THE IMPACT OF HUMAN TRAFFICKING ON INTERSTATE RELATIONS: THE CASE OF ZIMBABWE AND KUWAIT

BY
Musademba Evans (1644837)

A Dissertation submitted in partial fulfilment for the requirements of the Master of Science Degree in International Relations

Supervisor: Dr Makwerere
October 2017
ABSTRACT

This dissertation investigates the impact of human trafficking on state relations paying particular attention to the Zimbabwe Kuwait human trafficking scandal which was allegedly masterminded by the former Kuwait ambassador to Zimbabwe in 2016. The involvement of a diplomat in such a criminal act caused much hype in the media, human rights groups and the general public. The government of Zimbabwe experienced a diplomatic stalemate against Kuwait where Zimbabwe ended up dancing to the perpetrator’s tune due to the economic power wielded by Kuwait. As a result of this incident the writer of this dissertation exposes the various loopholes which are acting as catalysts in perpetuating the scourge of human trafficking in Zimbabwe and across the world. In bid to mitigate this problem the government of Zimbabwe has come up with various interventions ranging from creating a specific human trafficking legislation to providing rehabilitation centres for victims of human trafficking so as to ensure their successful reintegration into the society.
Dedication

I dedicate this work to the Lord Jesus Christ who has been my strength in my time of weakness, and to my family for the support. I love you.
ACKNOWLEDGEMENTS

I would like to thank my supervisor Dr Makwerere for his patience and unwavering support throughout this project. I also acknowledge the input of my fellow students who supported and helped me with necessary resources to ensure the successful completion of this research project.
APPROVAL FORM

The undersigned certify that they have read this project and have approved its submission for marking after confirming that it conforms to the Faculty of Social Sciences and Humanities, Peace and Governance Department and Master’s Degree in International Relations requirements.

................................................. ……………………………………

................................................. …………………………………… Supervisor

Date

................................................. ……………………………………

................................................. …………………………………… Chairman

Date
LIST OF ABBREVIATIONS AND ACRONYMS

ACPMD – African Common Position on Migration and Development
AU – African Union
AUC- Africa Union Commission
BUSE-Bindura University of Science Education
EAC- East African Community
ECOWAS - Economic Community of West African States.
EU- European Union
IOM- International Organisation for Migration
JLMP - Joint Migration Governance Programme
MPFA- Migration Policy Framework for Africa
SA- South Africa
SADC – Southern Africa Development Community
SADCC - Southern African Development Coordination Conference
UNECA – United Nations Economic Commission for Africa
UN- United Nations
UNODC - United Nations Office on Drugs and Crime
TIP- Trafficking In Persons
# Table of Contents

## CHAPTER 1 INTRODUCTION AND BACKGROUND

1.1 Introduction and Background ................................................................................................... 1  
1.2 Statement of the problem .......................................................................................................... 7  
1.3 Significance of the study .......................................................................................................... 8  
1.4 Assumptions .............................................................................................................................. 8  
1.5 Purpose of the study .................................................................................................................. 8  
1.6 Objectives ................................................................................................................................ 8  
1.7 Research Questions ................................................................................................................... 8  
1.8 Limitation of the Study .......................................................................................................... 10  
1.9 Delimitation of study .............................................................................................................. 10  
1.10 Definition of key terms ......................................................................................................... 10  
1.12 Chapter outline ...................................................................................................................... 11  
1.13 Proposed Time Frame .......................................................................................................... 11  

## CHAPTER 2 LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.0 Introduction ............................................................................................................................. 13  
2.1 Theoretical Framework ......................................................................................................... 15  
2.2 Conceptual Framework ......................................................................................................... 17  
2.3 Conceptualising Human Trafficking ...................................................................................... 18
CHAPTER 3 RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction .................................................................................................................. 42

3.2 Research philosophy .................................................................................................. 42

3.3 Research Methodology ............................................................................................... 43

3.4 Research Population .................................................................................................... 47

3.5 Sampling Frame ......................................................................................................... 47

3.6 Sampling Technique .................................................................................................... 47

3.7 Data Collection Instruments ....................................................................................... 49
3.8 Data Collection Plan ................................................................. 52
3.10 Social Research Ethics .......................................................... 52
3.11 Data Presentation and analysis Procedures ......................... 53
3.12 Summary ........................................................................... 53

CHAPTER 4 DATA PRESENTATION, ANALYSIS AND DISCUSSION OF FINDINGS

4.1 Introduction ........................................................................ 54
4.2 Lack of Accurate Statistical Data on Human Trafficking .......... 54
4.2 Impact on Interstate Relations ............................................. 55
4.3 The International Laws and Protocols on Human Trafficking .......................... 58
4.4 Why the International Community is Failing to Eradicate Human Trafficking ...... 62
4.5 Why and How are Diplomats Involved in Human Trafficking ......................... 65
4.6 The efficacy of various interventions by government and NGOS ..................... 66

CHAPTER 5 SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary ........................................................................... 70
5.2 Conclusion ......................................................................... 72
5.3 Recommendations .............................................................. 73

REFERENCE .................................................................................. 75

APPENDICES ..................................................................................
CHAPTER 1

1.0 Introduction and Background to the study

The History of Human Trafficking

Human trafficking is not a new phenomenon in Africa in general and Zimbabwe in particular as this practice was also common when the olden days’ kings and chiefs could forcibly take their subjects and sell them to other kingdoms as cheap labour (Dodo and Dodo, 2012). Dodo and Dodo (2012) noted that human trafficking is an old criminal practice dating back to the era before the infamous slave trade in the Americas during the 14th and 15th century. According to Kabance (2014) the enslavement of humans by other humans dates back to the beginning of civilization. Slavery can be found in religious texts such as the Bible and the Quran. It was present throughout Eurasia, from Chinese dynasties, Mesopotamia, and Babylonia to Sparta, Athens, and Rome. It was also present throughout the Americas in ancient societies such as the Aztecs, Mayans, and Incans. With the exception of Antarctica, slavery has touched every continent in the world, and has been a constant presence throughout human history. In Africa, this ancient practice mainly affected nations that were along the shores especially of the Indian, Pacific and Atlantic Oceans (Dodo and Dodo, 2012). The victims were targeted for labour exploitation save for rare cases when beautiful women were sexually exploited thus creating the early coloured community (Dodo and Dodo, 2012). The modern-day trafficking has been motivated amongst other reasons by the need for cheap labour, sexual exploitation and traditional rituals. In countries like the DRC, Burundi, Somalia, Malawi, Zimbabwe and Rwanda, trafficking is influenced mainly by poverty, conflicts and ignorance (Dodo and Dodo, 2012). In the case of Zimbabwe, the motivation for human trafficking has been varied depending on the period as the paper discusses.

Research indicates that trafficked persons are typically poor, have few job prospects, limited access to education and may come from rural areas, depending on the country of origin (Omelaniuk, 2005). As a result of these disadvantages, they are often compelled to migrate within or outside of the country for better economic opportunities (Laczko and Danailova-Trainor, 2009 as noted in Abdullahi, Deribe and Kura, 2014)). Thus, trafficked persons may willingly travel with an “employer” based on the promise of work as a waitress, farm worker, domestic worker, or in other industries. However, upon arriving at their destination, they may be refused wages or may be forced into another job entirely. In other scenarios, the individuals received an advance on their salary and are then told they must work for free to repay this debt, which is commonly known as debt bondage (Bedoya et al. 2009 as cited in Abdullahi, Deribe and Kura, 2014). Another common scenario is that of
children sold by their parents, or of individuals (primarily women and girls) who were kidnapped or tricked by a boyfriend or family member, then sold to traffickers (Simkhada 2008). One of the underlying themes running through each of these scenarios is the desire for economic prosperity. Although existing research easily identifies the vital role of economics in human trafficking, it has failed to probe the complex relationship between poverty, discrimination, and other socio-cultural factors such as minority status. Consequently, there is a distinct lack of research relating to traditionally disadvantaged groups and systemic discrimination within the body of human trafficking literature (Abdullahi, Deribe and Kura, 2014).

The scope and nature of modern day trafficking

A wide range of estimates exists on the scope and magnitude of modern-day slavery. The International Labour Organisation (ILO) estimates that there are at least 12.3 million adults and children in forced labour, bonded labour, and commercial sexual servitude at any time (Allais, 2010). According to the US Department of State (2009) the International Labour Organisation (ILO) estimates that at least 1.39 million are victims of sexual servitude, both transnational and within countries. Allais (2010) noted that the common denominator of trafficking scenarios is the use of force, fraud or coercion to exploit a person for profit. Despite the apparent success of the global anti-slavery movement in the nineteenth century, trade in human beings has continued to evolve into new and more complex forms of ‘unfree’ labour by using debt contracts and other means to coerce people.

Human trafficking in the twenty-first century has thus retained some of the core aspects of previous forms of servitude and human trade whilst also adapting to meet changing economic, cultural and political realities (Picarelli 2007 as quoted in Allais, 2010). It is commonly understood to involve a variety of crimes and abuses associated with the recruitment, movement and sale of people (including body parts) into a range of exploitative situations around the world (Lee 2007). Traffickers can subject victims to labour exploitation, sexual exploitation or both. Trafficking for labour exploitation includes traditional slavery, forced labour and debt bondage. Trafficking for sexual exploitation typically includes abuse within the commercial sex industry. In other cases, individuals exploit victims in private homes, often demanding both sex and work. The use of force can be direct and violent or psychological (US Dept of State 2009).

Human trafficking as Global issue

In the contemporary world trafficking in human beings is a complex, multi-faceted phenomenon involving multiple stakeholders at the institutional and commercial level. It is a demand-driven global business with a huge market for cheap labour and commercial sex confronting often insufficient or unexercised policy frameworks or trained personnel to
It has been noted that the primary driving force of human trafficking is poverty. Although poverty is the major cause, there are other factors such as civil wars and political unrest. South Africa is also a transit and source country for the international market in the trafficking of humans (Crush 2001). As a transportation hub, South Africa offers direct flights and shipping to Europe and Asia. The scale and growth of the traffic in human beings from Africa to Europe and the Middle East suggests that South Africans, as with many other African nationalities, are already feeding this transnational business (Niewiarowska, 2015).

According to Mattar (2008) trafficking in the Americas occurs between states and within borders. Internal trafficking has been documented in a number of countries, especially from rural to urban areas, and to important tourism destinations, often in coastal areas, and in border towns. Some of the most significant and emerging international child sex tourism destinations in the world are found in Central and Latin America. He further noted that the prevalent forms of trafficking in the region are trafficking for commercial sexual exploitation and forced labour particularly mining and agricultural labour, child sex tourism; and trafficking for international adoption. Child sex tourism is especially significant in the most important tourist destinations in Central and South America, and in the Caribbean. North American men are some of the most significant consumers. The United Nations Office on Drugs and Crime (UNODC) 2006 publication states that no country is immune to human trafficking. A country can either be a source, a destination or a transit point for victims of human trafficking. Although each case of human trafficking has its own unique characteristics, nearly all follow the same geographic pattern (Niewiarowska, 2015). People are abducted or recruited in the country of origin, transferred through transit regions and then exploited in the destination country. The UNODC provides a list of one hundred and twenty seven (127) countries of origin and one hundred and thirty seven (137) countries where exploitation actually has taken place. The countries which rank the highest in each of the three categories are as follows; **Countries of Origin:** Albania, Belarus, Bulgaria, China, Lithuania, Nigeria, Republic of Moldova, Romania, Russia, Thailand and Ukraine.

**Countries of Transit:** Albania, Bulgaria, Hungary, Italy, Poland and Thailand

**Countries of Destination:** Belgium, Germany, Greece, Israel, Italy, Japan, the Netherlands, Thailand, Turkey and the United States.

A quick glance at these lists shows one glaring trend, human trafficking nearly always flows from poor countries to rich countries with transit points falling somewhere in the areas in-between. These poor-to-rich flows occur in similar patterns at the regional level as well, with the poorest regions acting as suppliers to satisfy demand in richer regions, facilitated by the transit regions in the middle (UN.GIFT 2008). According to UNODC (2009), Africa is overwhelmingly a region of origin with most victims ending up in Western Europe. However, there are also some networks operating solely within Africa, transporting victims from one part of the continent to another. Western Africa is the most documented destination for victims from other parts of Africa. According to Crush (2001), demand is highest in Benin, Ghana and Morocco whilst the most reported African victims originate in Nigeria.
Human trafficking in Zimbabwe

Apart from poverty, HIV AIDS and terrorism, human trafficking is considered as one of the most sombre challenges confronting many nations of the world. Dodo and Dodo (2012) and Gromova, (2015) as cited in (Mazuru, 2017) concluded that human trafficking is a criminal trade which is ranked third largest in the world after arms and drugs. Although human trafficking can take place in any country and can happen to all groups of people, women and girls from the developing world usually fall prey to the traffickers because of several push and pull factors as well as other socio-cultural circumstances which are beyond their control (Mazuru, 2017). In many developing countries, poverty has been identified as the prime cause of human trafficking, mostly targeting the vulnerable segments of the societies. Zimbabwean women form part of a greater majority of women who are trafficked from developing countries to developed countries for forced labour and sexual exploitation. For many years since the decline of Zimbabwe’s economy, there has been a demographic shift of part of the nation’s population to countries such as South Africa, Botswana and to Europe looking for job opportunities, as such, human traffickers are able to exploit the vulnerability of many members of this population (UNODC and SADC, 2007). While Asian countries such as China and India have also been identified as destination countries for Zimbabwean female victims of trafficking, recently, the route has shifted to the Middle East, mostly in Kuwait.

According to Sachikonye (2003) the first period in which Zimbabwe encountered cases of human trafficking was between 1998 and 2003 when the nation witnessed the land invasion. During this land acquisition period thousands of people lost their jobs. According to Dodo and Dodo (2012) hundreds more people also fled political persecution following the formation of the opposition party Movement for Democratic Change (MDC) and its favourable showing during the 2000 Referendum and Parliamentary plebiscite and the 2002 Presidential election. As a result, these had no option but to avail themselves as cheap labour for survival. Most of these were absorbed internally, and in South Africa and Mozambique (Dodo and Dodo, 2012). According to Dodo and Dodo (2012) the second phase stretched from 2003-2006 and was characterised by the destruction of people’s homes both in the farming communities and in the urban areas under ‘Operation Murambatsvina’. In 2005, Tibaijuka an envoy from the UN, reported that some 700 000 people lost their homes, their livelihoods or both, and that a further 2.4 million people had been affected in varying degrees. Human Rights Watch (HRW) (2008) estimated that over 79,500 adults living with HIV were also seriously exposed to health hazards and other diseases as they were living in the open without any source of income, water or sanitation facilities. Following these exercises, most victims availed themselves as potential candidates for trafficking and ‘slavery’.

The third phase ran from 2006-2008 and was known for the worst Zimbabwean recession ever recorded in the history of Africa (Dodo and Dodo, 2012). At its peak in 2008, Zimbabwe’s inflation rose to over 231million percentage points (Dodo, 2011) so much so that there was no food within the borders and people had to cross borders to access it. Most
industries had closed down as it was no-longer viable operating and therefore forced Zimbabweans to avail themselves for potential trafficking. 2008-2009 was the last phase that was characterised by extreme political violence ahead of a General election in 2008 (Dodo and Dodo, 2012). Thousands of the opposition politics were tortured, maimed and killed at the hands of the ruling party (ZANU PF). Resultantly, thousands also fled the country for safety. (Dodo and Dodo, 2012). As a result of such events, in 2016, more than 200 Zimbabwean women were reported to have been trafficked to Kuwait (The Herald, 12 March 2016 in Mazuru, 2017). However, this phenomenon does not only cause grim negative effects on the victims and their families but also has grave consequences on the relations between states in particular Zimbabwe and Kuwait (Mazuru, 2017). This study places its focus on the impact of human trafficking on interstate relations, hence there is need to fill this gap.

**Human Trafficking in Kuwait**

Kuwait hosts a large number of foreign workers. Human trafficking is therefore a concern. Kuwait is a destination country for men and women who mainly work in the domestic service, construction, and sanitation sectors. Although most of these migrants enter Kuwait voluntarily, upon arrival their sponsors and labour agents subject some migrants to conditions of forced labour, including non-payment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and the withholding of passports (UNHCR, 2015). Many of the migrant workers arriving for work in Kuwait have paid exorbitant fees to recruiters in their home countries or are coerced into paying labour broker fees in Kuwait that, by Kuwaiti law, should be paid by the employer, a practice that makes workers highly vulnerable to forced labour, including debt bondage, once in Kuwait (UNHCR, 2015). Refugees and asylum-seekers may fall victims of trafficking or smuggling due to the vulnerable and volatile situations they often face. The social situation of asylum-seekers and refugees in Kuwait and the absence of special programs to facilitate their local integration in the country make refugees, particularly refugee women, vulnerable to human trafficking for sexual exploitation.

