



Afghanistan Independent Human Rights Commission

**Summary Report on Investigation of Causes
and Factors of Trafficking in Women and
Children**

Saratan, 1389, (July, 2011)

Introduction

Afghanistan Independent Human Rights Commission based on Article 58 of the Constitution has the duty and mandate to monitor the human rights situation in Afghanistan. Also based on Article 21 of the Law on the Structure, duties and mandate of the AIHRC, it is one of the fundamental duties of the AIHRC to monitor the situation of and people's access to their fundamental human rights and freedoms.

Therefore, the AIHRC released a research report in which the causes and factors of trafficking in women and children in Afghanistan is studied. In recent years, the trafficking in women and children has already acquired a global dimension. Almost all the countries in the world are involved with this horrible crime. Today, millions of people worldwide continue becoming victims of trafficking in person in various ways. Trafficking has become a lucrative business generating about 42.5 billion dollars profit annually for the professional traffickers in persons.¹ Based on the estimates by the International Labor Organization (ILO) despite the improvements made in the area of fighting with the crime of human slavery, more than 12 million people are trafficked each year worldwide for variety of purposes such as forced labor, abuses and sexual assaults.²

Therefore, after trafficking of drugs and guns, trafficking in person is now the world's number three most lucrative crime.³ Trafficking in person is called as "modern day slavery"⁴ It is estimated that there would be more than 27 million slaves in the world. More than half of them are persons under 18 years of age.⁵ And more than 70% of them are girls under 25 years of age⁶ that are trafficked for sexual exploitation, prostitution, producing of sex films and other forms of sexual exploitations. Other forms of exploitation of trafficked victims are forced labor in agriculture, mines, factories and workshops, and other places, as well as sale and trafficking of narcotics, military soldier and forced participation in the wars, working as domestics, waiters in the offices or hotels, removing of organs, etc...

There are different perceptions of human trafficking. However, the most comprehensive definition of trafficking in person is presented by the " The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children ", adopted by the UN General Assembly in December 2000. Article III of this Protocol, defines trafficking as such:

(a) Trafficking in person shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability

¹ http://en.wikipedia.org/wiki/Human_trafficking

² <http://www.america.gov/st/democracyhr-persian/2010/June/20100617162402bob0.3298151.html>

³ <http://www.khabaronline.ir/news-111980.aspx>

⁴ "Modern Day Slavery". See in: Kathryn Cullen-DuPont, *Global Issues; Human Trafficking*, New York, An imprint of Infobase Publishing, 2009, p. 7-

⁵ Edward Newman and Sally Cameron, *Trafficking in Human: Social, Cultural and Political Dimensions*, United Nations University Press, Tokyo, New York. Paris, 2008, p. 5 & <http://www.khabaronline.ir/news-90767.aspx>

⁶ <http://www.aftabnews.ir/vdcgty9q.ak9ty4prra.html>

or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a 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;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.⁷

Methodology of this research report:

This report is based on the obtained through conducting of 457 interviews with the victims of trafficking in persons and 1871 interviews with general public in 20 provinces⁸ in the country for a period of six months (1 Qaws 1389-3 Jawza 1390) (22 November, 2010 -24 May, 2011). Each interview’s data has been separately analyzed. The interviews are answered either personally by the victims of trafficking in person or by their close relatives such as mother, father, sister, brother or maybe uncles, or aunts, and the main results of this study is based on the information expressed by the victims or victims’ relatives. General interviews conducted with general public were responded by the individuals over 12 years of age, which have been selected randomly and with respect to the proportion between male and female. The results of general interviews are either complementary and in some cases corroboratory to the information collected through interviews with the victims of trafficking in persons. Likewise, in these interviews the peoples’ views about specific questions such as factors of trafficking in person, perpetrators of trafficking in person and motives of trafficking in person are taken into consideration.

