rising international concern about forced labour practices resulted in the adoption of the two ILO forced labour Conventions, in 1930 and 1957. There has been a long historical relationship between slavery and forced labour, and this institutional action against forced labour has been framed alongside the earlier measures aimed to suppress slavery.

More recently, however international attention and action has focused on human trafficking. It is Human Trafficking which has provided most of the framework for international law enforcement to become engaged in the fight against trafficking. In 1949 in the aftermath of the Second World War, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 was passed by the United Nations. Fifty one years later the Trafficking Protocol in 2000 reflected growing concerns about transnational organized crime and the related phenomena of smuggling migrants across national borders, alongside the emergence of this new class of trafficked persons – a global atrocity the numbers of which are the stuff of policy makers and economists nightmares. (UNODC 2004)

The arena of protection, enforcement strategies, and central resources being deployed to work against the crime, has been expanding year on year since the Protocol in Palermo was opened for signature. However, to date, there has been little attention to the opportunities which gender economics offers to disclose some of the wider patterns which are operating within this human rights and labour violation. There are forces at work which mobilise or constrain national budgets and state resources to respond to the challenge of this global, criminalised exploitation of people’s lives, into which gender economics could cast some enlightening queries. It might help us gain a finger hold on reasons for trafficking’s contemporary infestation of the underbelly of the global market, a market space we all inhabit and on whose long term health we all depend.

In this chapter the author will argue that Human Trafficking is a travesty of everything that works towards gender and human equality, and yet it remains tolerated by many States whose representatives’ signatures rest on the document as a proleptic sign that much is yet to be done. The reader will be brought through a range of evidence, the historical trajectory of the development of the West’s model of the market, the way in which gender has been deployed to recognise some as victims, others as smuggled migrants, and yet others as part of the remodelled business of twenty first century, twenty four hours global sex market. People’s gendered lives affects their outcomes, but poverty, vulnerability and the desire to be part of the late modern world of market consumption, brings all to the table where lives and futures are traded. In this sense what has occurred in the current maelstrom of Human Trafficking, is a non-accidental outcome of the globalisation of the neo-liberal market. Meantime the urgent desire to generate numbers and big data on Human Trafficking from the UNODC, the United States State Department, and other International Government Organisations, speaks of a genuine fear in the highest echelons that the black economy is growing in a manner which profoundly threatens the integrity of States.

The systemic pressures which have set up people of both genders for ‘exploitation in the super exploited sector of the international labour pool’ and the socio-economic impact of Human Trafficking and its close relationship with the current asymmetry of global geo-political power relations, is often

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