In line with its guidelines on the application of Article 1A (2) of the 1951 Convention to victims of trafficking and person at risk of being trafficked, UNHCR stresses the need for mechanisms to ensure the identification of victims of trafficking. There are no appropriate referral mechanisms to the appropriate authorities responsible for assessing possible needs for international protection in an age-and gender sensitive procedure, in order to respond to their specific needs and to prevent refoulement. In this connection, it is important to ensure that individuals who have been trafficked and who fear being subjected to persecution upon return to their country of origin, or individuals who fear being trafficked, and whose claim to international protection fall within the 1951 Convention, are recognized as refugees and are afforded the corresponding international protection (United Nations High Commissioner for Refugees (UNHCR, 2015).
Although Kuwait enacted an anti-trafficking law in March 2013, the government did not demonstrate significant efforts to prosecute and convict trafficking offenders using previously existing laws. There was no lead national anti-trafficking coordinating body, and the government did not systematically monitor its anti-trafficking efforts. The government’s victim protection measures remained weak, particularly due to the lack of proactive victim identification and referral procedures and continued reliance on the sponsorship system, which inherently punishes, rather than protects, trafficking victims for immigration violations. Furthermore, the Kuwait government continued to operate a temporary shelter for runaway female domestic workers, though it offered no shelter for male victims of trafficking. The government also did not fulfill other commitments made since 2007, such as enacting a law to provide domestic workers with the same rights as other workers and opening a large capacity permanent shelter for victims of trafficking (UNHCR, 2015).

1.2 Statement of the Problem

While so many researches on human trafficking have been conducted little has been done to interrogate its impact on inter-state relations. This study therefore seeks to interrogate how human trafficking impacts on inter-state relations, giving special attention to the case of Zimbabwe and Kuwait where alleged perpetrators of the crime were embassy officials. In light of the fact that the international community through the United Nations and other international organisations have influenced every state to ratify protocols of commitment in ending human trafficking, one would seek to know the position of other states in dealing with perpetrators of this outrageous crime especially when it involves diplomats. What is the potential or likelihood of human trafficking affecting inert state relations? Does violation of individual rights trigger meaningful state reaction against the perceived perpetrator nation state? Would a nation risk ruining its relations with other states for the sake of protecting the rights of its citizens?

1.3 Assumptions

1. It is assumed that states automatically cooperate to curb human trafficking because they are signatory to international treaties and protocols.

2. It is assumed that perpetrators of human trafficking are outright criminals who are not involved in statecraft.

3. It is assumed that human trafficking is merely a criminal activity with no bearing on state relations.

4. It is assumed that policies and legal frameworks against human trafficking are enough to deter offenders.
1.4 Purpose of the Study

This study seeks to explore the impact of human trafficking on inter-state relations focusing on the human trafficking incident between Zimbabwe and Kuwait. However, in exploring these effects the study will also put forward solution to curb future trafficking.

1.5 Research Objectives

1. To explore the prevalence of human trafficking since the year 2000.
2. To examine the international laws and protocols aimed at mitigating human trafficking.
3. To analyse the political and socio-economic causes of human trafficking.
4. To assess the impact of human trafficking on Zim-Kuwait relations.
5. To come up with solutions to curb such actions in the future in Zimbabwe.

1.6 Research Questions

1. What are the international laws and protocols that attempt to prevent human trafficking?
2. Why is the international community failing to eradicate human trafficking?
3. How do trans-border human trafficking and the involvement of diplomats in the trafficking of persons affect state relations?
4. Why and how are diplomats involved in human trafficking?
5. What were some of the actions that were taken by the Zimbabwe government towards Kuwait Republic?
6. What measures can be taken to prevent future human trafficking in Zimbabwe?

1.7 Significance of the Study

This study is meant to enhance cooperation amongst states in the fight against human trafficking thereby leading to more cordial bilateral and multilateral relations of states. However, meeting Zimbabwe’s obligations to implement the Palermo Protocol will require a more extensive and systematic body of knowledge on the practice in the Zimbabwean context, based on a definition of trafficking that is applicable and appropriate within this context. It is only on this basis that policy makers, legislators and service providers will be able to respond adequately and effectively to the problem.

The study will undoubtedly give the researcher the requisite platform to develop research skills. It would also, give him the platform to marry theories with practice, that is, apply what is learnt in the international Relations course to the real world. The research would be a valuable study material to the researcher, as it would test his capability of carrying out a
research project. Above all, the research is a partial requirement for fulfilling the Master of Science Degree in International Relations by the researcher.

The study will contribute to the knowledge base to students of International Relations as they would be able to read more on how human trafficking can affect inter-state relations. Students and researchers would be able to understand the importance inter-state relations. Furthermore, the study will provide literature review for human trafficking. The study is also being valuable in that, little research has been done on this critical area of the impact of human trafficking on inter-state relations.

The research will make policy makers, aware of the damages human trafficking is causing to the people of Zimbabwe.

1.8 Limitations of the Study

The researcher is likely to face the following limitations:

There is a limited number of research centres with the technical requisite knowledge in dealing with human trafficking let alone its impact on interstate relations. Secondly lack of cooperation from the responsible government ministry and the Kuwait embassy as there is likelihood that officials from both institutions, for diplomatic and state security reasons, will withhold the truth or alter it to portray a certain image. Despite the fact that human trafficking has been a subject of some scholarly writing in recent years, most of the reference materials are in of form of policy documents and Non-Governmental Organizations reports published on their websites. There is a limited number of books on human trafficking. For this reason, the study will rely more on international treaties, journal articles, policy paper and internet as the main source of information.

1.9 Delimitations of the Study

The research will only focus on two nations although human trafficking is a worldwide phenomenon. Zimbabwe and Kuwait are the latest victims of human trafficking so they are going to be the focus of the study.

1.10 Definitions of Key Terms

Human trafficking is a grave violation of human rights. Until 2000 there was no internationally recognised definition of human trafficking. The definition of the human trafficking under different legal systems is given below: In 2000, Article 3 of the "UN Protocol to prevent, suppress and punish trafficking in persons" defined the human trafficking as the recruitment, transportation, transfer, harbouring 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 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, According to the U.S. law called the “Trafficking
Victims Protection Act, 2000” trafficking in persons is defined as, “All acts involved in the transportation, harbouring, or sale of persons within national or across international borders through coercion, force, kidnapping, deception or fraud, for purpose of placing persons in situations of forced labour or services, such as forced prostitution, domestic servitude, debt bondage or other slavery-like practice”. According to the “SAARC Convention On Prevention And Combating Trafficking in Women and Children for Prostitution”, “Trafficking” means the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking”. So this is clear that the human trafficking means any person transferred, recruited fraudulently or abducted, kidnapped by other persons for exploitations (Rahaman,2015).

**Human security:** According to MacLean (1998) the concept of ‘security’ traditionally has often been explained in militaristic terms as the defence of the state, involving structured violence manifest in state warfare. The primary concepts of economic, food, health, environment, personal, community and political security together form the broader understanding of human security. This results in its definition shifting away from a state centred and military strategic focus towards a more interdisciplinary and people centred approach that employs the ideas of empowerment and participation (Acharya, 2008:494). Human security, as a result, implies taking preventative measures to reduce the vulnerability and minimize risk toward people and for the implementation of remedial actions where or when prevention fails. According to Axworthy (1999) human security is an alternative way of seeing the world, taking people as its point of reference, rather than focusing exclusively on the security or territory of governments. Moreover, as noted by Annan (2000) human security, in its broadest sense, embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfil his or her potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict.

**Diplomat:** Mattingly (1995) notes that Article 1 of the Vienna Convention on Diplomatic Relations defines a “diplomatic agent” as the head of the mission or a member of the diplomatic staff having diplomatic rank charged by the sending State with the duty of acting in that capacity.

### 1.11 Proposed Chapter Outline

The study is organized as follows:

- The first chapter is the “Introduction” chapter, whereby the aim of the dissertation will be outlined briefly, while background information into the research topic and the reasons for conducting this research will be justified. The research hypothesis will also be addressed, and the research questions listed.
• Chapter 2 will examine the literature available in relation to the research area based on the various sources encountered, including books, online journals, articles, official reports, conference materials, newspapers and internet materials. In this chapter, the researcher will try to explain human trafficking trends in the international arena paying particular attention to international protocols and treaties signed by states and other international actors for the sole purpose of mitigating the threat of trafficking in persons and to justify the need for this type of research.

• Chapter 3 will detail the research methodology, design, strategy and approach which will be used in order to prove the hypothesis. This chapter will also offer justifications for each approach pursued by the author.

• Chapter 4, will be concerned with the interview findings of the qualitative primary research (in-depth interviews). The researcher will present the findings of the primary research and strive to match these findings with the research objectives in order to answer the research questions. Also, Chapter 4 will discuss the findings in order to gain a full understanding of the research topic and lead the researcher to ascertain appropriate conclusions.

• In Chapter 5 (“Conclusion and Recommendations”), the author will summarise the findings according to the objectives, and will also highlight general issues and concepts raised during this research, advancing general conclusions and listing some recommendations based on the research findings. This chapter will also incorporate the potential of further studies in this area.

1.12 Proposed Timeframe

The researcher will be looking forward to complete the research project in approximately 4 to 5 months. In this case Chapter One and Two will take one and half months to complete, Chapter Three will take a month, Chapter Four will take one and half months and Chapter Five will also take one month.

CHAPTER TWO
LITERATURE REVIEW

2.0 Introduction

This chapter reviews the various literature that has been put forward by an array of authors in relation to the topic under study. This chapter also discusses the theoretical framework that will inform this study. In this case the rational choice theory was identified as the appropriate theoretical framework to best explain how states react to human trafficking especially when these crimes are being committed by diplomats of other states. This chapter will also briefly present conceptual frameworks of human trafficking approaches. The various authors’ works cited in this chapter would then be evaluated against one another and a link would then be made with the study.

Overview on human trafficking

For many decades, several definitions have been ascribed to the meaning of the term “human trafficking”. However, an international definition of human trafficking which seems to be comprehensive is contained in the United Nations Protocol to Prevent, Punish and Suppress Trafficking in Persons especially Women and Children, popularly known as the Palermo Protocol (UNODC, 2008; Wylie and McRedmond, 2010). Article 3 of this protocol defines human trafficking as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of abuse of power or a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation (UNODC, 2008).

Human trafficking has increasingly become one of the most pressing challenges in the 21st Century both at national, regional and international levels and has been deemed as one of the greatest human rights violation of this era (Sperry, 2015). However, it is important to take into consideration that human trafficking is not a phenomenon that commenced in the modern world. As early as 15th century, human trafficking was already in existence in form of slave trade particularly in continents such as Africa (Campbell, 2016; Stanton, 2007; Nunn, 2003). The increasing presence of Europeans in Africa in the beginning of 15th century saw the extraction of slaves, minerals and other raw materials from the continent (Borders, 2010; Stanton, 2012; Nunn, 2003). However, even before the Europeans dominated the African slave trade, three other slave trades namely the trans-Saharan slave trade, the Red Sea slave trade and the Indian Ocean slave trade had already paved the path (Nunn, 2003; Stanton, 2012). During the trans- Saharan slave trade, slaves were taken from south of the Sahara to serve North Africa, while the Red Sea slave trade extracted slaves from the inland of the Red sea and sent them to the Middle East and the Indian Ocean slave trade took slaves from East Africa and shipped them to the Middle East, India, and plantation islands in the Indian Ocean (Stanton, 2012; Nunn, 2003). Therefore there is no clear cut distinction between slave trade and human trafficking. The difference may only lie in the way people are
recruited or taken from their homes or place of origin but the purpose behind the two processes is the same and that is exploitation. Of importance to note is the fact that even during these earliest years of slave trade, women were traded to serve as sex workers and house maids. Borders (2010) as cited in Mazuru (2017), avows that a greater number of women than males were taken to North Africa during the trans-Saharan slave trade to work as servants, forced into prostitution or become the women of harems. This goes in line with the common reasons behind women trafficking in the contemporary world. Thus, the reason why human trafficking is referred to as “modern day slavery” stems from the commonalties that exist between these two processes (Mazuru, 2017).

Human trafficking has led many to people live their homes either willingly or unwillingly. Stanton (2012) estimated that 6 million people were sent away from their homes during the initial three slave trades while another 12 million were captured and transported overseas as part of the trans-Atlantic slave trade. Even in this contemporary world, significant numbers of people are still being trafficked within and across borders. Sperry (2015) as quoted in Mazuru (2017) asserts that annually, millions and millions of people are trafficked within and outside borders resulting in the trafficking industry generating yearly profits of about 30 billion. Wennerholm, 2002 in Mazuru (2017) added that human trafficking is considered to be more rewarding and many people are attracted to this industry because unlike drugs, humans can be sold over and over again. The scope of this research is to figure out how the human trafficking will have an impact on the country of origin, paying particular attention to state relations.

What is crucial to note is that, despite the existence of international instruments such as the United Nations Protocol to prevent, suppress or punish human trafficking, especially in women and children (Palermo protocol), the United Nations Convention for the Suppression of human trafficking and the exploitation of the Prostitution of others (1949), the International Labour Organisation Forced Labour Convention (1930), the United Nations Convention on the Protection of the Rights of all Migrant Workers and Members of their Families and the Convention on the Elimination of all Forms of Discrimination Against Women, human trafficking especially among women and girls is still pervasive (UN, 2014 in Mazuru, 2017). Given such a scenario, UN (2014) states that the question that may arise is whether these instruments are sufficient or not. In the same line of argument, UNODC (2008) states that approaches to preventing human trafficking, to protect and assist trafficked persons and bring criminals to justice have had some small impact on the global phenomenon but the impact is not enough (Mazuru, 2017).

2.1 Theoretical framework

This research is informed by the rational choice theory which was propounded by Gary Becker in the late 1980s. The theory argues that States and other international actors, like intergovernmental organizations, nongovernmental organizations and multinational corporations, are intangible concepts that can only act through human beings. Rational choice theory is an attempt to explain how and why actors behave the way they do. It argues
that people make choices based upon a set of individual preferences in a rational manner where they seek to maximize gain while minimizing loss (Lovett 2006).

Rational choice theory also argues that human behaviour and social life in general, can be explained in terms of rational choices of individuals who are mostly concerned with pursuing their interests before considering others. Social and political interactions are considered to be types of exchange where individuals will interact with each other if the expected gains outweigh the expected costs arising from the interaction. Therefore, despite all the legal frameworks, reports and the ratification of protocols by states against human trafficking at international level, the pragmatic approach to stop this threat remains a prerogative of individual statesman whose action is dependent on their feelings and interests about human trafficking.

In relation to the perpetrators of the crime, rational choice theory postulates that human traffickers are rational beings who make decisions to commit crime based on the costs and benefits involved in the process of crime perpetration. Deterministic in nature, perpetrator’s decision making process is based on free will, which necessitates observation of opportunities, circumstances and situations that could affect the success of his or her of the planned crime, (Lanier & Henry, 2004). Brown, Esbensen and Geis, (2008) pointed that rational decision making pertaining to crime also involves the choice of the victims determined by the type of crime, modus operandi, where and when to commit it and what to do afterwards. Hence the perpetrator first observes the accessibility to potential victims, location, the time at which they are at most vulnerable, the appropriate method that could provide entry with ease and how to safeguard their criminal activities from criminal justice authorities and other capable guardians. This was the case in Zimbabwe when two hundred women were trafficked to Kuwait, the perpetrators took advantage of the economic situation in the country. However, some rational theorists have argued that criminals differ in the choices they make based on their perceptions, motives, skills and abilities to read opportunities as situations guide their decisions making processes, (Lanier & Henry, 2004). For the purpose of this study rational choice theory is the best theory to employ since it gives a framework on why these human traffickers act in the way they do and can best explain the how and why part of state reaction to human trafficking.

Despite all the strengths highlighted above Green and Shapiro (2012) identify three objectionable practices within rational choice theory. First they highlight that, rational choice scholars search actively for evidence confirming their theory by collecting illustrations that support their conclusions while neglecting disconfirming evidence.

Green and Shapiro (2012) liken this procedure to collecting “advertisements that show one’s brand achievements while mentioning neither its failures nor the achievements of its competitors.” Second, rational choice theorists “project” evidence from their theories: either they imagine data that would be consistent with their theory and assume it to be empirically true, or they assert that a particular piece of evidence confirms the theory without fully explaining the evidence. This does not constitute adequate theory-testing. Third, rational choice theories often suffer from arbitrarily-restricted domains of application. Specifically, a theory’s proponents sometimes deal with disconfirming evidence by excluding the situations found in that evidence from the set of situations that the theory claims to explain.
The domain of applications is thus limited to instances where the theory appears to hold, although no explanation is given for this restriction. Green and Shapiro (2012) argue that this practice leads rational choice scholars to neglect disconfirming evidence and disproportionately emphasize supporting illustrations.