The summary of the main findings in this report is as follows:

- Vulnerability of women and children such as being without parents or having only one of them has role in victimizing of victims of trafficking in persons. Based on the findings of this report most of the victims have been vulnerable people. For instance, more than half of the victims (54%) have been deprived of parental support. Nearly 17 % (77 cases) have been housewife, 7 % of the victims (32 cases) have been beggars, peddlers and the junk collectors and the rest belonged to other categories such as students, teachers, government staff, shopkeepers, tailors, carpet wavers, parents helpers, etc.
- Early and forced marriages have been another major factor of trafficking in persons. This report shows that most of the victims of trafficking in persons have

⁷. Palermo Protocol on Human Trafficking(2000), Article 3

⁸ - Kabul, Kunduz, Takhar, Badakhshan, Paktia, Khost, Ghazni, Helmand, Bamyán, Faryab, Jawzjan, Ghor, Nuristan, Herat, Balkh, Kandahar, Nangarhar, Nemroz, Kunar and Badghis.

been those who have been married before reaching the legal age of marriage. According to interviewees, about 81 % of the victims of trafficking in persons have got married before 18, of which about 50 % were married under 15 years of age, and more importantly, among the victims, there have been persons who have been given to marriage when they have been only 2 years old. This study shows that among women and girls, about 29 % (47 persons) have been forced into marriage after being raped, kidnapped, harassed or exposed to violence, 45.5 % (73 cases) have married based on their parents requests, about 9.3% (15 cases) against money, and other 3.7% (6 cases) have been forced to marriage to resolve family disputes. However, only 12.5 % (20 cases) were married to their own consent.

- Poverty and unemployment are among the most important causes of trafficking in persons. Based on this report more than 58 % of the victims' families have had no income, and only 10 % of them have had an income of higher than 7,000 Afs a month. More than 27 % of them have had an income of 1000 to 7,000 Afs. The interviews made with general public also corroborated these findings, and poverty and unemployment were mentioned among most important causes of trafficking in persons.
- Traffickers, during the operation, use various means such as deception and fraud, intimidation and coercion, and etc. Based on the result of this report, about 35 % of victims (158 cases) have been trafficked through acts of deception and fraud. Around 31 % (136 cases) of them through coercion and forces, about 12% (51) through parental or spousal consent (concerning female victims) and 22.5% (100) have willingly fallen into the hands of traffickers. Likewise, perpetrators of trafficking in addition to using of different means of deception and forces against victims, they also suggest them various offers such as money, marriage, moving abroad, that are the other means of trafficking used in trafficking in persons. However, 74 % of the victims who had been victimized this way have not received the money they had been promised and the remaining have either partially or totally received the amount promised to them.
- Victims of trafficking, who are transferred abroad by traffickers, are faced with various problems including lack of documents for border crossing and movement within destination or transit countries. This report shows, that more than 97 % of the victims who have been transferred abroad have illegally and without having any documents or with fraudulent documents crossed the borders. And only 2.4 % of them have left the country with official and valid documents.
- The victims of trafficking in persons are abused and exploited by the traffickers during and after the transfer operation. This report shows that, during transfer, boys, girls and women victims are used for domestic works, daily wage, drug sale, begging, dancing, prostitution; military service, suicide operations, body organs, etc. Interviews with the general public have also confirmed this.
- Crossing the border is not a condition for trafficking in persons, thus trafficking in persons is a phenomenon that can take place either within the country or outside the country. The results of this report shows that more than 60 % of trafficking in women and children in Afghanistan is in internal trafficking that take place from one region to another region or from one province to another province inside the

border of the country. Out of more than 39 % of cross-border trafficking, about 18 % of the victims are trafficked to Pakistan, 17 % to Iran, about 4% to other countries.