2.2 Conceptual Framework of the Study

2.2.1 Human Security

The concept of human security in international relations arguably does not have a common definition, but rather a variety, depending on what the author or state perceives out of it and the approach or methodology that they employ when dealing with the subject. Therefore, after the United Nations published its 1994 Annual Human Development Report, in which the term “human security” was presented. One concise definition of human security is “freedom from fear and freedom from want (UNDP, 1994) and this definition has become a well-known global slogan. Traditionally security internationally was concerned about the well-being of the state, however, with the end of cold war new threats emerged to the world such as epidemics, terrorism, organised crime (human, drug and arms trafficking). The new threats ushered a shift in the security paradigm, from focusing on state alone to focus on human being within the state.

The contemporary world has been faced with many problems and some have threatened the very existence of humanity, human trafficking is one of the problems and therefore poses a universal threat to human security. Hence, human trafficking undermines individual and state security because the elements of human security are threatened when the rights of individuals are violated through coercion and exploitation. The elements of human security engraved in the Human Development Report are as follows: Personal, environmental, economic, political, community, health, and food (UNDP 1994). Human Security provides a framework that removes victims of human trafficking from the categorization of threats to state security and places them in the proper context of individuals in need of state protection. By elucidating the attributes of human trafficking from the theoretical perspectives of realism, feminism, and a hint of constructivism, the responsibility of states to protect trafficked persons will spotlight the prevention, protection, prosecution, and partnerships necessary to achieve human security.

According to Black (2006), states have been able to co-opt the human security narrative to further their own interests, augmenting hegemonic interests and narratives rather than challenging or transforming them. Instead of having genuine commitment to the emancipation of the most vulnerable and impoverished, Booth (2000) has argued that non-military “middle powers” such as Norway, Japan, and Canada have used the promulgation of the human security agenda to cement their own places in the international state system thereby paying a blind eye to the scourge of human trafficking. Taking a critical perspective on the development of the concept, Booth (2007) argues that human security has taken the image of “the velvet glove on the iron hand of power,” criticising how “the cold monster of
the sovereign state has appropriated human security in order to help entrench its own.” It
doesn’t give a voice and assistance to the poor and previously ‘marginalized’ states who are
mostly sources of human trafficking victims (Conteh-Morgan 2005). According to Duffield
and Waddell, (2006: 12) Western powers have privatised aid and development agencies with
aim of furthering their interests thereby overlooking the plight of victims of organised crime
such as human trafficking.

2.3 Conceptualising human trafficking

Human security is a people centred concept which places the individual at the centre of
analysis. Consequently, it considers a broad range of conditions which threaten survival,
livelihood and dignity, and identifies some components which human life is intolerably,
threatened; this means that human security is also based on a multi-sectorial understanding of
insecurities. Therefore, human security entails a broadened understanding of threats and
includes causes of insecurity relating for instance to economic, food, health, environmental,
personal, community and political security. In light of the above submission human
trafficking can therefore be regarded as an infringement of an individual’s personal security
because it involves physical violence, crime, terrorism, domestic violence child labour.

2.4 Legal frameworks

In the wake of the ever increasing challenge of transnational organised crime, the United
Nations (UN) adopted the Convention on Transnational Organised Crime (CTOC) and its
two related protocols the United Nations Protocol to Prevent, Suppress, and Punish
Trafficking in Persons commonly known as the Palermo Protocol (PP) signed in Palermo,
Italy (SPTF, 2004), and the United Nations Protocol against the Smuggling of Migrants by
Land, Sea, and Air, which was put in action in 2003-2004. The United Nations Office on
Drugs and Crime (UNODC) came up with these conventions, which have supported
international law’s ability to fight human trafficking. In support of enforcing these
instruments, the UNODC established the United Nations Global Initiative to Fight Human
Trafficking (UNGIFT) in 2007.

2.4.1 The Palermo Protocol (2000)

In 2000, the UN General Assembly adopted the Protocol to Prevent, Suppress, and Punish
Trafficking in Persons, especially Women and Children, or the Palermo Protocol (PP). The
protocol was entered into force in 2003, 159 countries have ratified and 117 countries are
signatories it to date (Kabance, 2014, Nelson, 2002). It was the first international treaty to
define the crime of trafficking and, as noted previously, its definition of human trafficking is
one of the most and likely the most widely used among the international community today.
Nelson (2002) described the PP as a landmark in international antitrafficking law because of
its agreed definition among member states, the official recognition by the United Nation of
poverty as the major contributing factor and its call upon member states to adopt or strengthen measures that would fight human trafficking. Through its definition, the protocol expanded focus of trafficking prevention to include all forms of human trafficking, not just sex trafficking or prostitution specifically. It is also known for the introduction of what the U.S. State Department calls the “3P” paradigm prevention, protection, and prosecution to guide states in their efforts to combat trafficking. The “3P” approach to trafficking is still the preferred method used by states today (Kabance, 2014).

The protocol also further shifted the focus on trafficking to one that is more victim centred. It contains several articles pertaining to the protection of victims including, assistance to and protection of victims of trafficking in persons, status of victims of trafficking in persons in receiving states; and repatriation of victims of trafficking in persons (Kabance, 2014). Within the articles, states are called to “provide for the physical, psychological and social recovery of victims” through provisions such as housing, counselling, medical care, educational and employment opportunities, and physical safety, as well as safe repatriation and the possibility of temporary or permanent residence in the country or territory where the victim was found. The Palermo Protocol’s victim centred approach as opposed to treaties of the past which were more crime centred shows that the dialogue on human trafficking is changing and efforts are being made to encourage self-reporting by victims (Kabance, 2014).

What is of paramount importance about Palermo Protocol is the manner in which it has attempted to address trafficking in persons not only from a criminal law approach but also from a human rights approach (Haynes, 2004). This is clear from the preamble of the Protocol which states that the effective action to prevent and combat human trafficking, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers, including by protecting their internationally recognised human rights. The convention was a significant step for international trafficking law because of its use of the term “persons” in its definition of victims (Kabance, 2014). Furthermore, Kabance (2014) added that previous treaties had focused on women and girls but did not acknowledge that men and boys could be trafficked too. The convention also shifted the focus away from individual states fighting trafficking within their own borders to a collective fight against trafficking across international borders, stating that “intentional participation in the acts…shall also be punishable.” Finally, the 1949 convention includes the phrase “even with the consent of that person” in its descriptions of trafficking, opening the door to future emphasis on the criminality of trafficking, regardless of whether or not force was used.

The Protocol obliges signatory countries to establish comprehensive policies and other measures to prevent and combat human trafficking. As such, it is primarily a law enforcement instrument designed to criminalise human trafficking, prosecute offenders, protect victims, and promote collaboration among States Parties in order to meet those objectives (Askola, 2007). This is accomplished, for example, through the advancement of national and regional initiatives and the facilitation of crime control cooperation. Member States are allowed to determine the details pertaining to prosecution and victim protection themselves. However, after all these efforts by international community to combat human
trafficking, there seem to be no significant change as trafficking statistics are escalating annually at the same time when the institutionalisation of the crime has become more visible given the fact diplomats are allegedly involved in these crime syndicates.

Noteworthy is that the Palermo Protocol treats law enforcement as a shared responsibility of all party states, victim issues are considered the individual responsibility of states (Jordan, 2002). The Protocol provides guidelines or prescribes rules under the Convention agreed to by the members and monitors the implementation (Shelton, 1999). The Palermo Protocol cannot impose binding obligations to Member States to provide remedies to a trafficking victim whose human rights have been violated. It can only demand or remind a State of its responsibility or hold it responsible for failing to fulfil its obligation.

2.5. Human trafficking as violation of human rights

The analysis of human trafficking as a phenomenon has made it possible to conclude that the human rights paradigm definitely has a long history (Aronowitz, 2009). The Recommended Principles and Guidelines on Human Rights and Human Trafficking (2002) offer probably the best description of the relationship between the human rights and human trafficking. Violations of human rights are both a cause and a consequence of trafficking in persons. The Universal Declaration of the Human Rights (UDHR) of 1948 views human trafficking as the violation of the basic human rights. By UDHR standards human trafficking represents violation of many human rights for instance right to life, but also right to health, right to be free from all forms of slavery, right to liberty and security, right to freedom of movement and right to free choice of employment (Lee, 2007).

According to Aronowitz (2009), traffickers are those that benefit from the situation in which victim’s lives are in danger, this is epitomised by how traffickers take advantage of gender stereotyping in most source countries where men are regarded as superior beings thereby relegating women and girls to the doldrums of their societies resulting in them being viewed as sexual objects, property, and servants of men. Gender discrimination, a major push factor of human trafficking, is another important source of human rights violation that is present in the countries of origin of human trafficking victims. For Aronowitz (2009), violation of human rights is not an additional approach in defining this phenomenon, but a common thread of human trafficking. However, concluding that gender discrimination is the major push factor for human trafficking in countries of origin is a subject of debate since there are factors such as economic problems, wars, high unemployment, lack of education to name but a few. For example, it is apparent that the Zimbabwean women who fell victim to human traffickers were in desperate need of employment hence the perpetrators took advantage of their desperation. Also is important to note that human trafficking does not only target women because men have fallen victim to this scourge.

Human trafficking is a serious international crime and a multi-dimensional threat. It treats human beings as private property or as a commodity which can be bought or sold, thus
definitely depriving the victims from enjoying their fundamental rights. The scourge of human trafficking violates fundamental human rights with the aim of reducing people to a state of dependency via threats, violence and humiliation. Besides depriving people of their human rights and freedoms, it also increases global health risks, and it fuels the growth of organized crime (Lee 2007). Human trafficking has a devastating impact on individual victims, who often suffer physical and emotional abuse, rape, threats against self and family, and even death. In the case of Zimbabwe, the 200 women who were trafficked to Kuwait were reportedly forced into sexual enslavement, marriage and domestic labour.

2.6 Human Trafficking and the Violation of Human Rights

The international community expresses its concern over the violation of fundamental rights of human beings through the enactment of various laws and international institutions with the aim of eradicating the prevalent practice of human rights abuses. The international human rights laws have prohibited the discrimination against persons on the basis of race, colour, sex, religion etc (Kabance 2014). It also prohibits forced labour, forced marriage, child labour, debt bondage, and the sexual exploitation of the women and children. Scholars such as Rahaman (2015), express that human trafficking is the grave violation of human rights, it contravenes both national and international laws against slavery, forced labour, forced marriage, child labour, debt bondage and sexual exploitations. There are various conventions such as the Forced Labour Convention of 1930, which provides that "forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily." It is as a result of such conventions that the violations of human rights in general have become the responsibility of the state. However concern have been raised over the fact that most international legal provisions do not direct the mitigation of human trafficking to state responsibility except for "The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the "Convention on the Rights of the Child (CRC). According to the CEDAW, "State Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of women through prostitution". The CEDAW has seen several South Asian countries become members including Bangladesh, India and Nepal thus giving these South Asian countries an obligation to protect their citizens from human trafficking. The Convention on the Rights of the Child (CRC) also describes that "State Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sell of or traffic in children for any purpose or in any form" and "State Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare."

The Regional instruments have concentrated much on human trafficking in a bid to mitigate this fast growing threat. Both the "Council of Europe Convention on Action against Trafficking in Human Beings" and the "EU Directive on preventing and combating trafficking in human beings" deals with the human trafficking. The principle of the EU Directive on preventing and combating trafficking in human beings" provides that "trafficking in human beings is a serious crime, often committed within the framework of
organised crime, a gross violation of fundamental rights and explicitly prohibited by the Charter of Fundamental Rights of the European Union (Rahaman, 2015). Preventing and combating trafficking in human beings is a priority for the Union and the Member States."

The United Nations General Assembly and the Human Rights Council have repeatedly affirmed that trafficking violates and impairs fundamental human rights, as have many of the international human rights mechanisms. In 2002 the South Asian Association for Regional Cooperation (SAARC) adopted the "SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution”. It declared that the feasibility of a regional Convention to combat the grave crime of trafficking in women and children for prostitution should be explored. South Asian countries are playing a very active role to eliminate human trafficking as a result they resolved that if the trafficked person is not a national of the trafficking country, the residing country cannot deny its international obligation to protect the trafficked persons because of the universality of human rights (Rahaman, 2015).

2.7 Human trafficking as a form of slavery

According to Bales (2005) human trafficking is a modern form of slavery. It involves forcing and transporting people into slavery, a practice which has been part of civilization since the beginning of human history. Although one cannot find legal ownership of a human being nowadays nor practice open enslavement this does not rule out the fact that slavery is still being practiced. The contemporary practice of slavery is clandestine and usually manifests itself through forced labour, debt bondage and hyper exploitative contractual arrangements in the global economy (Lee, 2007).

The difference between human trafficking and slavery is that while slavery depends on wars, raids and forced abduction to obtain slaves, trafficking mostly relies on false promises and deception. Human trafficking represents the process of how individuals or organizations bring and maintain persons in slavery; it is therefore not a condition or a result of a process, but the process of enslavement itself (Aronowitz, 2009).

2.8 Statistics in human trafficking

According to Niewiarowska (2015), there are over 21 million victims of human trafficking across the world. Human trafficking is a lucrative business generating an estimated USD $31.6 billion per annum as profit. The International Labour Organisation’s (ILO) Global Report, “A Global Alliance Against Forced Labour” (2005), reported that at least USD$15.5 billion of this profit is made in industrialized countries. The Asia and the Pacific region generates the highest profits of US$9.7 billion, which represent one-third of the global profits, followed by transition countries US$3.4 billion, Middle East and North Africa US$1.5 billion. Berkenthal (2011), states that although accurate statistics do not exist, it is
estimated that human trafficking, in its wide array of forms, now represents a multibillion dollar industry.

Most experts agree that impoverished girls and women are the main targets of traffickers; this is mainly due to their unfortunate vulnerability in many societies and their value in the international sex trade. Contrary to popular belief, trade in humans is not unique to any area of the world. It has been documented in states as diverse as Ukraine, Germany, Burma, Thailand, Mexico, the United States, Russia, Israel, China, the Philippines, Kuwait, Nepal, India, Brazil, and Cambodia. However, it has also been revealed that most human trafficking victims are mostly from poor countries. As Berkenthal (2011) rightly puts it, in the countries or regions of origin, trafficking is most commonly caused by abject poverty, especially among women, a lack of political, economic or social stability, a shortage of reasonable, legal job prospects, situations of armed conflict or oppression, domestic violence or disintegration of the family structure, gender discrimination, and a lack of access to education. On the other end, in destination countries, causes of trafficking include the expense of charges that employers need to pay legally hired workers, an increased demand for cheap labour in the construction, agricultural, and industrial sectors, and a rise in the demand for sex workers in a highly lucrative and globalized sex industry.

Universal causes of trafficking, applicable to both origin and destination countries, include increased restrictions on legal migration, a lack of public awareness of the dangers of human trafficking, the high profit potential for those engaged in criminal activity, the sophisticated networks of human traffickers, a lack of effective human trafficking legislation or a lack of effective enforcement if such legislation does exist, global economic policies that foster exclusion of marginalized people, disintegration of social protection networks, and widespread institutionalised corruption.

Human trafficking undermines the safety and security of all nations it involves. Therefore, responding to human trafficking requires various stakeholders, which include national governments, national government agencies (e.g. law enforcement, immigration, and judiciary departments), health and public services, international organizations (e.g. United Nations agencies, such as UNODC, IOM, and ILO), Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs), the media, corporations/businesses, academics, and individuals.

2.9 Global Dimensions of Human Trafficking

The forms of human trafficking are varied and to a large extent multifaceted in dimension calling for an integrated approach. In most cases, the structural factors of human trafficking are similar to one another such as the underlying economic and social context but in the larger context its patterns are varied and depend on geographical and regional locations (Cameron and Newman, 2008). Globally, an estimated 12.3 million people are enslaved (International Labour Organization (ILO) 2005). Out of this number, an estimated 2.5 million
people are in forced labour (coerced prostitution and sexual exploitations). Out of the 2.5 million mentioned above, an estimated 1.4 million people constituting approximately 56% of victims in forced labour come from Asia and the pacific. 250,000, constituting about 10%, come from Latin America and the Caribbean, 230,000 or 9.2% come from the Middle East and Northern Africa, 130,000 or about 5.2% come from Sub Saharan Africa, 270,000 or about 10.8% are from industrial countries such as the US and Western Europe. And 200,000 or about 8% come from countries in transitions or weakened states plunged by conflicts (International Labour Organization, Forced Labour Statistics Factsheet, 2007). At least about 161 countries are engaged in human trafficking as source, transit and destination points (United Nations Office on Drugs and Crime, Trafficking in Persons: Global Patterns, 2006). According to the UNICEF child trafficking information sheet 2003, an estimated 1.2 million children are trafficked each year. The majority are between the ages of 18-24, out of whom an estimated 95% of these victims have experienced physical or sexual violence while being trafficked. Out of this percentage, about 43% of victims are used for forced commercial sexual exploitation, the majority of whom involves women and children (International Organization for Migration, Counter-Trafficking Database, 78 Countries, 1999-2006).

The US Department of state (2006) reports that the most common forms of slavery are prostitution in advanced countries, constituting about 46%. 27% in domestic servitude, 10% in agricultural and 5% in sweat shops. Human trafficking today is a huge business generating huge profits annually. According to the international labour organization, an estimated $31.6 billion in profits was accumulated through exploitation, either sexually or through coerced labour. Out this number, about 15.5 billion, constituting about 49%, were generated in industrial countries. 9.7 billion constituting about 30.6% were generated in Asia Pacific whilst 1.3 billion or about 4.1% was for Latin America and the Caribbean. 1.6 billion Or about 5% were generated in Sub Saharan Africa, and 1.5 billion or approximately 4.7% were generated in the Middle East (Besler 2005, Rahman, 2011).

Pennington et al. (2008) have indicated that in Israel enslaved prostitutes could earn between $450-2,500 a day, if the victim is working between 15-17 hours a day per week (Rahman, 2011).

2.10 Human Trafficking in Africa

In Africa and the Middle East, sex trafficking makes up 36 percent of the total human trafficking in the region. As was the case in South Asia, East Asia, and the Pacific, the UNODC reports that data from Africa and the Middle East is weak due to low incidences of reporting (Kabance, 2014). The region reports 68 percent of its victims as being children; however, the biggest form of exploitation of child victims is not sex trafficking, but forced labour. Two forms of exploitation of children that are common in the region are child soldiers and mine workers (Kabance, 2014). The Middle East as a sub-region has higher rates of sex trafficking than it does other forms of exploitation. The United Arab Emirates, Oman, Egypt and Israel all reported sex trafficking as the number one form of exploitation in the country. North Africa and the Middle East combined have the greatest proportion of victims in the world that were trafficked from other regions, comprising 69.8 percent of the total. In
Sub-Saharan Africa, in comparison, only 2 percent of its total victims are trafficked from other regions. The likely reason why the vast majority of victims from North Africa and the Middle East are from other regions is because of strict gender policies due to the predominance of Islam (Kabance, 2014). Muslim women in the region are expected to adhere to strict religious laws, and sex outside of marriage for women is extremely taboo. There are no observable trends on the makeup of traffickers in Africa and the Middle East. This is likely due to the absence of good reporting in the region.

According to Kabance (2014) one well-known trafficker profile from the region, however, is that of the Nigerian Maman or Madam.

Aronowitz summarizes her role as follows:

The role of women in the trafficking of Nigerian girls and women for forced prostitution has been well documented. Young women between the ages of 15 and 25 are recruited for commercial sexual exploitation by an older woman, a Maman or Madam, who acts as facilitator for the women and girls and the organization preparing their migration. When the young women arrive in the destination country, another Maman supervises, controls, organizes the groups (comprising 10 to 15 girls or women), coordinates their activities, and collects their profits. Most Mamans were themselves prostitutes. Once they have repaid their debt to the Maman, they, in turn, use the same method to make money.

There are a number of trafficking flows from Africa and the Middle East to other regions. Africa, in particular, has a large number of the source countries with trafficking flows to Western and Central Europe. West Africa is the sub-region with the most prominent trafficking flows to Western and Central Europe. These trafficking flows are primarily for the purpose of forced prostitution. The countries with the highest number of sex trafficking victims in Europe are Cameroon, Ghana, Guinea, Sierra Leone, and Nigeria (Kabance, 2014).

2.11 Root causes of Human Trafficking in Zimbabwe

The root causes of human trafficking in Zimbabwe are multi-dimensional just like anywhere in the world, they comprise of socio-cultural, political and economic factors such as lack of information, poverty, social and economic instability in the home as well as in the country. These challenges will be discussed in sections so as to understand the depth and impact of these problems. However the general causes of human trafficking worldwide especially to women and children according to UNICEF (2005) are poverty, weak governance, armed conflicts or lack of effective protection against discrimination. Nair and Sen (2005) in Dodo and Dodo (2012) noted that other factors include disasters such as earthquakes and cyclones as well as depressing personal events such as the death of a parent, failure in exams, teenage pregnancy and even domestic violence.

Zimbabweans have become targets for trafficking following the economic recession of the late 1990s that was fuelled by erratic land seizures of 1999 and the economic meltdown of
2007-2008 and the political violence of 2008 (Dodo and Dodo, 2012). In Zimbabwe, trafficking is influenced mainly by poverty, conflicts and ignorance. In the case of Zimbabwe, the motivation for trafficking has been varied depending on the period. However the scope of this study is evaluate the causes of human trafficking in Zimbabwe.

The period of land invasion (1999-2003) saw thousands losing jobs. Quite a number of Zimbabweans also ran away from political persecution following the formation of the opposition party Movement for Democratic Change (MDC) and its favourable showing during the 2000 Referendum and Parliamentary plebiscite and the 2002 Presidential election. As a result, these had no option but to avail themselves as cheap labour for survival. Most of these were absorbed internally, and in South Africa and Mozambique.

The period 2003-2006 and was characterised by the destruction of people’s homes (Murambatsvina) (Dodo and Dodo, 2012). Tibaijuka (2005) as cited in Dodo and Dodo (2012) reported that some 700 000 people lost their homes and their livelihoods. Following these exercises, most victims become easy targets for human trafficking. From 2006-2008 there was serious economic meltdown for Zimbabwe. According to Dodo (2011) Zimbabwe’s inflation rose to over 231 million percentage to the extent that there was no food in the country and people had to cross borders to access it. Most industries had closed therefore forced Zimbabweans to avail themselves for potential trafficking. 2008-2009 was characterised by extreme political violence ahead of a General election in 2008 (Dodo and Dodo, 2012). Most Zimbabweans became vulnerable for human trafficking.

The economic meltdown in Zimbabwe for the past two decades has created unemployment. In an interview with a local newspaper The Zimbabwean Independent, a female victim of human trafficking revealed that she never got employed since her graduation hence an opportunity to Kuwait could not be missed. Unfortunately for the woman, the job opportunity turned out to be a nightmare as she was turned to be a sex slave (Zimbabwean Independent, 2016). The high unemployment rate in Zimbabwe has made most people to become potential candidates for human trafficking. As a result, the study will explore more on the prevalence of human trafficking since the year 2000.

2.12 The underlying causes of women trafficking

The causes of women trafficking are multi-dimensional. Poverty, weak governance, armed conflicts or lack of effective protection against discrimination have been pointed out as the common root causes of human-trafficking (UNICEF, 2005). Other factors that have also been identified include disasters such as earthquakes and cyclones as well as depressing personal events such as the death of a parent, failure in exams, teenage pregnancy, among others (Nair and Sen, 2005). In countries such as Ethiopia, Somalia, Rwanda, Burundi, Mozambique, Malawi, Democratic Republic of Congo (DRC) and Angola, war or post war conflict are believed to set high levels of gender based violence and limited access to health care, thereby causing women trafficking (IOM, 2006). This gives credit to the assertion by UNICEF (2005) that instability, oppression and discrimination may place women and children at great risk, with social and cultural prejudices/injustice and the prevalence of
gender based violence presenting additional challenges to their effective protection from trafficking.

In light of the above Gromova (2015) argued that in Africa, human trafficking is spurred by poverty, weak governance, armed conflicts and instability as well as traditional practices such as forced marriages. However, in many African countries, women trafficking is largely triggered by poverty and most of the victims are frequently lured by fake promises of employment in countries with stable economies, mostly developed and middle income countries. In Zimbabwe, human trafficking in general and women trafficking in particular is strongly associated with the country’s economic crises which have caused unprecedented poverty levels for almost three decades. Macro-economic shocks increase inequalities, lower the standard of living of the most vulnerable people in the society, particularly women and children and increase their susceptibility to human trafficking and different forms of exploitation (UNAIDS, 2012). Zimbabwe’s economic downturn which is largely believed to have been triggered by Zimbabwe’s Economic Structural Adjustment Programme (ESAP), the disbursement of huge unbudgeted funds to the war veterans, the involvement of Zimbabwe in the DRC war and the 2000 land invasions left many citizens destitute (World Bank Report, 2004), thereby acting as a push factor for the emigration of people to economically stable countries within the continent and to the Western world. Impoverished people are an easy prey for human traffickers as they can be easily lured by fake promises of jobs and scholarships (IOM, 2006).

According to UNOCHA (2009/2010), like most global trade flows, human trafficking is driven by supply and demand conditions, that is, a supply of vulnerable victims hoping for a better life and a demand for cheap labour and forced prostitution. Faced with growing unemployment and deepening poverty due to global financial and economic crises, many people especially from the developing world are prepared to take greater migration risks, while traffickers readily wait to capitalise on an expanding supply of vulnerable people whose social and economic safety nets have been devastated by the crises (UNOCHA, 2009/2010).

On the other hand, a combination of factors in destination countries has facilitated human trafficking. Firstly, due to global financial and economic crises, economic hardships in destination countries have increased the desire for cheap goods and services (UNOCHA, 2009/2010). Secondly, in countries that are economically stable, there is an increase in the demand for prostitutes. Wennerholm (2002) avows that where economic growth has created an expanding middle class, for example in Indonesia, Malaysia and Philippines, the capacity and even the motivation for men to buy sexual favours increased. In support of the above arguments Dodo and Dodo (2012) state that while the most reasons behind human trafficking are labour exploitation and ritual acts, in the case of women and girls; the major reason is for sexual exploitation. Africa is the place of origin for most women and children trafficked to Europe as well as to the Middle East, Gulf countries and Southern Asia (Gromova, 2015). Recently, Kuwait has been one of the most prominent destinations of trafficked women and Zimbabwean women are part and parcel of this group. In addition to the above, it is also important to note that the whole phenomenon of human trafficking cannot be divorced from
the evils of globalisation, especially through the increased interconnectedness between nations as well as improvement in transport and communication which has subsequently reduced transport and communication costs, thereby smoothening the progress of this iniquitous trend (Mazuru, 2017).

Furthermore, Mazuru (2017) looked at women trafficking and its impact on sustainable development goals in Zimbabwe. She noted that in 2016, the Zimbabwean government struggled to raise repatriation funds for more than 200 women who were trapped in Kuwait. The broke government that had been blamed by many people for creating fertile grounds for human trafficking due to high unemployment and high poverty levels, struggled to repatriate its own citizens from that Persian Gulf state. This resulted in the intervention by Wicknell Chivhayo, a Zimbabwean business man who donated money for the repatriation of these young women who were stuck in Kuwait. Chivhayo bought air tickets worth US $58,900 for 32 Zimbabwean women who were stranded in Kuwait (Chronicle, 28 April 2016).

Everything being normal, such huge sums of money could be used for developmental purposes such as infrastructural development and funding income generation projects that help to reduce poverty levels in the country. Furthermore, state funds are drained when investigations about the crimes are being conducted. This include, fuel and other essentials needed by the police to carry out effective investigations, search for the perpetrators as well as arresting them (Mazuru, 2017). The Zimbabwe Republic Police (ZRP) spent a considerable amount of time investigating about the ring leaders and accomplices behind the trafficking of Zimbabwean women to Kuwait. The arrest of former Kuwait ambassador to Zimbabwe, Ahmed Al-Jeeran and Kuwait embassy secretary, Brenda Avril May and several local accomplices who spearheaded women trafficking was successful because of the investigations made by the ZRP detectives (Chronicle, 15 March 2016). The state resources and funds wasted in carrying out these investigations cannot be ignored especially in an economic crises-ridden country like Zimbabwe.

Relations between sending countries and destination countries may be strained. This in turn may also negatively affect the economic ties between the two countries. One of the most common effects that may result from the sour relations between sending and receiving countries is import or export ban which may negatively affect business activities in both countries. Foreign Direct Investment (FDI) especially in sending countries can also be affected by human trafficking. As a result, the study will deeply look at the impact of human trafficking on Zimbabwe-Kuwait relations.

2.13 The modus operandi of human trafficking and Procurement Process

Traffickers adopt different strategies and tricks to allure and enrol young children and women (and their families) into the trafficking process. Sex industries in Bangladesh are selling the women in national brothels and also many of them are selling in the neighbouring country India (Rahaman, 2015). In Bangladesh, the traffickers hunt for their clients at the river ports, especially the Sadar Ghat area of Dhaka, bus stations, and the railway stations across the country (Rahaman, 2015). At these locations, the traffickers look for migrants who come
from the rural areas for jobs or for poor young people abandoned by their families and allure them with false promises of better life. The victims collected from these spots are usually sold to Bangladeshi brothels. Procurement of victims in villages and towns in the border areas of the country is more frequently associated with the purpose of supplying sex workers for the sex industry in India and the Middle East (Rahaman, 2015). The following case studies provide examples of strategies adopted by the traffickers involved in the national and international human trade in Bangladesh. Traffickers look for girls from poorer and vulnerable families in villages and tempt them and their parents with offers of lucrative jobs and a comfortable life in neighbouring countries, such as India and Pakistan. The girls are so motivated by promises of the trafficker and they leave their home without consulting their parents. Sometimes the parents also gives consent to go with traffickers to work outside the home. A study from Nepal on the factors that influence victims of trafficking in deciding to migrate from their place of origin concluded that the majority of trafficked people were deceived by relatives and village men (Rahaman, 2015). Another review on trafficking of the Nepalese women and girls found that the women and girls who were victims of trafficking were deceived by someone they trusted. That the pimps and brokers persuaded them with alluring assurances of happy and married life, a secure and better income job, the life of an actress and other false promises. In addition to economic vulnerability of the family, the traffickers also look for families in which factors, such as domestic abuse and violence, are occurring. (Rahaman, 2015). According to Hazelwood and Warren (2004), the recruitment phase is deeply connected to the country of origin, which is the country where potential victims come from. Niewiarowska (2015) opines that traffickers make choices of countries which will serve as sources for victims of human trafficking based on the following characteristics, the inability of governments to create job opportunities to their citizens, and countries in which culture highlights the subordinated role of women in society. Recruitment can be easier in periods of economic crises, natural catastrophes and war conflicts and can be classified or divided on forced recruitment, totally deceptive recruitment, and partially deceptive recruitment (Hazelwood and Warren 2004).

2.14 Demand Side of Human Trafficking

In recent times there have been several types of demand for women for commercial sex work and prostitution in the brothels. What drives the demand for women and children for sexual labour in these sectors has come to be known as the pull and push factors fuelling the sexual exploitation of women from mainly developing countries to more advanced countries in Western Europe and North America. In most cases, many of these young girls are recruited from less developed countries in promise of better job opportunities overseas. Upon arrival abroad, victims’ passports and other valuable forms of identification are taken away, and in most cases victims are abused into submission. In a conversation with a trafficked woman to Japan, Bales (2007) found out:

“Sri was approached by a woman she knew from her province, who told her about a well-paid job opportunity in Thai restaurant in Japan. Sri decides to take up the offer because her parents needed money for her younger brother’s schooling. Sri applied for a passport herself, but was called to an office to meet a “boss” who had many passports at hand and chose one
for her. She had silicone injections in her face to make her look more like the picture on the passport. However, she barely carried the passport herself, entering Japan with a man posing as her “Japanese boyfriend,” who took her passport after passing through immigration officers. Sri believed the passport may have carried a visa for a Japanese spouse. At the airport in Japan, the “boyfriend” rang another man who came to pick her up by a car, and took her to a bar where she was told she had to repay a debt of 4.8 million Japanese Yen about $40,000 to cover the cost involved in bringing her to Japan.” (Bales, 2007 as cited in Rahman, 2011).

This represents one of the many circumstances victims of human trafficking undergo any moment in time (Rahman, 2011). As result of such circumstances the study will dig more on how they will affect inter-state relations.

2.15 International responses to trafficking in persons

As it becomes a global threat to both human beings and states, human trafficking is on the international agenda. Efforts are being made to address the problem evident in the numerous multilateral responses to fight it at international level. The international legal frameworks are put in place in order to oblige states to prosecute traffickers and protect people who are vulnerable to human trafficking and those who are already trafficked and to recompense victims. These treaties create binding obligations by agreement between the States Parties to the instruments. It is argued that the complete unanimity of international directives outlawing human rights abuses have incorporated the laws against human trafficking as part of customary international law (Bassiouni, 1991). In this regard every country has the responsibility to fight human trafficking, and punish the perpetrators.