- Gender differences in trafficking in persons are one of the causes that make women and girls more vulnerable to become victims of this horrible crime. According to this report, out of the total internal trafficking, 19 % of the cases relate to boys, while 45 % relate to girls and more than 38 % to women.
- Number of victims of trafficking in persons outside of the borders varies based on the type of exploitation. For example, most of the victims of trafficking in persons that are trafficked to Iran are boys (70 %) that are mostly exploited for domestic works, agriculture, daily wage, and sale. More than 6 % of them are exploited for sex trafficking and more than 19 % for distribution and selling of drug in Iran. But, about 39 % of victims transferred to Pakistan are women, (38 %), girls and 23 % boys. In Pakistan, these victims are mostly used for domestic works (54.4 %), majority of them are girls that are exploited, then, sexual exploitation (more than 30 %), destructive operations and suicide (6.4 %), distribution and sale of narcotics (5.5%) and daily wage work, begging, and sales 1.3 % each.
- Due to various reasons an eye-catching number of the victims outside the borders have no tendency for returning home. Based on the information obtained from the interviewees, 60 % of the victims showed their tendency for returning home, while 40 % of them due to different reasons such as insecurity, fear of losing their life and prestige, unemployment, poverty and instability in the country had no inclination to return home. In addition, the level of drug addicts is increasing among the victims of trafficking out side the country after being trafficked. Drug addiction rate among victims, after becoming victim, goes up. Addicted to opium from 7 to 14 people and the rate of heroin consumption have increased from 3 to 22 people. About 107 victims stated of their physical and psychological problems, and 16 cases of murder of victims have been reported.
- Trafficking in person is one of the vague issues in our society, based on the interviews with general public only 54 % of them have been either directly informed about the cases of trafficking in person or have heard about it through people, media, friends, teachers and others. This way about 1,889 cases of trafficking in women and children are reported.⁹ Among the cases that have been heard or seen by the people, about 38 % of them relate to women victims, 35 % relate to girls and 27 % to boy victims. Regarding the information that people have about victims of trafficking in persons, more than 92 % of them relate to Afghans of whom 68 % are girls and women. Based on the data collected by these questionnaires about 8 % of victims have been trafficked from other countries like Iran, Pakistan, Tajekstan, India and Nepal to Afghanistan.

⁹-Take note that the cases reported in this study is based on public questionnaires can't provide the exact number of cases of trafficking in person, because, maybe one single case is heard or seen by several people and reported accordingly. However, this study indicates that most of the respondents reported cases of trafficking in person that implies the extension of this crime in the country.

- General public also mentioned vulnerability such as lack of supporter, displacement, being deported from border as the causes of trafficking in person. According to them, only 34 % of the victims, before being trafficked, have been in well-off situation of living. 3.5 % of the victims have been addicted. More than 60 % of victims of trafficking have not been enjoying the support of their family.
- An absolute majority of the perpetrators of trafficking in person are not prosecuted, this issue it self can be a matter of concern in this regard. According to the interviews conducted with general public only 17 % of people have said that the perpetrators of trafficking have been arrested and 83 % have said that they have not been arrested. However, only 13 % of people have said that perpetrators of trafficking in person have been punished, but 87 % have stated that perpetrators have not been punished.
- According to people three groups are largely involved in the issue of trafficking in persons in Afghanistan: local powerful people (more than 32 %), the domestic and international organized groups (28 %), the Taliban and opposition groups (about 17.5 %).

Recommendation:

- Afghanistan Independent Human Rights Commission wants the government to sign and ratify the Palermo Protocol, and take necessary measures to implement it.
- The AIHRC seriously wants the government to develop necessary mechanism and awareness raising programs with the coordination of civil society organizations and international agencies active in Afghanistan, for the eradication of the causes of trafficking in person in Afghanistan.
- The government of Afghanistan should support the victims of trafficking in person across the whole country and should take necessary measures for their reintegration.
- The Commission calls on judicial organs to prosecute the perpetrators of trafficking in person.
- The Afghanistan government should make serious efforts to provide job opportunities for general public and endeavor to ensure security of all citizens of this country.
- The AIHRC wants the government to pay serious attention to psychological and physical requirements of children as well as the vulnerabilities of them and develop programs to protect children.
- The AIRHC urges the government to make the necessary coordination and cooperation with the countries of destination and routes of trafficking in person to prevent trafficking.