2.16 South Asia and the International Laws to Eradicate Human Trafficking

According to Rahaman (2015) constitutional protections are very important for every sector. In his analysis he observed that the constitutions of most of the South Asian countries did not give protection against human trafficking, on the other hand the constitutions of India and Nepal prohibit trafficking in any form, and forced labour, as a fundamental right or basic human right, in that time the constitution of Bangladesh only prohibited forced labour and prostitution but did not include human trafficking.

The Sri Lankan Constitution is totally silent on the point beyond invoking a general obligation on the State to protect children. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons only came into effect in December 2003, but it has inspired widespread legislative response. As of November 2008, 63% of the 155 countries and territories had passed laws against trafficking in persons addressing the major forms of trafficking. Another 16% had passed anti-trafficking laws that cover only certain elements of the Protocol definition. In 2003, only one third of the countries covered by this report had
legislation against human trafficking; at the end of 2008, fourfifths did. The number of countries having anti-trafficking legislation more than doubled between 2003 and 2008 in response to the passage of the Protocol. Human trafficking violates the basic rights of the persons, the freedom from coercion at work, the freedom to set up associations and bargain collectively, and the freedom from discrimination at work. Trafficking of children has been defined by the ILO as one of the worst forms of child labour, which seriously harms the development of the child. These four core principles are enshrined in the ILO Declaration on Fundamental Principles and Rights at Work that was adopted by ILO members in 1998. The Declaration is based on eight core Conventions, two of which are most closely related to the Palermo Protocol (No. 29 on Forced Labour and No. 182 on the Worst Forms of Child Labour). The member States of the ILO which ratified the ILO Forced Labour Convention 1930 undertake “to suppress the use of forced labour or compulsory labour in all its forms within the shortest possible period”. The term “forced or compulsory labour” is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily”. The State Parties to the Convention must ensure that “the illegal exaction of forced or compulsory labour shall be punishable as a penal offence” and “that the penalties imposed by law are really adequate and are strictly enforced”.

Convention Concerning the prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999, requires that each ratifying State take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency (Rahaman, 2015). The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949) was ratified by south Asian countries also. The following countries ratified this convention Afghanistan (1985), Bangladesh (1985), India (1953), Pakistan (1952), Sri Lanka (1958). As a result, countries are expected to implement the provisions of this convention into their national laws to end the human trafficking. However, it is the area of interest in this research to examine the international laws and Protocols aimed at mitigating human trafficking.

It is also a cause of concern that some countries where human trafficking is mostly manifesting their laws seem to ignore this international threat. For example, the Indian national law, does not cover human trafficking. However, the State of Goa of India has defined human trafficking in the "Goa Children’s Act, 2003". This act prohibits child exploitation and human trafficking. The act provides a definition of “grave sexual assault” that is designed to incorporate every type of sexual assault, including making children pose for pornographic photographs and films. The Penal Code of Bhutan and the Labour and Employment Act, 2007 both incorporate a comprehensive range of provisions for such offences. Bhutan has also ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. In 2007, the National Commission for Women and Children filed the first case of child trafficking in the country. Submitted to the Women and Child Protection Unit of the Royal Bhutan Police, the case involved a child who had been trafficked for domestic work. It generated widespread media coverage and intense public discussion (Rahaman, 2015).
In addition, 54% of responding countries have established a special anti-human trafficking police unit, and more than half have developed a national action plan to deal with this issue. Given that this legislative framework is very new, it is remarkable that 91 countries (57% of the reporting countries) reported at least one human trafficking prosecution, and 73 countries reported at least one conviction. A core of 47 countries reported making at least 10 convictions per year, with 15 making at least five times this number. Bangladesh passed some special law to give special protection to women and children; such as "Women and Children Repression Prevention Act, 2000". Under this Act trafficking is punishable by death or life imprisonments. Buying or disposing any person as slave or habitual dealing in slaves Kidnapping or abducting of a person to slavery is also a punishable offence under the Bangladeshi law. Procuring or trafficking in women or young persons is an extraditable offence. There is some case in Bangladesh in relation to human trafficking. One of the case is ABDUL GAFUR versus the Secretary and Ministry Of Foreign Affairs, Government of Bangladesh. The fact of this case in brief was a fifteen years old girl was abducted by the traffickers and had been sold in India. Her father wrote an application to the government of Bangladesh asking authorities to take steps for her repatriation but the government remained unmoved (Rahaman, 2015). Finally he filed a writ petition in the Court to direct the concerned authority of Bangladesh government to doing the said act. In the writ petition it was stated that the girl was entitled to protection under article 27, 31 and 32 of the Bangladesh Constitution. The court gave a land mark decision in this case. The Court directed to the Bangladesh government to take necessary steps to repatriation of the victim. In this case the court recognized the repatriation as a fundamental right of the citizens of Bangladesh (Rahaman, 2015).

2.17 Regional responses to trafficking in persons

The need to fight human trafficking effectively has led countries to come together on a regional basis to prevent, prosecute and punish the trafficking of persons. These regional conventions, agreements and declarations have similar requirements to those of Palermo Protocol and other international covenants on human rights and migration. However, the effective application of these legal frameworks into concrete action in national law seems to be fraught with difficulties.

The Ouagadougou Action Plan to Combat Trafficking in Human Beings, especially Women and Children (Ouagadougou Action Plan)

The Ouagadougou Action Plan resulted from the commitment by African Union (AU) State Members in collaboration with the European Union Partnership on Migration, Mobility and Employment (MME) to construct comprehensive, actionable measures to combat human trafficking, involving countries of origin, transit, and destination (AUC Department for Social Affairs Djibouti 2010). The plan was adopted by the AU Ministerial Conference on Migration and Development in November 2006 and was endorsed in January 2007. This can

xxxviii
be linked to the role of the international laws and protocols aimed at mitigating human trafficking that is going to be discussed in greater detail in chapter four.

Mazuru (2017) and Rahaman (2015) concluded that there is also need for the government of Zimbabwe and many other governments of the developing world to implement effective measures that address the factors that make people vulnerable to human trafficking. In the case of Zimbabwe, there should be economic reforms that help to resuscitate the economy so as to eradicate poverty. While Dodo and Dodo (2012) noted that there is need to put in place mechanisms that either curb or control/minimise this ‘evil’ practice through an act of parliament and other deliberate policies. The establishment of any laws or the implementation of any policy should be done in liaison and concurrently with the review of the civil servants’ salary so that it will be possible to either reduce or control all corrupt tendencies. Abdullah, Deribe and Kura (2014) is of the view that, in order to end human trafficking people in authority should ensure fair distribution of resources such as those of poverty alleviation programmes to the citizens in their locality irrespective of religious affiliation, ethnicity and political party membership. Last but not least, Rahman (2011) in his conclusion noted that, in order to stop the human trafficking problem, governments including nongovernmental organizations need to collaborate and work together to identify victims and punish criminals. However due to overwhelming evidence on the cause and possible ways to combat human trafficking the study will dwell much on the impact of human trafficking on inter-state relations paying particular attention to Zimbabwe and Kuwait.

2.18 SADC’S RESPONSE TO HUMAN TRAFFICKING

The SADC policy framework specifically addressing forced labour and human trafficking includes:

- The Strategic Indicative Plan of the Organ on Politics, Defence and Security Co-operation (SIPO), which is the unit responsible for implementing a key result area (KRA - 4) on human trafficking, which is one of the result areas for Regional Political Co-operation (RPC)11 in the region.

- The Protocol on Gender and Development.

- Ten year Strategic Plan of Action to combat trafficking in persons, especially women and children (2009-2019)


In the context of their international legal obligations as set out above, SADC member states have an obligation under their international and regional legal commitments, to developing human trafficking legislation and developing national action plans to specify the actions to be taken inorder to achieve the elimination of forced labour and the combatting of human trafficking. However, various countries are party to African regional human rights
instruments. Zimbabwe in particular has taken giant strides in a bid to combat human trafficking. The Zimbabwean Government passed the Trafficking in Persons Act in 2014. It provides for the prohibition, prevention and prosecution of crimes related to trafficking of persons.

According to the US TIP (2015) report Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labour. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labour, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Zimbabwean men, women, and children are subjected to forced labour in agriculture and domestic service in the country’s rural areas, as well as domestic servitude and sex trafficking in cities and towns. Family members recruit children and other relatives from rural areas for work in cities where they are subjected to domestic servitude or other forms of forced labour; some children, particularly orphans, are lured with promises of education or adoption (IOM 2015).

Although many Zimbabwean women and some children willingly migrate to South Africa, they are vulnerable to exploitation by the taxi drivers who transport them as well as others and are sometimes transferred to criminal gangs that subject them to abuse, including forced prostitution in the cities of Musina, Pretoria, Johannesburg and Durban. Many Zimbabwean migrants to South Africa are subjected to forced labour in conditions in which they work for months, often seasonally, on farms, at construction sites, in factories, or in mines, without pay.

According to the IOM’s 2015 report men, women, and children predominantly from East Africa are transported through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and the Democratic Republic of the Congo reportedly travel from Zimbabwe’s Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese construction and mining companies reportedly employ practices indicative of forced labour, including verbal, physical, and sexual abuse, and various other means of coercion. Mozambican children are subjected to forced labour, including in street vending, in Zimbabwe.

The Trafficking in Persons Act was passed in June 2014 but does not comply with the international definition of trafficking in persons under the Palermo Protocol. Instead, according to the TIP 2015 report, the act serves in effect to prohibit transportation-based crimes. In January 2015, it established an inter-ministerial anti trafficking committee, although it did not report on any action taken by the committee during the year. The government did not report any anti-trafficking law enforcement efforts during the reporting period. Official complicity in trafficking crimes remained a concern. The government made minimal efforts to protect trafficking victims, instead relied on NGOs to identify and assist victims.
The Zimbabwean law enforcement authorities are blamed for failing to employ procedures such as formal written guidelines to proactively identify victims or refer them to protection services (TIP2015). The Anti-Trafficking Act required the government to establish centres in each of Zimbabwe’s 10 provinces, providing counselling, rehabilitation, and reintegration services for “trafficking victims,” it remained unclear if child and adult victims of forced labour and sex trafficking would benefit from protections under the law, given its inaccurate definition of trafficking crimes (IOM 2014). Moreover, the centres are yet to be established by executive decree. The government may have detained and deported potential trafficking victims due to a lack of proactive victim identification procedures. The government did not provide foreign trafficking victims with temporary or permanent resident status or any other legal alternatives to their removal to countries where they might face retribution or hardship.

2.16 Summary

This chapter has discussed issues to do with the practice of trafficking, its modus operandi, and its implications on the social, political, economic issues and to general human rights. It was noted that while there are perpetrators who forcibly recruit victims, there are also volunteers largely due to poverty and the need to escape from various social ills including political persecution. The discussion justified the need for further study looking at how inter-state relations can be affected by human trafficking. Whilst the majority of the literature covered the causes of human trafficking, human trafficking in the globalisation era and human trafficking in Zimbabwe as an impediment to national development, this research specializes on human trafficking and inters- states relations. Since international laws were initialled amidst a plethora of challenges confronting nations when dealing with human trafficking the research examines whether they have changed or they are perennial and how they have impacted on inter-state relations.
CHAPTER 3

RESEARCH METHODOLOGY

3.1 Introduction

In order to understand and find out the elements influencing a certain phenomenon, an investigation is needed. In this study, the impact of human trafficking will be organized by collecting, analysing and summarizing data needed for investigation. As the purpose of this study is to investigate the impact of human trafficking on inter-state relations, it is important to explain the methodology chapter. In order to present the dissertation, the methods will be introduced and justified. It is expected to bring stability through the whole investigation and would create certain outcomes and conclusions of the study.

3.2 Research Philosophy

According to Saunders et al (2009), realism is a philosophical position which relates to scientific enquiry. Realism is important to this study because what the senses show us as reality is the truth, thus objects have an existence independent of the human mind. There are two categories of realism namely direct realism and critical realism. This could help us to understand the decision made by some diplomatic officials and how things are developing in the world. This approach is confirmed by the naturalist paradigm which emphasizes the importance of context, complexity, and examining situations in which many factors interact. Unlike the positivists who claim that there is a single, objective reality that can be observed and measured without bias using standardized instruments. Naturalists and, in particular, interpretive constructionists, accept that there is a reality but argue that it cannot be measured directly, only perceived by people, each of whom views it through the lens of his or her prior experience, knowledge, desires and expectations. The naturalist paradigm can best explain the reason why people particularly governments officials, react towards human trafficking. In other words interpretive constructionism, argues that the core of understanding is learning what people make of the world around them, how people interpret what they encounter, and how they assign meanings and values to events or objects. Thus to interpretive constructionists, how people view an object or event and the meaning that they attribute to it are what is important (Willis et al., 2007). As clearly expounded by rational theorists, makers and implementers of policy are most likely to consider the pros and cons of implementing local and internationals laws to curb human trafficking thus also agreeing with the naturalist line of thinking which considers that people’s world views are different and depends on their social, cultural and experiential knowledge and upbringing which also culminates to the
fulfilment of achieving one’s selfish ends. Hence the effectiveness of laws against human trafficking in any diplomat’s area of jurisdiction is entirely dependent on the attitude of the individual assigned with the responsibility to deal with the perceived problem.

3.2 Research Methodology

Research Methodology is the systematic, theoretical analysis of the methods applied to a field of study (Habib 2014). It comprises the theoretical analysis of the body of methods and principles associated with a branch of knowledge. Typically, it encompasses concepts such as paradigm, theoretical model, phases and quantitative or qualitative techniques (Irny and Rose 2005). In his thesis Howel (2013) emphasises that methodology is the general research strategy that outlines the way in which a research project is to be undertaken and, among other things, identifies the methods to be used in it. These methods, described in the methodology, define the means or modes of data collection or, sometimes, how a specific result is to be calculated. It is important to note that methodology does not define specific methods, even though much attention is given to the nature and kinds of processes to be followed in a particular procedure or to attain an objective (Sokratis 2009).

The main approach used in the present study is the inductive approach, in order to collect and analyse the qualitative data. This approach will be used because it fits better with the research target and possesses a more flexible structure than the deductive approach, which typically deals with quantitative data. Thus Saunders, Lewis and Thornhill (2007) describe this approach as follows, “Research using an inductive approach is likely to be particularly concerned with the context in which such events were taking place. Therefore the study of small and deified sample of subjects might be more appropriate than a large number as with deductive approach” (Saunders et al., 2007). Saunders et al. (2009) link each approach to a certain philosophy, stating that “deduction owes more to positivism and induction owes more to interpretivism”. Induction is usually described as moving from the specific to the general, while deduction begins with the general and ends with the specific.

3.2.2 Qualitative Research

According to Habib (2014) qualitative research defines the reality it purports to measure meaning that the context under which issues are discussed help to give meaning to the issues. This means that by using qualitative research method the researcher was able to make sense of and add meaning and interpretation of data gathered rather than just to report on characteristics of findings. Qualitative research deals with a phenomenon which is not easily quantifiable and thus it was more relevant in this investigation where perceptions played a greater part in explaining the actions of the players. Thus the researcher used the empiric perspective meaning that, the researcher was collecting information from individuals involved and those who have studied the subject matter extensively thereby attaining valuable and credible information.
Through qualitative research we can explore a wide array of dimensions of the social world, including the texture and weave of everyday life, understandings, experiences and imaginings of our research participants, and ways that social processes, institutions, discourses or relationships work, and the significance of the meanings that they generate. McLeod (2004) notes that, “The primary goal of qualitative research is to develop an understanding of how the world is constructed.” He further points out that the world can be viewed from different perspectives. Thus qualitative research aims at knowing how particular individuals or groups understand the world. It may be argued that people already have an understanding of the world based on their norms and values. However, such knowledge is far from being coherent and consistent. Qualitative research aims at providing formal statements and conceptual frameworks that provide new ways of understanding the world. The qualitative research method then was appropriate for the purposes of this study as it helped the researcher to understand the impact of human trafficking on inter-state relations.

However qualitative approach has its weakness. Among other things, the qualitative approach has been blamed for being subjective since it is based on several interviewees’ opinion. In addition, the researcher observed that there is no systematic way for analysing data collected using the qualitative techniques, hence it’s subjective. Further to this, it has also been noted that if respondents are given open ended questions, the data analysis process is time consuming and expensive. To curb these problems the researcher used questionnaires to try and get the respondents to at least answer the same questions so that responses could be grouped for comparison and to come up trends in responses that could be used to explain and interpret the aims of the study.

3.3 Research Design

The research design refers to the overall strategy that you choose to integrate the different components of the study in a coherent and logical way, thereby, ensuring that the research problem is effectively addressed, it constitutes the blueprint for the collection, measurement, and analysis of data (De Vaus 2001). According Schvaneveldt and Adams (2001) research designs are frameworks that guide decisions as to when and how often to collect the data to gather, from whom and how to analyse the data. They go on to say that the specific meaning of research design refers to the types of study which include crosssectional studies, time-series analysis, case studies and experimental designs. The first three designs are known as designs for description while the latter is a design for experimentation. Trochim (2006) opines that it is the research problem that ultimately determines the type of design one can use. This research employs the qualitative research paradigm and as such, the design will be favourable to attaining qualitative objectives. De Vaus (2001) emphasises that obtaining evidence relevant to the research problem generally entails specifying the type of evidence needed to test a theory, to evaluate a program, or to accurately describe and assess meaning related to an observable phenomenon.
This research will employ the case study research design. According to Habib et al (2014) a case study is an in-depth study of a particular research problem than a sweeping statistical survey and it often narrows down a very broad field of research into one or a few researchable examples. The decision to choose the descriptive design, that is the case study, has been driven by McNabb’s (2010) statement that, “They provide a concrete of information, which is easy to comprehend and interpret.” The case study is intended to answer in most cases the “how” and “what” questions which are quite significant in this study. The case study helped the researcher to narrow interest to the implications of human trafficking on Zimbabwe and Kuwait rather than focusing on whole world thereby increasing the feasibility of this research. Yin (2003) insists that though the case study design is usually used to test whether a theory or model actually applies to a phenomenon, it also helps to narrow down research area to a small or single case that is easily researchable. Therefore, narrowing down the research area also helped the researcher to reach conclusions or findings that were specific to the area of interest thereby increasing usefulness of findings rather than as would be the case with generalities of a large sample or multiple cases.

Case study is the most suitable strategy for determining answers to the research questions, because it allows the researcher to obtain a detailed understanding of the context of the research and the activity taking place within that context. Robson (2002) as quoted in Saunders et al (2009) noted that case study is a strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real life context. The case study strategy will be appropriate if the researcher wishes to gain a rich understanding of the context of the research and the processes being enacted (Kincheloe & McLaren, 2000). The case study strategy also permits one to answer the “why” question and to explore the context of a particular subject.

Habib (2014) opines that the case study approach excels at bringing an understanding of complex issues through detailed contextual analysis of a limited number of events or conditions and their relationships. Jackson (2012) notes that with the case study design, one can use a variety of sources to investigate a research problem and this helped the researcher to cover various areas associated with the research. In this case study, basic statistics will be used to represent certain data because they describe phenomena more vividly than words. This design is also less complex than other designs. Yin (2003) added that case study provide detailed descriptions of specific and rare cases so it therefore helps to detail the unprecedented impact of human trafficking and the unique angle of morality that politicians used in the case of Zimbabwe and Kuwait.

However, the case design also has its own weaknesses. Habib (2014) notes that the intense exposure to a study of a case may bias the researcher’s interpretation of findings in relation to the broader happenings. The case design does not is sometimes too specific to a particular situation making it difficult to replicate whilst trying to investigate similar research problems in other areas. Yin (2003) argues that if vital information is missing the case is hard to interpret. In this case, the researcher found out that the information being gathered was too sensitive to share lightly and freely because of the political nature of the study and this gave the case study design challenges. However, to address the above mentioned limitations, the
researcher used purposive sampling in selecting the population for the study. Adequate preparations in the data gathering were also done as to get relevant, reliable and accurate information from the respondents. To counter the problem of respondents being reluctant to share sensitive information because of its political nature, the researcher guaranteed the anonymity of participants and the questionnaire was also administered so that respondents could remain anonymous.

3.4 Study Population

Research population is simply a sampling frame. According to Wegner (2000) population is a collection of all the random variables under study. The population of this study will be Kuwait embassy, Ministry of Foreign Affairs Zimbabwe officials, and members of the Zimbabwean parliamentary portfolio on foreign affairs, law enforcement agents particularly the police and intelligence, inter-governmental organisations such as the International Organisation for Migration (IOM), academics, local, Human rights lawyers and international NGOs.

3.5 Sampling Frame

Jackson (2012) explains that a sample is a sub set of a population. Sampling is the process of selecting a group of subjects for a study in such a way that the individuals represent the larger group from which they were selected. This representative portion of a population is called a sample (Berg 2009). The sample will be drawn from Kuwait embassy liaison department and the Ministry of Foreign Affairs.

3.6 Sampling Technique

By virtue of the qualitative nature of Zimbabwe and Kuwait human trafficking research problem, the researcher employed the non-probability sampling procedure encompassing purposive (expert or deliberate or judgmental method). Kothari (2004), Berg (2009), Bhattacherjee (2012) and Jackson (2012) agree that in non-probability sampling the researchers does not base the sample selection on the quantitative probability theory. For this thesis the investigator purposively selected technocrats and experts from the academic field, civil society groups, senior government officials, law enforcement agencies and other related stakeholders in Zimbabwe as they represent the ZimbabweKuwait population parameters. Judgmental or purposive sampling was employed to select representative experts since some embassy officials were not accessible due to their busy schedules and other reasons. The researcher purposively selected specialists in the area of human rights and human trafficking.

Ezzy (2002), Silverman (2008), Neuman (2011), Punch (2011) and Jackson (2012) argue that non-probability purposive sampling allows critical thinking about the population parameters.
and expert opinions are more credible. The method is less expensive, the researcher uses his subject area expertise in determining key respondents and can be employed on highly sensitive or difficult to research study populations like the Zimbabwe-Kuwait population.

3.7 Study Sample

The study sample for this research comprised of twelve Zimbabwe-Kuwait key and general informants representing the population parameters highlighted in the above sampling frame. According to Neuman (2011) a sample is a small set of cases a researcher selects from a large pool and generalizes to the population. Silverman (2008) added that sampling allows you to estimate the representativeness of the cases you study, and thereby the degree of confidence in any inferences you draw from them. In this vein seven key informants and five general informants who were selected are a true representation of the Zimbabwe-Kuwait population parameters. Kothari (2004) opines that an optimum sample is one which full fills the requirements of efficiency, representativeness, reliability and flexibility. The sampling for this thesis frame satisfied Kothari’s criteria in determining the twelve study sample respondents for the Zimbabwe-Kuwait population under investigation. The twelve respondents sampled and interviewed include: Ministry of Home Affairs, the Southern African Research and Documentation Centre (SARDC), Southern African Political Economy Series (SAPES TRUST), Embassy of the Delegation of Kuwait to the Republic of Zimbabwe, Ministry of Foreign Affairs Zimbabwe officials, and members of the Zimbabwean parliamentary portfolio on foreign affairs, law enforcement agents particularly the police and intelligence, intergovernmental organisations such as the International Organisation for Migration (IOM), academics, local, Human rights lawyers and international NGOS.

3.8 Data Collection Instruments

The study used two main sources to collect data which are in depth interviews and documentary review. This is meant to address the potential problem of construct validity. It is argued that in case study research there is often a failure to develop a sufficiently operational set of measures, therefore the collection of data is based on subjective judgements. A notable consequence of the subjective nature of information is that informants views tend to be diverse and at times contradictory, reflecting differences not only in what individuals know but also how the nature of the response depends very much upon the circumstances in which one is asked to divulge information.

This evidence is resolved by having multiple sources of evidence to provide converging lines of inquiry that can then be taken as reliable. Adding on to the same point, Jackson (2011) argues that strict and rigid adherence to a single method when doing fieldwork “become like confinement in a cage.” Therefore by implementing different methods of data collection the study intend to increase the authenticity of facts gathered, since the different
methods complement each other. Furthermore, any findings or conclusions are likely to be much more convincing and accurate if they are based on several sources of information.

3.8.1 In-Depth Interviews with Key Informants

Boyce and Neale (2006) opine that In-depth interviewing is a qualitative research technique that involves interviews with a small number of respondents to explore their perspective on a particular idea, program or situation”. Most researchers have found that managers are more likely to agree to be interviewed than complete a questionnaire, especially where the interview topic is considered interesting and relevant to their current work. According to Rubin and Rubin (2005), qualitative interviewing is an in-depth interviewing technique which involves “understanding the interpretive constructionist approach, enabling you to adapt to unexpected research problems and work out new solutions that enable you to collect information that is both thorough and credible”.

In-depth interviews grant the researcher the opportunity to “probe” for pertinent answers, where the researcher wishes the interviewee to explain or elaborate. This is important if the researcher is adopting an interpretivist epistemology, as in the present case study philosophy. The in-depth interview was selected in this case for the following reasons:

1. Because of the nature of the research, it grants the researcher a flexible and adaptable environment in which to work, and it offers a rich source of data.
2. It allows the researcher to ask probing questions and elaborate on ideas relating to the topic, thus ensuring greater accuracy and detail (which is why it is also known as the “snowball effect”).
3. It permits the researcher to establish personal contact (face-to-face) with the interviewees, which makes it easier to facilitate an effective approach to the research issue.
4. It saves time if the researcher can gain access to the most appropriate sample of interviewees.

The present study has decided that some of the (face-to-face) in-depth interviews will be audio-recorded and subsequently transcribed as soon as possible after each interview, while some will be translated if conducted in the Arabic language. Each interview will be kept in a separate file and will be saved for any future research purposes.

The questionnaire will be designed only to reflect the thoughts, concerns and attitude of those officials who are under study. A mixture of open-ended and closed questions will be used. While open-ended questions allow the participants to elaborate on their views, closed questions provided precise attitudes to the subject of study. The use of both open-ended and closed questions is intentionally put in place to maximise the outcome of this research method. According to Jackson (2011) questionnaires are most used when there is a desire to gain information from a large sample of people.
3.8.2 Documentary Review

Data was collected from reports and documents from organisations that deal with immigration issues like International Organisation for Migration, Zimbabwe Human Rights Commission, Lawyers for Human Rights, Legal Advice Office, Human Sciences Research Council, Institute for Security Studies, Southern African Migration Project and Human Rights Watch, and from government documents and reports especially government departments that deal with immigration. Information about what has been researched and documented on the impact of human trafficking on inter-state relations, information about measures that are taken by the Zimbabwean government to manage the human trafficking agenda, especially with regard to human trafficking between Zimbabwe and Kuwait will be collected from documents.

The researcher collected material from primary and secondary sources which included journals, local newspapers, environment magazines, Acts of parliament on human trafficking and the human rights and also the internet. These sources are used to corroborate arguments and complement information from other sources. The researcher will sought to investigate whether the understanding of anti-human trafficking laws as reflected in the documents was consistent with the contemporary understanding of the discourse as reflected in the interviews and responses from questionnaires and interviews. The researcher considered document review as a vital collection for this research because newspapers and environmental magazines provide latest primary data on human trafficking in Zimbabwe and Kuwait. Human trafficking has become a topical issue in Zimbabwe since the Zimbabwe-Kuwait case of 2016. The debate on the impact of human trafficking activities has been published by public, private and foreign newspapers with each media stable taking a divergent view in the area.

The study also make use of the internet to access latest published journals and articles during data the gathering process. This is because the internet contains a wealth of contemporary information.

3.8.3 Validity and Reliability

Reliability refers to the extent to which a data collection technique or analysis procedures will yield consistent findings, whereas data validity is concerned with whether the findings are really specific to the current focus (Saunders et al., 2009). The researcher used the in-depth interview approach in collecting the research data. This approach is subject to several reliability concerns, including subject/participant errors and bias. To avoid the occurrence of these threats, and to enhance reliability, the researcher has documented all of the interviews, and, in terms of reducing bias, the researcher consistently strove to remain neutral whilst performing this research. For instance, the researcher used (Saunders et al., 2009) guidelines to be neutral in conducting any academic research. In addition, the researcher verified the
accuracy of all the interview transcripts with all respondents in order to clarify their answers and viewpoints regarding the subject matter.

3.9 Data Collection Plan

A structured guide was prepared by the researcher for the key informants so as to enable the smooth gathering of data. The interview guide contained key questions for the interviewees so as to ensure complete coverage of all relevant aspects during the interview process. Three interview guides were prepared for this study. One was used for government personnel and law enforcement agents, another one for academics and political analysts and another for embassy and civic groups. This was done to allow triangulation of data and participants. In addition, the interview guide was also prepared so to assist the researcher at the data interpretation and analysis level.

3.10 Social Research Ethics

According to Saunders et al (2012) research ethics refers to the standard of the researcher’s behaviour in relation to the rights of those who become the subject of a research project, or who are affected by it. Lawrence (2003), notes that ethics in research generally means the investigator has a moral obligation to protect the participants from harm, unnecessary invasion of their privacy, and the promotion of their well-being. Ethical considerations are important at an early stage of research investigation. As the roman emperor Marcus Aurelius asserted, “If it is not right do not do it, if it is not true do not say it” (Saunders et al, 2012). Based on this principle, when conducting the research investigation and observation by collecting the research data, the researcher will strive to act ethically, in terms of maintaining the privacy of the organisations and individuals involved.

It is important that the interviewees are accurately informed about the aim, purpose and the nature of the research. In this case, they may choose whether or not to participate in the interviews. The researcher will also inform each interviewee that he/she possesses the right not to answer any question that he/she feels is inappropriate or an intrusion. Furthermore, the interviewees should know that the information they will provide will be treated in a confidential manner and applied within an academic framework. Because some of the interviewees are non-English speakers, the researcher will translate the relevant interviews transcripts (from Arabic to English or vice versa). It will be important to ensure that the translated interviews do not contain any misinterpretation.

3.11 Data Presentation and Analysis Procedures

Denzin, Norman; Lincoln and Yvonna (2005), define qualitative data analysis as a type of research that produces findings not arrived at by statistical procedures or other means of quantification. Data will be analysed qualitatively in order to gain answers pertinent to the
research questions. The researcher is going to use prose writing, charts and graphs to present and analyse the data collected from interviews, document analysis and questionnaires. Tables are going to be used to present information and where necessary, trends, distribution and variations in the information gathered.

3.12 Summary

This chapter concentrated on the research design, population and sample. It also dealt with data collection tools highlighting their strengths and limitations as well as the designing of these tools. The employment of these tools in collecting data was meant to produce quality reliable results. The chapter also considered some ethical considerations that will be observed during data collection. An analysis of the collected data will be done in the following chapter four.

CHAPTER FOUR

4.0: KEY FINDINGS AND DISCUSSION 4.1: Introduction

This chapter presents and analyses the findings of the study, which will incorporate the voices of key informants such as Government officials and NGO officials. The main issues, which emerged from the study, will be outlined and discussed. The findings of this research have revealed that there are no accurate/specific statistical data which depict a clear picture of the prevalence of human trafficking since 2000 mainly because human trafficking is a criminal activity which is done secretly. Lack of adequate legislative and administrative measures to curb trafficking also emerged as an issue which needs to be addressed at national
level. Although the international community has put in place various legal frameworks to prevent human trafficking, the lack of administrative structures to prevent trafficking in persons has been a major setback. Moreover, according to findings human trafficking is viewed as a criminal activity which cannot overweigh state interests. Respondents from the Law enforcement sector revealed that the complete eradication of human trafficking will remain a pipeline dream owing to its sophisticated nature and its high returns which will undoubtedly lure law enforcement agents to be part of these syndicates especially in source countries which are usually poor. Findings also revealed that lack of funding in 3rd world countries is hindering their effectiveness in mitigating the threat of human trafficking.

4.2: LACK OF ACCURATE STATISTICAL DATA ON HUMAN TRAFFICKING

Lack of statistics on human trafficking in all government departments approached is overwhelmingly an undeniable reality. The reason cited by respondents is that most human trafficking cases go undetected thereby making it difficult to obtain official statistics of the threat in Zimbabwe. However, the Ministry of Public Service and Social Welfare revealed that Kuwait embassy was also not forthcoming in terms of providing statistical data concerning Zimbabweans granted section 20 visas for domestic work. In light of this problem the extent to which human trafficking is affecting the Zimbabwean populace could not be established although its existence is unequivocal. Findings revealed that lack of statistics was a result of inadequate awareness of the problem by law enforcement authorities such as the Police and the intelligence, and the public in general. Law enforcement agents are not adequately trained in understanding the human trafficking phenomenon as some expressed ignorance of the scourge’s presence in Zimbabwe and some assumed that trafficking of persons is just a problem of the western world. Respondents from the Ministry of Justice and Parliamentary Affairs pointed out that Zimbabwe did not have a specific anti-trafficking legislation until recently in 2016 after the Kuwait embassy scandal, this is the reason why there are no statistics for the human trafficking. These findings also point to the fact that human trafficking is not given the attention it deserves in Zimbabwe.

However one respondent in the Zimbabwe Republic Police revealed that 2017 saw government investigating 72 potential cases of human trafficking. This is regarded as a significant improvement since previous years like 2015 have recorded zero investigations of potential cases. In 2016 42 prosecutions on human trafficking cases were recorded. The Ministry of Public Service Labour and Social Welfare 2016 report revealed that 216 victims of human trafficking were rescued from Kuwait, Saudi Arabia, Sudan and Jordan, it is however unfortunate that the Ministry could not provide statistics on the annual prevalence of human trafficking in Zimbabwe since 2000.

4.3: IMPACT ON INTERSTATE RELATIONS
The chairperson of the parliamentary portfolio on Foreign Affairs revealed that the trafficking of the 200 Zimbabwean women strained relations between the two countries because Kuwait refused to cooperate with Zimbabwe in investigating the case. He noted that the Zimbabwean government’s team which was set up to investigate the case in Kuwait was denied visas by the embassy. However the rift between the two countries was temporal as Zimbabwe quickly withdrew from pursuing the case for fear of losing financial aid from Kuwait. According to the respondent Zimbabwe has secured loans worth US$59 million for construction, agriculture and transportation sectors from the Kuwait fund. Secondly relations between Zimbabwe and Kuwait had to be managed because the Amir of Kuwait has properties in Zimbabwe and there is a long standing relationship which dates back from 1990 when Zimbabwe as the Chair of the UN general assembly supported Kuwait against Iraq invasion. Contrary to the above submission the Permanent Secretary in the Ministry of Foreign Affairs said that the Zimbabwe Kuwait relations were never strained in any way because of the human trafficking saga, instead the case has strengthened the bilateral relations between the two countries where cooperation to end human trafficking is undoubtedly evident and is also cemented by various economic agreements between the two countries. The permanent secretary further argued that human trafficking activities are just a brainchild of individuals with a criminal disposition hence both countries intend to cooperate in order to effectively mitigate the threat.

Worth noting is that findings revealed that the Kuwait government does not outlaw slavery as enshrined in section 20 of the Kuwait constitution which allows its citizens to have slaves which means “Kadhama” in Kuwait language, these are mostly recruited for domestic work where they will be exposed to servitude. Therefore the involvement of the former Kuwait ambassador to Zimbabwe had no consequential effect to him since it is lawful in his country. Another Ministry of Foreign Affairs respondent highlighted that despite the fact that Kuwait does not outlaw slavery, the decision by a diplomat to engage in criminal activities is solely his/her responsibility and should not have a bearing on the relationship between states represented. Security sector respondents are also of the opinion that such activities are just a brainchild of individuals with a criminal disposition hence the involved individuals should face the consequences. Some even expressed that Zimbabwe and Kuwait relations continue to be cemented as exhibited by the fact that relations continue to be cemented by economic agreements where both countries are overlooking the problem. The Ministry of Foreign Affairs respondent alluded to the fact the successful repatriation of the 200 women by the Zimbabwean government was a result of unwavering cooperation by the government of Kuwait. The permanent secretary claimed that the incident has consequently resulted in the creation of various statutory instruments in both countries with the expectation of effectively curbing human trafficking. Noteworthy is that the Kuwait embassy could not be reached inorder to substantiate the claims by the permanent secretary. It is also worth noting that the chairperson of the parliamentary portfolio on foreign affairs said that Kuwait embassy denies the involvement of former Kuwait Ambassador to Zimbabwe Ahmed Al –Jeeran in the Trafficking In Persons (TIP) scandal.
4.4: THE INTERNATIONAL LAWS AND PROTOCOLS ON HUMAN TRAFFICKING

There was general appreciation amongst respondents that Palermo Protocol represents the first modern initiative to fight human trafficking at global level leading more than 130 countries to ratify the treaty and 55 to pass domestic anti-trafficking legislation.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (The Palermo Protocol)

The protocol emphasises that states should
• Prevent and combat trafficking especially against women and children
• Protect and assist victims of trafficking
• Promote international cooperation to prevent trafficking and apprehend traffickers
• Provide physical, psychological and social recovery for victims e.g. housing, counselling, employment, education and training opportunities
• Provide physical safety for the victims
• Strengthen border controls
• Zimbabwe recently acceded this Convention

However, respondents raised concern over the fact readiness to ratify and pass laws against human trafficking does not necessarily mean capacity and readiness to enforce them. Respondents from IOM expressed that it is undeniable that most poor countries are incapacitated to effectively implement laws against human trafficking within their borders due to lack of resources. They also cited lack of political will by respective governments as the major stumbling block in achieving the much anticipated eradication of human trafficking. This means that governments are likely to prioritise other issues over human trafficking whose clandestine nature makes it difficult to be detected. Respondents from NGOs complained that UN peacekeepers in conflict zones are undermining UN and Governments’ efforts to eradicate human trafficking, citing incidences which transpired in Haiti where peacekeepers became perpetrators of human rights abuse and trafficking in persons. This has evidently militated against the prospects of achieving a human trafficking free world. Some criticised world governments for their reluctance to deal with human trafficking adding that their approach to TIP is too casual and mere rhetoric where talk takes the lead without complementing action. Respondents from the legal fraternity argued that the Palermo Protocol’s achievements are only on paper where the majority of countries have either ratified or signed the protocol however it is ironic that little has been achieved in mitigating the threat of human trafficking whose records are escalating every year. For example, IOM indicated that the statistical analysis on human trafficking are on an upward trend the world over where the larger number of victims is recorded in Asia Pacific region where there is a record of 11.7 million victims. It is important to note that there are various
regional and international complementing instruments to the Palermo protocol. Listed below are some of the instruments designed to curb human trafficking and other related international crimes:


• The Charter in Article 15 protects children from all forms of exploitation for economic reasons including child labour
• Article 16 protects children from sexual abuse
• Article 22 protects children from being used as child-soldiers in armed conflicts
• Articles 27, 28 and 29 protect children from sexual exploitation, drug abuse and sale, trafficking and abduction respectively

2. The AU COMMIT – Ouagadougou Action Plan to Combat Trafficking in Human Beings especially Women and Children

• It is aimed at assisting member states with the development and implementation of sound migration policies aimed at addressing trafficking in human beings, especially women and children

3. The Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa

• Article 5 (g) prevents and condemns trafficking in women, prosecutes the perpetrators of such trafficking and protects those women most at risk
• Article 6 (b) prohibits child marriages
• Article 11 calls for the protection of women in armed conflict from all forms of abuse including sexual exploitation
• Article 13 protects women from being abused for purposes of pornography or other forms of exploitation by their employers


• It prohibits, seeks to prevent and apprehend perpetrators of international crimes including human trafficking, drug trafficking and arms trafficking. These crimes occur across borders hence a coordinated effort to foster international cooperation among states is necessary.
• Zimbabwe signed this Convention on 12 December 2000 and ratified it on 12 December 2007 but has not fully domesticated its provisions.

It emphasises that states should:
• Prevent and combat trafficking especially against women and children
• Protect and assist victims of trafficking
• Promote international cooperation to prevent trafficking and catch traffickers
• Provide physical, psychological and social recovery for victims e.g. housing, counselling, employment, education and training opportunities
• Provide physical safety for the victims
• Strengthen border controls
• Zimbabwe has ratified this Convention


• Protects children from exploitative business such as prostitution and pornography especially that facilitated by the trafficking of children.
• Zimbabwe ratified this treaty on 14 February 2012

7. The Protocol Against the Smuggling of Migrants by Land, Air and Sea

• It is a useful tool in providing protection and detecting the smuggling of victims of trafficking
• Zimbabwe signed this treaty on the 12th of December 2000 but has not ratified it.

8. The Convention on the Elimination of All forms of Discrimination Against Women (CEDAW)

• It protects women against discrimination.
• Article 6 of CEDAW specifically prohibits the trafficking of women for purposes of sexual exploitation and prostitution
• Zimbabwe ratified this instrument on 13 May 1991
8. The Convention on the Rights of the Child (CRC)

- It guarantees the basic human rights of children – civil, political, social and economic rights and it also prohibits discrimination against children. Hence trafficking, by virtue of its nature and consequences, goes against this convention.
- Zimbabwe ratified this instrument on 11 September 1990

10. The United Nations Global Initiative to Fight Human Trafficking (UN GIFT)

- This is an initiative by the United Nations to raise awareness on the problem of trafficking as well as design protection mechanisms for victims of trafficking.

Given the above legal instruments it cannot be disputed that the international community is working hard towards achieving the eradication of human trafficking in the globe, however according the women and land in Zimbabwe national coordinator all the instruments highlighted above have no visible impact across the world. Legal experts are of the opinion that the effectiveness of these legal instruments can only be achieved if;

1. All forms of trafficking are criminalised, that means all components of trafficking must be included in any anti trafficking legislation. There are three components of trafficking and these are:

<table>
<thead>
<tr>
<th>ACT i.e. what is done</th>
<th>MEANS i.e. How it is done</th>
<th>PURPOSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruitment</td>
<td>Abduction</td>
<td>Exploitation</td>
</tr>
<tr>
<td>Coercion</td>
<td>Fraud</td>
<td>Forced labour</td>
</tr>
<tr>
<td>Transportation</td>
<td>Threat or Use of force</td>
<td>Sexual exploitation</td>
</tr>
<tr>
<td>Habouring</td>
<td>Giving payments or benefits</td>
<td>Slavery</td>
</tr>
<tr>
<td>Transfer</td>
<td>Abuse of power</td>
<td>Removal of Organs</td>
</tr>
<tr>
<td>Receipt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deception</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

According to the respondents the legal discipline has a lot of technicalities that can be exploited by offenders of human trafficking hence the importance of including all the three components in the Trafficking In Persons (TIP) legislation of any country. For example receipt or transportation by themselves do not amount to a criminal offence but can lead to conviction of an offender if the means and purpose of receipt are established and included in the legislation.

2) Identification and recognition of trafficking victims

Respondents suggested that state parties should develop methods of confirming the victim status and their eligibility for various services such as temporal residence permits, health
services, shelter and protection. It is also important for states to adhere to the principle of non-punishment of victims if they commit a crime in line with trafficking mandate imposed to them by their handlers. For example a trafficked victim should not be convicted for having a fake passport in his/her position because the act would have been imposed on them by the traffickers. As a result of this, prosecutors lamented the fact that TIP Protocol does not explicitly obligate state parties to refrain from criminalising trafficking in persons victims. They also pointed to the fact that available provisions or guidelines for protecting victims of trafficking from prosecution are non-binding adding that such guidelines are consistent with not treating trafficked persons as victims of crime. One example of this guideline is the United Nations High Commissioner for Human Rights Recommended Principles and Guidelines Principle No.7 which states that “Trafficked persons shall not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons.”

4.5 WHY THE INTERNATIONAL COMMUNITY IS FAILING TO ERADICATE HUMAN TRAFFICKING

According to the guardian (2013), the United Kingdom is one country which has dismally failed to curb human trafficking; they cited that the ministers, police and social workers are evidently clueless on how to protect people from human traffickers. The British government is accused of prosecuting victims of human trafficking instead of embarking on rehabilitation process so as to ensure their successful reintegration into the society. Furthermore, political indifference, ignorance and leadership vacuum are cited as pushing the victims into another corner of abuse and vulnerability.

My findings also revealed an evident failure to effectively disseminate information by the political leadership to law enforcers. The international community and national governments are seemingly concentrating on the crafting of legislation against human trafficking and neglecting their administrative role of educating the implementers or enforcers of the passed laws. This is evidenced by a stunning lack of awareness of the problem among frontline officials whose job is to detect, investigate, identify and arrest TIP offenders at the same time helping trafficked victims. The researcher encountered unacceptable levels of ignorance on human trafficking among the police and social services personnel whose mandate is arrest perpetrators of this insidious crime.

Human trafficking has been labelled a chronic illness that cannot be treated like some minor infection; it is in the very bones of the world economic system. Therefore eradicating this scourge is an uphill task which requires a coordinated approach of governments and NGOs. It is however idealistic to expect all nations of the world to unite in achieving this goal given the fact that just like individuals, countries have a different perspective on how they view human trafficking. For example, as indicated earlier Middle Eastern countries’ culture condones slavery whilst some cultures devalue women and girls in their societies thereby making them disproportionately vulnerable to trafficking. The Chairperson of the parliamentary portfolio for human trafficking argued that although it is
difficult to completely eradicate human trafficking the main reason behind the failure of the international community to reduce it is based on misdirected efforts. He stated that the human trafficking thrust is mainly on forced labour but much attention is given to the sexual exploitation of women and children thereby losing focus on addressing the root of the problem. The Mashonaland West Area Prosecutor revealed that the recently held United Nations sponsored workshop on human trafficking in Kenya revealed that forced labour can be categorised into three components, that is, state imposed forced labour, forced sexual exploitation and forced labour exploitation. The pie chart below shows current statistics of forced labour in 2017 as presented by the prosecutor.

He stated that if states could understand the major reason behind human trafficking they would be in a position to effectively mitigate it. In this case investigations to crack the trafficking syndicates should be directed to industrialising areas, farms and areas with high business activity where manual labour is on demand.

4.4: WHAT HAS BEEN THE MAJOR CAUSES OF HUMAN TRAFFICKING IN ZIMBABWE AND KUWAIT?

Respondents from NGOs are of the view that there is a close link between poor countries with ailing economies and developing countries embarking on vigorous industrialisation activities. The relationship between these two is mostly focused on cheap labour where poor countries are obviously sources of that labour because of high unemployment rates and political instability. Respondent representing the parliamentary portfolio for foreign affairs
indicated that the Zimbabwean economic meltdown experienced from 2000 has created a fertile ground for trafficking in persons within and outside Zimbabwean borders. High unemployment rate which has been exacerbated by corruption has largely contributed to this unpleasant situation where most unemployed youths are in desperate need of employment thereby creating a major loophole for exploitation by human traffickers.

The IOM official added that issues of porous borders, corrupt government officials, the involvement of international organized criminal groups and limited capacity of or commitment by immigration and law enforcement officers to control borders. According to the security sector respondents Southern African borders have been identified as very porous, the beitbridge border post in particular was identified as the main root for traffickers and illegal immigrants to and fro South Africa. Prosecutors from the Zimbabwean courts added that lack of adequate legislation and of political will and commitment to enforce existing legislation or mandates are other factors that facilitate trafficking in persons. They revealed that a specific human trafficking legislation was recently created after the Kuwait incident in 2016; this means that all human trafficking offenders were charged with lighter offences which resulted in lighter sentences. Respondents from the Zimbabwe Community Development Association (ZCDA) expressed that wars and religious fanaticism contributes greatly to the causes of human trafficking especially in the Middle East. They added that the Islamists believe that they are a superior religion with rights to own slaves as is the case in Kuwait and most Middle East countries.

The ministry of foreign affairs also indicated that the need for scholarships has exacerbated the scourge of human trafficking in Zimbabwe as they revealed that the government has recently received information that out of 3000 students who received scholarships to Cyprus 147 are reportedly under forced prostitution after being deceived that they have been awarded some scholarships. As a result of this development the Ministry of Foreign Affairs and the parliamentary portfolio for foreign affairs are expected to visit Cyprus for a rescue mission by end of October 2017. Poverty has also been cited as one of the causes of human trafficking in Zimbabwe. Zimbabwe has for the past 10 years been recorded as one of the poorest countries in the world and this explains why human traffickers have targeted the country since 2000. Respondents from the NGOS expressed that wealth and poverty are relative concepts which lead to both migration and trafficking patterns in which victims move from conditions of extreme poverty to conditions of less-extreme poverty. In relation to this, the rapid technological advancement in broadcast and telecommunication media, including the Internet in the developing world have increased the desire to migrate to developed countries thus increasing the vulnerability of would-be migrants to traffickers. Security sector respondents also attributed the increasing rate of human trafficking cases to the technological advancement especially the social media phenomenon which is bringing people from across the globe closer to each other, this also coupled with unprecedented levels of gullibility among internet users has become the biggest trap for victims of human trafficking. Employment and scholarship agents were also blamed for perpetuating human trafficking in the country as most victims of trafficking went through them to respective countries of destination.
4.5 WHY AND HOW ARE DIPLOMATS INVOLVED IN HUMAN TRAFFICKING?

The permanent secretary in the Ministry of Foreign Affairs said that the human trafficking business is a lucrative trade with an estimated US$150billion earnings per year. As a result of the large amounts of money involved, people with a criminal deposition are likely to fall into this trap despite their position government or society. In the case of the Kuwait ambassador to Zimbabwe, the main reason for his involvement was cited as based on section 20 of the Kuwait constitution which allows for the recruitment of domestic labour from other countries. Parliamentary Portfolio committee member for Foreign Affairs said that domestic workers in Kuwait are referred to as “Khadama”, which means slave. Hence Zimbabwe’s world view concerning the treatment of workers or domestic labour force differs from that of Kuwait which legalises slavery. He also cited that the enslavement of Zimbabwean women which caused much hype in the media, civic society and general public was of no consequential effect to the former ambassador because the practice of servitude is condoned by the Kuwait government. He also expressed that it is also sad to note that Zimbabwe does not have the extraterritorial jurisdiction to try the Ambassador because he is a citizen of Kuwait.

According to respondents the involvement of a diplomat in human trafficking did not begin in Zimbabwe, diplomats from the Arabian Peninsula have been nabbed for human trafficking especially in the United States of America. The traditional reasons for causes of human trafficking have been cited as poverty, immorality, war, political and economic instability but diplomats do not fit into these categories so what could be the motivating factor for diplomats? Diplomatic immunity for diplomats was largely cited as one of the motivating factors which encourage diplomats to be involved in this insidious crime. The issuance of special visas such as Section 20 visas of Kuwait and A3 visas make it easy for exploitation to occur. These visas which are specifically for employees of diplomats and domestic labour are dependent on an employment contract and are not under the laws of Zimbabwe and most countries including the United States of America. As a result, a contract provides little protection from abuse and does not involve government departments to ensure that obligations of the contract are met.

The human trafficking pro bono legal centre magazine (2014), indicated that the power, class and wealth imbalances between the domestic worker and the diplomat are too enormous hence the diplomats take advantage of this. The magazine gave an example of the Malawian diplomat to US Jane Kambalame who kept her domestic worker in servitude for years before she later escaped, unfortunately the diplomat was not tried for the alleged crime because of diplomatic immunity. Furthermore the A3 visas makes it impossible for the domestic worker to leave an abusive boss because the name of the employer is written on the visa making it impossible for the victim to leave his/her place of employment because they will be risking deportation.

4.6 The efficacy of various interventions by Government and NGOs on human
According to the research findings interventions that are in place vary from organization to organization. The government of Zimbabwe has put in place an Inter-Ministerial Task force on human trafficking which is chaired by the Ministry of Home Affairs. The duties of the Task force include identifying pieces of legislation that deal with trafficking that the Government has not signed or ratified and making recommendations to Cabinet and Parliament for their signature or ratification. Another mandate of the Taskforce was to look for other interventions that the Government could do to curb the problem of trafficking. The findings revealed that the since the formation of the Taskforce in 2007, nothing much has been done, besides the compilation of the various human rights instruments dealing with trafficking and the enactment of the trafficking in persons act in 2014. Despite the fact that the trafficking in persons act has been put in place respondents from the NGO fraternity are calling for its amendment citing its failure to be consistent with 200 UN TIP protocol.

Despite the fact that Zimbabwe came up with the trafficking in persons legislation, the chairperson of the Parliamentary Portfolio for Foreign Affairs expressed that there is need to create a water tight legislation to deal with human trafficking. He also noted that despite the fact that government has managed to create an inter-ministerial taskforce for dealing with human trafficking, there has not been any conviction recorded in Zimbabwe as most suspects are reportedly on the run after being granted bail. The case of Brenda Avril May who was co-accused with the former ambassador to Zimbabwe Ahmed Al Jeeran is not yet finalised and it is unlikely that she would be convicted because the investigating officers have failed to produce evidence that warrants conviction. Respondents from the civil society argued that TIP legislation is enough to deter offenders since it attracts a life sentence if one is convicted of the crime, the problem is in enforcing that law because the law enforcement agents are not really acquainted with human trafficking and the modus operandi of traffickers thereby making it difficult for them to crack TIP cases. Corruption was cited as one of the major hindrances to attaining justice for perpetrators of human trafficking in Zimbabwe, respondents from NGOs argued that the presence of legislation against human trafficking is useless if the law enforcers are unwilling to conduct their duties professionally.

In a bid to effectively mitigate the scourge of human trafficking the permanent secretary in the Ministry of Foreign Affairs said that the government of Zimbabwe established the National Plan of Action (NAPLAC) which was officially launched on 30 July 2016. NAPLAC which was launched through the anti-trafficking inter-Ministerial committee was meant to be the country’s roadmap for the implementation of its obligation under the UN Protocol to prevent, suppress and punish trafficking in persons. The plan is underpinned under the 4ps prevention, partnership, prosecution and protection. According to the permanent Secretary the guiding principles of the NAPLAC are as follows: evidence based approach, coordinate multi sectoral approach, rights based and victim centred approach, discrimination and gender sensitive approach and sustainability. The permanent secretary also revealed that government through the Ministry of Public Service, Labour and Social Welfare is mandated to establish 10 centres for the victims of human trafficking. So far 3
centres for victims of TIP have been identified in the country and Harare repatriation centre at Harare Central Hospital has already started accommodating victims. Unfortunately renovations for these 3 centres have not yet commenced owing to treasury’s failure to release funds despite several requests.

The Ministry of Public Service Labour and Social Welfare and the International Organisation for Migration (IOM) has managed to come up with Standard Operation Procedures (SOPs) and Terms of References (ToR) to be adhered to whenever dealing with issues of TIP. With funding from IOM’s Global Assistant Fund (GAF) and Emergency Fund (EF), IOM has coordinated with government in the provision of medical and psycho social support to the identified victims and will provide reintegration support for 100 victims. The Ministry of Public Service, Labour and Social Welfare officials revealed that 80 victims of human trafficking were trained in entrepreneurship and mindset transforming so as to ensure their successful reintegration into the society. Through government efforts another group of 20 women were trained on financial management on 26 September 2017 at the social welfare repatriation centre.

According to the Chairperson of the parliamentary portfolio on Foreign Affairs, the Kuwait human trafficking saga came as an awakening to the Zimbabwean government and as a result the Minister of Foreign Affairs wrote a letter to the Kuwait embassy requesting the ban in issuing section 20 visas to Zimbabwean citizens. Kuwait was reportedly targeting Zimbabwe, Ghana, Nigeria and Ethiopia in Africa mainly because of their stance of accommodating section 20 visas. For example, South Africa has managed to effectively contain this threat from Kuwait because it banned Section 20 visas hence its citizens are protected.

Law enforcement agents also expressed that there is no cooperation between government and NGOs and as a result NGOs do not refer cases to relevant government departments for actioning and prevention of such activities. A senior security agent acknowledged that NGOs are privy to vital information concerning human trafficking more than government departments but are reluctant to submit the details to government for unknown reasons. A respondent from girl child network registered that TIP cannot be successfully combated if there is no coordinated approach between government and NGOs.

Given the above presentation it is should be noted that the Zimbabwean Government’s approach to human trafficking is more reactive than proactive as most of their interventions are victim oriented rather than focusing on preventing the human trafficking problem. A respondent from IOM revealed that the NGO launched the Southern African Counter Trafficking Assistance Programme (SACTAP) in 2003. The purpose of SACTAP is to prevent TIP and protecting trafficked person in Southern Africa while supporting governmental and nongovernmental.

Since the establishment of SACTAP in 2003, the officer from IOM advised that they have conducted public awareness campaigns for the general public, conducted counter training
workshops for law enforcement officers and other government officials, as well as civil society groups, through training and the provision of other technical support. The training workshops are focused on demystifying what human trafficking is, how to identify traffickers and how to assist trafficked victims. Furthermore he noted that IOM have provided trafficked persons with safe accommodation, medical and psychological assistance, and a range of return and reintegration options as he lamented the scarcity of resources as a major hindrance to IOM’s effective interventions in curbing human trafficking. This further confirms the need for a coordinated effort between government, NGOs and other stakeholders to address the human trafficking problem. Nkiwane and Muso (2007) also stated there is need for Government to take the lead role thus complementing efforts by NGOs.

CHAPTER 5

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1 Introduction

This chapter focuses on the summary of the whole research processes. It reviews the whole research process and the challenges encountered during the research. Key findings and conclusions of the research are highlighted in this chapter and are all linked to the research topic and objectives highlighted in chapter one. This section also presents research recommendations directed to the research findings presented in the fourth chapter. The writer also presents recommendations for further study.

5.2 Summary

5.2.1 Summary of the research

The aim of the research was to establish the impact of human trafficking on interstate relations, looking into the efficacy of international laws and protocols which are meant to mitigate the trafficking in persons scourge. The research also investigates on the causes of human trafficking and also seeks to establish the reasons behind the involvement of diplomats in this criminal act.

The rational theory informs this study guiding us through understanding how human trafficking impacts on state relations. The literature review of this study is also hinged on this theory and Human security which as the conceptual framework of the study broadens our understanding on the responsibility of governments to protect their people and the infringement of human rights by the human traffickers.

In this study the qualitative research paradigm is used owing to the nature of the research which is predominantly informed by qualitative data from respondents. In the process a Case
Study research design was selected because case inquiry takes a holistic elaboration of real life events, has a heuristic impact and seeks to address the ‘Why’ and ‘How’ questions. The nonprobability purposive sampling technique was used to select interview technocrats with the requisite technical expertise. The nonprobability purposive sampling technique was used to select interview technocrats with the requisite technical expertise. The advantage of purposive sampling was that the researcher had a choice in selecting informants representing different population parameters.

The major hindrance the researcher faced was at the Kuwait embassy where he was denied access to interview the relevant embassy officials. Despite this setback the Parliamentary portfolio on foreign affairs contributed much to the findings on this research, whilst the ministry of foreign affairs helped much on state relations and other related issues. NGOs such as the IOM and Child line helped with their experiences concerning the subject.

The findings of this research revealed that Government ministries and NGOs in Zimbabwe have no accurate statistics for human trafficking mainly due to the fact that the trafficking in persons phenomenon is relatively new in Zimbabwe and because it is clandestine in nature. Failure of government to have specific legislation for human trafficking until 2016 has also complicated the process of attaining statistics of human trafficking because all human trafficking cases where attributed to lighter crimes thereby leading to the scarcity of statistics. The researcher also found out that relation between Zimbabwe and Kuwait at first to the extent that the Ministerial task force for human trafficking which was supposed to investigate the case in Kuwait was denied visas by the Kuwait embassy. However because of Zimbabwe’s economic dependency on Kuwait the Zimbabwean government quickly softened its stance against Kuwait thereby leading to the delegation receiving visas so as to rescue the trafficked women. The findings revealed that despite the fact that international laws and protocols of human trafficking were ratified and signed by the majority of states in world, the laws are not achieving their goals as expected. This is summed up in the statement, ratifying and signing of protocols by states does not necessarily mean ability or capacity of individual states to implement them.

The existence of a cultural barrier in curbing human trafficking was uncovered in this research where it was revealed that domestic workers in Kuwait are called slaves, which is “Khadama” in Kuwait language. As a result of this cultural difference, the trafficking issue which caused much hype from different sectors in Zimbabwe was surprisingly not an issue in Kuwait. The issuance of section 20 and A3 visas has been cited as the major reason why diplomats are involved in human trafficking because this type of visa gives a diplomat absolute control and authority over the worker. Diplomatic immunity of diplomats is also another reason which according to respondents gives diplomats with a criminal disposition the power to engage in human trafficking.

The research findings also established that in the case of Zimbabwe high unemployment rate, poverty, economic problems and the internet deception as the major causes of human trafficking. Most victims are enticed through social media platforms where they are promised
well-paying jobs and scholarships. Furthermore, the findings established that scholarship and employment agents in Zimbabwe are used to recruit victims of human trafficking.

It was surprising to discover the ignorance of law enforcement agents about human trafficking, most expressed knowledge of its existence but could not articulate what it means.

5.3 Conclusion

From the above findings the researcher was able to infer the following conclusion in relation to the research topic, assumptions and theoretical framework. The conclusion answers the research questions and research objectives;

This research confirms beyond reasonable doubt that human trafficking is a reality in Zimbabwe although the extent of the problem is difficult to ascertain due to lack of statistical information. Throughout this research, the impact of human trafficking to state relations has proved to be on the positive side where states are working together in order to curb the threat. The involvement of diplomats in this criminal activity can be attributed to the individual diplomat’s capacity to make rational decisions which are mainly for personal gain and are usually divorced from the interests of the state. The failure of individual states to effectively mitigate the threat of trafficking in persons is mainly because there is lack of a coordinated approach between government and NGOs and the failure to orient law enforcers on human trafficking. Cultural differences are contributing to the failure of the international community to effectively deal with human trafficking, it is therefore of importance for all nations to address this difference so as to win the war against trafficking in persons. The various interventions by government and NGOs are victim centred and have little to do with preventing the crime from happening. Training victims in various disciplines does not solve the problem if the government does address the root causes such as the unemployment problem.

5.4 Recommendations

- Given the clandestine nature of human trafficking and the fact that not much is known about the problem in Zimbabwe, a lot of sensitization and awareness raising campaigns is needed so that law enforcement agents and the general public know about trafficking and its dangers. The media should take a leading role in bringing out the problem of trafficking through use of the social media, radios, televisions and newspapers. Furthermore, government should embark on massive dissemination of information on safe migration both at local and international levels.
- The law enforcement agents and should arrest the local recruiting agents and bring them before the courts of law. Government should also come up with
legislation which monitors scholarship and employment agents in Zimbabwe so as to curb trafficking in persons.

- It is also reasonable for government to introduce licences for all travel agencies in Zimbabwe and the security agents should be responsible for approving such licences after thorough vetting of the applicants.

- Government should come up with poverty alleviation programs and employment creation initiatives. This will go a long way in minimising the rate of human trafficking in the country.

- There is need for the international community to engage states from the Arab world concerning the cultural differences that exist on their views on slavery and human rights abuse.

- The Zimbabwean government and other African governments should permanently ban the issuance of section 20 visas of Kuwait to their citizens.

- There is need for government to adopt a multi sectoral approach in tackling human trafficking. This will help in avoiding duplication of work and the resources available will be put to effective use.

- Law enforcement personnel, immigration, customs officials and other stakeholders should undergo training in human trafficking so as to equip them with knowledge and best ways curb the problem.

- The diplomatic immunity previledge should be withdrawn in cases where a diplomat is involved in human trafficking so as to allow justice to prevail.

REFERENCES


Family Grapples… The Sunday Mail 4-11/09/11. Mazire I. Harare, Zimpapers (p5)


Haynes, D.F (2004) “Used, Abused, Arrested and Deported: Extending Immigration Benefits to Protect the Victims of Trafficking and to Secure the Prosecution of Traffickers” 26 Human Rights Quarterly 221-272


Human Trafficking’ by the US Dept www.globalhealth.kff.org/Daily-Reports/... Downloaded on 24/09/11


International Organization for Migration, Counter-Trafficking Database, 78 Countries (1999-2006)


**Article Journals**


Ward, E. (2005).*The Relationship between Intercountry Adoption and Human Trafficking*. Oxford University

**Reports**


**Newspaper Articles**

Newsday (14 June, 2016). *Zim-Kuwait slaves narrate horror tales.*
APPENDICES

APPENDIX 1: APPLICATION LETTER; GOVERNMENT DEPARTMENTS

Number 6 Crescent Court
Chinhoyi
6 July 2017
The Permanent Secretary
Ministry of…………………………
…………………………………………
Dear Sir/Madam

RE: APPLICATION TO CONDUCT RESEARCH WITH YOUR MINISTRY

The above matter refers: Permission is hereby sought to conduct a Masters research with your Ministry. I, Evans Musademba a student at the Bindura University of Science Education (BUSE) am doing a research for a Master’s Degree in International Relations.

My research topic reads, ‘The impact of human trafficking on interstate relation. The case of Zimbabwe and Kuwait.’

This research is purely for academic purposes. Research ethics including voluntary consent and anonymity will be put into consideration. Your identity will not be revealed in the data analysis and coding. See the attached BUSE letter of research.

Thank you for your cooperation

Yours faithfully Evans Musademba B1644837
APPENDIX 2: PARTICIPANT CONSENT FORM

STUDY TITLE: THE IMPACT OF HUMAN TRAFFICKING ON INTERSTATE RELATIONS. THE CASE OF ZIMBABWE AND KUWAIT.

RESEARCHER; EVANS MUSADEMBBA

I am a Master of science student in International Relations carrying out a research on, The impact of human trafficking on interstate relations. The case of Zimbabwe and Kuwait. This study is a prerequisite for a successful completion of my Masters programme. Please that the is purely for academic purposes.

As one of the identified key informant, I hereby seek your voluntary to go ahead with my interviews. You identity will not be used in the write up and data will be handled confidentially.

Thank you for your cooperation.

Participant’s signature ........................................... Date..................................................

Researcher’s signature ........................................... Date ..................................................